17

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 540

Session of 2023

INTRODUCED BY McNEILL, HILL-EVANS, DELLOSO, SAMUELSON, ISAACSON, HOHENSTEIN, CIRESI, MADDEN, PROBST, SANCHEZ, HOWARD, D. WILLIAMS AND FREEMAN, MARCH 20, 2023

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 29, 2023

AN ACT

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated 1 Statutes, in licensing of drivers, further providing for 2 determination of incompetency; and abrogating regulations. The General Assembly of the Commonwealth of Pennsylvania 4 hereby enacts as follows: Section 1. Section 1519 of Title 75 of the Pennsylvania 6 Consolidated Statutes is amended by adding a subsection to read: 8 § 1519. Determination of incompetency. * * * 9 10 11 lessee that entered into a vehicle 12 date of this subsection shall not be 13 termination fees or the remainder of vehicle the vehicle lessee's operating privileges have been suspended or 15 recalled under this section. The vehicle vehicle to the individual or entity that the vehicle was leased 16 from and provide notice from the department of suspension or

- 1 recall of the vehicle lessee's operating privilege.
- 2 Section 2. All regulations and parts of regulations are
- 3 abrogated to the extent of any inconsistency with the provisions
- 4 of this act.
- 5 Section 3. This act shall take effect in 60 days.
- 6 SECTION 1. SECTION 1519(C) OF TITLE 75 OF THE PENNSYLVANIA <--
- 7 CONSOLIDATED STATUTES IS AMENDED AND THE SECTION IS AMENDED BY
- 8 ADDING A SUBSECTION TO READ:
- 9 § 1519. DETERMINATION OF INCOMPETENCY.
- 10 * * *
- 11 (C) RECALL [OR SUSPENSION] OF OPERATING PRIVILEGE. -- THE
- 12 DEPARTMENT SHALL RECALL THE OPERATING PRIVILEGE OF ANY PERSON
- 13 WHOSE INCOMPETENCY HAS BEEN ESTABLISHED UNDER THE PROVISIONS OF
- 14 THIS CHAPTER OR WHO REFUSES OR FAILS TO COMPLY WITH THE
- 15 REQUIREMENTS OF THIS SECTION. THE RECALL SHALL BE FOR AN
- 16 INDEFINITE PERIOD UNTIL THAT PERSON COMPLIES AND SATISFACTORY
- 17 EVIDENCE IS PRESENTED TO THE DEPARTMENT IN ACCORDANCE WITH
- 18 REGULATIONS TO ESTABLISH THAT SUCH PERSON IS COMPETENT TO DRIVE
- 19 A MOTOR VEHICLE. [THE DEPARTMENT SHALL SUSPEND THE OPERATING
- 20 PRIVILEGE OF ANY PERSON WHO REFUSES OR FAILS TO COMPLY WITH THE
- 21 REQUIREMENTS OF THIS SECTION UNTIL THAT PERSON DOES COMPLY AND
- 22 THAT PERSON'S COMPETENCY TO DRIVE IS ESTABLISHED.] ANY PERSON
- 23 AGGRIEVED BY THE RECALL [OR SUSPENSION] OF THE OPERATING
- 24 PRIVILEGE MAY APPEAL IN THE MANNER PROVIDED IN SECTION 1550. THE
- 25 JUDICIAL REVIEW SHALL BE LIMITED TO WHETHER THE PERSON IS
- 26 COMPETENT TO DRIVE IN ACCORDANCE WITH THE PROVISIONS OF THE
- 27 REGULATIONS PROMULGATED UNDER SECTION 1517 (RELATING TO MEDICAL
- 28 ADVISORY BOARD).
- 29 (D) VEHICLE LEASE TERMINATION ON INCOMPETENCY. -- FOR A
- 30 CONSUMER LEASE OF A MOTOR VEHICLE SUBJECT TO REGULATIONS OF THE

- 1 CONSUMER FINANCIAL PROTECTION BUREAU UNDER 12 CFR CH. X PT. 1013
- 2 (RELATING TO CONSUMER LEASING (REGULATION M)), ENTERED INTO
- 3 AFTER THE EFFECTIVE DATE OF THIS SUBSECTION, A LESSEE REQUESTING
- 4 EARLY TERMINATION OF A LEASE SHALL NOT BE LIABLE FOR ANY PENALTY
- 5 OR EARLY TERMINATION CHARGE PROVIDED BY THE LEASE IF THE VEHICLE
- 6 LESSEE'S OPERATING PRIVILEGES HAVE BEEN RECALLED UNDER THIS
- 7 SECTION AND NO OTHER MEMBER OF THE LESSEE'S HOUSEHOLD REGULARLY
- 8 USES THE VEHICLE. A LESSEE SEEKING TO TERMINATE A LEASE UNDER
- 9 THIS SUBSECTION MUST PROVIDE TO THE LESSOR A COPY OF THE NOTICE
- 10 OF LICENSE RECALL PROVIDED BY THE DEPARTMENT. THE LEASE SHALL BE
- 11 TERMINATED UPON RETURN OF THE VEHICLE TO THE LESSOR OR OTHER
- 12 PERSON IN THE MANNER PROVIDED BY THE LEASE, INCLUDING IN ANY
- 13 AMENDMENT OR LEASE ASSIGNMENT OR NOTICE.
- 14 SECTION 2. THIS ACT SHALL APPLY TO LEASES FOR MOTOR VEHICLES
- 15 ENTERED INTO WITH A LESSEE WITH A BILLING ADDRESS LOCATED IN
- 16 THIS COMMONWEALTH ON OR AFTER THE EFFECTIVE DATE OF THIS
- 17 SECTION.
- 18 SECTION 3. THIS ACT SHALL TAKE EFFECT IN 180 DAYS.