

No. 2006-37

## AN ACT

HB 121

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for period of disqualification, revocation or suspension of operating privilege; providing for passing and overtaking streetcars and for snow and ice dislodged or falling from moving vehicles; and further providing for ignition interlock.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 1541(d) of Title 75 of the Pennsylvania Consolidated Statutes is amended to read:

§ 1541. Period of disqualification, revocation or suspension of operating privilege.

\* \* \*

(d) Continued suspension of operating privilege.—A defendant ordered by the court under section 3816 (relating to requirements for driving under influence offenders), as the result of a conviction or Accelerated Rehabilitative Disposition of a violation of section 3802 to attend a treatment program for alcohol or drug addiction must successfully complete all requirements of the treatment program ordered by the court before the defendant's operating privilege may be restored. Successful completion of a treatment program includes the payment of all court-imposed fines and costs, as well as fees to be paid to the treatment program by the defendant. ***For the purposes of restoring a suspended license, being current on a payment plan shall be considered as a part of a successfully completed program.*** If a defendant fails to successfully complete the requirements of a treatment program, the suspension shall remain in effect until the defendant completes the program and is otherwise eligible for restoration of his operating privilege. The treatment agency shall immediately notify the court of successful completion of the treatment program. The final decision as to whether a defendant has successfully completed the treatment program rests with the court.

Section 2. Title 75 is amended by adding sections to read:

§ 3315. ***Passing and overtaking streetcars.***

(a) ***General rule.***—***Notwithstanding any other provision of this subchapter, the driver of a vehicle may not overtake and pass to the left of a streetcar proceeding in the same direction, whether the streetcar is actually in motion or temporarily halted to receive or discharge passengers, if overtaking or passing requires driving in a lane normally used by traffic moving in the opposite direction.***

*(b) Streetcar stopped to receive or discharge passengers.—The driver of a vehicle may not overtake and pass a streetcar which has stopped to receive or discharge passengers on the side on which passengers board or alight until the doors of the streetcar are closed and passengers who are discharged have reached the side of the highway.*

*(c) Applicability.—This section shall not be applicable to locations where streetcars are operating on tracks located within a median section of the roadway separated from the roadway by curbs or other physical barriers.*

**§ 3720. Snow and ice dislodged or falling from moving vehicle.**

*When snow or ice is dislodged or falls from a moving vehicle and strikes another vehicle or pedestrian causing death or serious bodily injury as defined in section 3742 (relating to accidents involving death or personal injury), the operator of the vehicle from which the snow or ice is dislodged or falls shall be subject to a fine of not less than \$200 nor more than \$1,000 for each offense.*

Section 3. Section 3805 of Title 75 is amended by adding a subsection to read:

**§ 3805. Ignition interlock.**

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*(h.1) Mobile installation services.—*

*(1) Approved service providers of department-certified manufacturers of ignition interlock systems shall be permitted to provide mobile installation of ignition interlock systems within this Commonwealth.*

*(2) Mobile installation of ignition interlock systems shall be held to the same security and procedural standards as provided in specifications of the department.*

*(3) Approved service providers of mobile installation of ignition interlock systems shall not permit the program participant or any unauthorized personnel to witness the installation of the ignition interlock system.*

*(4) Regular maintenance of ignition interlocks after mobile installation shall be performed according to the specifications established by the department.*

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Section 4. This act shall take effect in 60 days.

APPROVED—The 11th day of May, A.D. 2006.

EDWARD G. RENDELL