
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1134 Session of
2009

INTRODUCED BY O'PAKE, COSTA, GREENLEAF, FERLO, FONTANA, ARGALL,
WILLIAMS, M. WHITE, TARTAGLIONE, WARD, EARLL AND FARNESE,
NOVEMBER 25, 2009

REFERRED TO EDUCATION, NOVEMBER 25, 2009

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," further providing for suspension of
6 operating privilege.

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

9 Section 1. Section 1338.1 of the act of March 10, 1949
10 (P.L.30, No.14), known as the Public School Code of 1949, added
11 November 17, 1995 (1st Sp.Sess, P.L.1110, No.29), is amended to
12 read:

13 Section 1338.1. Suspension of Operating Privilege.--(a) (1)
14 The Department of Transportation shall suspend for 90 days the
15 operating privilege of any child upon receiving a certified
16 record that the child was convicted of violating section 1333.
17 If the department receives a second or subsequent conviction for
18 a child's violation of section 1333, the department shall
19 suspend the child's operating privilege for six months.

1 (2) Operating privileges shall be restored by the Department
2 of Transportation prior to the expiration of the period of
3 suspension upon receiving a supplemental certified record from
4 the court that the individual has completed high school,
5 obtained a general educational development (GED) diploma or
6 performed a minimum of fifty (50) hours of community service at
7 an educational institution for each unserved period of
8 suspension and satisfied all costs and fees assessed by the
9 court in the case.

10 (b) Any child whose record is received by the department
11 under section 1333(c) and who does not have a driver's license
12 shall be ineligible to apply for a driver's license under 75
13 Pa.C.S. §§ 1505 (relating to learners' permits) and 1507
14 (relating to application for driver's license or learner's
15 permit by minor) for the time periods specified in subsection
16 (a). If the child is under sixteen (16) years of age when
17 convicted, suspension of operating privileges shall commence in
18 accordance with 75 Pa.C.S. § 1541 (relating to period of
19 revocation or suspension of operating privilege) for the time
20 specified in subsection (a).

21 (c) An insurer may not increase premiums, impose any
22 surcharge or rate penalty or make any driver record point
23 assignment for automobile insurance, nor shall an insurer cancel
24 or refuse to renew an automobile insurance policy on account of
25 a suspension under this section.

26 Section 2. This act shall take effect in 60 days.