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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 892 Session of  
2017

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INTRODUCED BY MURT, D. COSTA, KAUFFMAN, McNEILL, MILLARD,  
SCHLOSSBERG AND WATSON, MARCH 17, 2017

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REFERRED TO COMMITTEE ON TRANSPORTATION, MARCH 17, 2017

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AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, in miscellaneous provisions, further providing for  
3 the offense of careless driving; establishing the Driver  
4 Distraction Awareness Fund; and providing for additional  
5 duties of the Department of Transportation.

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

8 Section 1. Section 3714 of Title 75 of the Pennsylvania  
9 Consolidated Statutes is amended to read:

10 § 3714. Careless driving.

11 (a) General rule.--Any person who drives a vehicle in  
12 careless disregard for the safety of persons or property is  
13 guilty of careless driving, a summary offense.

14 (b) Unintentional death.--If the person who violates this  
15 section unintentionally causes the death of another person as a  
16 result of the violation, the person shall, upon conviction, be  
17 sentenced to pay a fine of \$500.

18 (c) Serious bodily injury.--If the person who violates this  
19 section unintentionally causes the serious bodily injury of

1 another person as a result of the violation, the person shall,  
2 upon conviction, be sentenced to pay a fine of \$250.

3 (c.1) Additional fine for distracted driver.--

4 (1) Any person who violates this section and at the time  
5 of the violation is distracted by any task or item,  
6 including, but not limited to, any of the following, shall,  
7 in addition to any other penalty imposed, be sentenced to pay  
8 a fine of \$50:

9 (i) An interactive wireless communications device.

10 (ii) An electronic, electrical or mechanical device.

11 (iii) A personal grooming device.

12 (iv) Food.

13 (v) Drink.

14 (vi) Printed material.

15 (2) The provisions of this subsection shall not apply to  
16 any person unless the person is convicted under subsection  
17 (a) for a violation that occurred at the same time. No costs  
18 as described under 42 Pa.C.S. § 1725.1 (relating to costs)  
19 may be imposed on account of an increased fine under this  
20 subsection. Application of this subsection does not  
21 constitute a moving violation.

22 (3) Notwithstanding any other provision of law to the  
23 contrary, fines collected under this subsection shall be paid  
24 to the Commonwealth for deposit into the Driver Distraction  
25 Awareness Fund.

26 (c.2) Report.--The department shall submit to the General  
27 Assembly a report on the effects of subsection (c.1) by August  
28 31, 2018.

29 (d) Definition.--As used in this section, the term  
30 "distracted" means having a person's attention diverted from

1 operating a vehicle.

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

3 § 3714.1. Driver Distraction Awareness Fund.

4 (a) Fund established.--The Driver Distraction Awareness Fund  
5 is established in the Motor License Fund as a special restricted  
6 receipts account. The fund shall consist of the fines deposited  
7 under section 3714(c.1) (relating to careless driving), Federal  
8 funds granted for careless driving prevention and any money  
9 donated to the fund. The fund shall be used solely for the  
10 purpose of the educational program established in subsection  
11 (b). Money in the fund is appropriated to the department for the  
12 purposes of this section.

13 (b) Educational program.--The department shall establish an  
14 educational program to begin immediately to alert the public to  
15 the requirements and penalties under section 3714(c.1). The  
16 program shall also encourage motorists to eliminate distractions  
17 in the vehicle as a means of reducing the risk of harm to  
18 themselves and others.

19 Section 3. This act shall take effect in 60 days.