

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2266 Session of
2024

INTRODUCED BY TOMLINSON, HOGAN, GUENST, MARCELL, LABS AND
GILLEN, MAY 8, 2024

REFERRED TO COMMITTEE ON TRANSPORTATION, MAY 8, 2024

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in rules of the road in general, further providing
3 for racing on highways; imposing penalties; and making
4 editorial changes.

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

7 Section 1. Sections 1532(b)(1), 1542(b)(2), 1553(d)(11),
8 3367 and 6503(a) of Title 75 of the Pennsylvania Consolidated
9 Statutes are amended to read:

10 § 1532. Suspension of operating privilege.

11 * * *

12 (b) Suspension.--

13 (1) The department shall suspend the operating privilege
14 of any driver for six months upon receiving a certified
15 record of the driver's conviction of or an adjudication of
16 delinquency based on any offense under the following
17 provisions:

18 Section 3367 (relating to racing on highways and
19 trafficways).

1 Section 3714(b) (relating to careless driving).

2 Section 3734 (relating to driving without lights to
3 avoid identification or arrest).

4 Section 3736 (relating to reckless driving).

5 Section 3743 (relating to accidents involving damage
6 to attended vehicle or property).

7 * * *

8 § 1542. Revocation of habitual offender's license.

9 * * *

10 (b) Offenses enumerated.--Three convictions arising from
11 separate acts of any one or more of the following offenses
12 committed by any person shall result in such person being
13 designated as a habitual offender:

14 * * *

15 (2) Any violation of section 3367 (relating to racing on
16 highways and trafficways).

17 * * *

18 § 1553. Occupational limited license.

19 * * *

20 (d) Unauthorized issuance.--The department shall prohibit
21 issuance of an occupational limited license to:

22 * * *

23 (11) Any person whose operating privilege has been
24 suspended or revoked as the result of a conviction of or as a
25 result of a court order in conjunction with an adjudication
26 of delinquency or the granting of a consent decree for any
27 offense under the following provisions, unless the suspension
28 or revocation has been fully served:

29 Section 3345(a) (relating to meeting or overtaking
30 school bus).

Section 3367 (relating to racing on highways and
trafficways).

Any violation of Ch. 37 Subch. B (relating to serious
traffic offenses) or C (relating to accidents and
accident reports).

* * *

§ 3367. Racing on highways and trafficways.

(a) Definitions.--As used in this section the following
words and phrases shall have the meanings given to them in this
subsection:

"Drag race." The operation of two or more vehicles from a
point side by side at accelerating speeds in a competitive
attempt to outdistance each other, or the operation of one or
more vehicles over a common selected course, from the same point
to the same point, for the purpose of comparing the relative
speeds or power of acceleration of the vehicle or vehicles
within a certain distance or time limit.

"Drifting." The act of steering a vehicle in a turn in an
attempt to make the rear wheel or wheels of the vehicle lose
traction and create a controlled or uncontrolled skid sideways.

"Race." The use of one or more vehicles in an attempt to
outgain, outdistance or prevent another vehicle from passing, to
arrive at a given destination ahead of another vehicle or
vehicles, or to test the physical stamina or endurance of
drivers over long distance driving routes.

(b) General rule.--No person shall drive a vehicle on a
highway or trafficway in any race, speed competition or contest,
drag race or acceleration contest, test of physical endurance,
exhibition of speed or acceleration, or for the purpose of
making a speed record, and no person shall in any manner

1 participate in any such race, competition, contest, test or
2 exhibition.

3 (b.1) Drifting.--No person shall engage in the drifting of a
4 vehicle on a highway or trafficway.

5 (c) Permits for special activities.--The department or local
6 authorities within their jurisdiction may issue permits for
7 special activities which would otherwise be prohibited by this
8 section.

9 (d) [Penalty.--Any person violating this section is guilty
10 of a summary offense and shall, upon conviction, be sentenced to
11 pay a fine of \$200.] Penalties.--

12 (1) A person violating subsection (b) commits a summary
13 offense and shall, upon conviction for a first offense, be
14 sentenced to pay a fine of \$500.

15 (2) A person violating subsection (b) commits a summary
16 offense and shall, upon conviction for a second or subsequent
17 offense, be sentenced to pay a fine of \$2,000 and the vehicle
18 or combination used in the commission of the offense shall be
19 subject to an impoundment order for up to six months as
20 follows:

21 (i) The impoundment of the vehicle or combination
22 shall occur within the county where the offense was
23 committed.

24 (ii) Direct enforcement of the impoundment order
25 shall be conducted by a police officer, constable or
26 impoundment official as directed by the judicial
27 authority. In a city of the first class, second class,
28 second class A and third class, the impoundment official
29 shall be a parking authority of the municipality as
30 authorized under section 6109 (relating to specific

1 powers of department and local authorities) and 53
2 Pa.C.S. Ch. 55 (relating to parking authorities).

3 (iii) The costs of a police officer, constable or
4 impoundment official, reasonable storage costs and all
5 other reasonable costs incident to the impoundment order
6 shall be recoverable in addition to costs of prosecution.

7 (iv) The owner of the vehicle or combination which
8 has been subject to an impoundment order may obtain
9 possession of the vehicle or combination by:

10 (A) Furnishing proof of valid registration and
11 financial responsibility.

12 (B) Paying all costs and reasonable fees
13 associated with the impoundment order or making
14 arrangements with the appropriate judicial authority
15 to make payments of all costs and reasonable fees by
16 installments as provided by the Pennsylvania Rules of
17 Criminal Procedure.

18 (v) Any impounded vehicle or combination not
19 recovered under this subsection may be sold as an
20 unclaimed vehicle under section 6310 (relating to
21 disposition of impounded vehicles, combinations and
22 loads).

23 (3) A person violating subsection (b.1) commits a
24 summary offense and shall, upon conviction, be sentenced to
25 pay a fine of \$250.

26 (4) A person that organizes, controls, promotes or
27 finances two or more persons in a course of conduct that
28 violates subsection (b) or (b.1) commits a summary offense
29 and shall, upon conviction, be sentenced to pay a fine of
30 \$1,000 per vehicle engaged in the conduct that violates

1 subsection (b) or (b.1).

2 (5) A person that organizes, controls, promotes or
3 finances two or more persons in a course of conduct that
4 violates subsection (b) or (b.1) that results in the injury
5 or death of an individual commits a felony of the third
6 degree.

7 § 6503. Subsequent convictions of certain offenses.

8 (a) General offenses.--Every person convicted of a second or
9 subsequent violation of any of the following provisions shall be
10 sentenced to pay a fine of not less than \$200 nor more than
11 \$1,000 or to imprisonment for not more than six months, or both:

12 Section 1543(a) (relating to driving while operating
13 privilege is suspended or revoked) except as set forth in
14 subsection (a.1).

15 Section 3367 (relating to racing on highways and
16 trafficways).

17 Section 3734 (relating to driving without lights to avoid
18 identification or arrest).

19 Section 3748 (relating to false reports).

20 * * *

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