

## Automatic Driving Privilege Suspensions and Revocations

Your driving privilege will be suspended or revoked if you are convicted of any one of the following traffic violations:

- any felony involving a vehicle
- homicide by vehicle\* while driving under the influence
- homicide by vehicle\*
- accidents involving death\*
- violations dealing with the removing, falsifying, forging or counterfeiting documents or identification numbers will result in a one year revocation
- driving under the influence of alcohol or a controlled substance\* or fleeing or attempting to elude a police officer\* will result in a one year suspension, and
- racing on highways,\* driving without lights,\* reckless driving\* and accidents involving damage\* imposes a 6 month suspension.

In addition, the violations indicated with an asterisk\* are considered major violations in determining if a driver becomes a habitual offender. An individual becomes a habitual offender by being convicted of three major offenses within a five year period. If there is more than one offense occurring in one day, only the first offense is counted as a major offense. When the driving record indicates the incoming violation as the third major offense the license will be revoked for five years.

## PA's Point System for Licensed Drivers

The Department of Transportation maintains a driving record for every licensed driver in Pennsylvania. Points are added to a driving record when a driver is found guilty of certain driving (moving) violations.

The purpose of the point system is to help to improve driving habits and to ensure safe driving.

### FIRST ACCUMULATION OF SIX POINTS

When any driving record reaches six or more points for the first time, the driver will receive a written notice to take a special point examination.

### SECOND ACCUMULATION OF SIX POINTS

When any driving record is reduced below six points and then for a second time reaches six or more points, the driver will have to attend a departmental hearing. After the hearing, the Department will: order a 15 day license suspension, order the driver to take a special driver's examination or take no action. Failure to attend will result in a 60 day license suspension.

### THIRD OR MORE ACCUMULATION OF SIX POINTS

When any driving record is reduced below six points and for the third or subsequent time reaches six or more points, the driver will have to attend a departmental hearing. The Department will then determine if a 30 day license suspension will be initiated.

Failure to attend will result in the suspension of the driver's license until the driver attends the hearing.

### EXCESSIVE SPEEDING

When a driver is convicted for speeding 31 miles per hour or more over the posted speed limit, the driver will attend a departmental hearing. One or both of the following will be initiated: 15 day license suspension or special driver's examination. Failure to attend will result in a 60 day license suspension.

### ACCUMULATION OF 11 POINTS OR MORE

When any driving record reaches 11 or more points, the driver's license will automatically be suspended. The suspension schedule is as follows:

- First suspension—5 days per point
- Second suspension—10 days per point
- Third suspension—15 days per point
- Subsequent suspension—One year

FOR ADDITIONAL INFORMATION CONTACT:

**PENNSYLVANIA DEPARTMENT  
OF TRANSPORTATION AND SAFETY  
1-800-932-4600**

**It is your responsibility to file all  
address changes with PennDOT.**



Dear Friend,

**H**aving a driver's license is a privilege, not a right. Driving responsibly should always be a motorist's number one priority.

Fortunately, most drivers do follow the rules of the road and respect the rights of other motorists.

Recently, publicized cases of drunk drivers have spurred lawmakers to strengthen our laws to keep dangerous drivers off the road.

As your state Senator I will continue the effort to assure the safety of all who use our roadways. This brochure summarizes the penalties for abusing the privilege to drive. Please read it carefully.

Sincerely,

*Wayne Fontana*  
**Senator Wayne D. Fontana**

#### BROOKLINE DISTRICT OFFICE

930 Brookline Boulevard  
Pittsburgh, PA 15226-2106  
(412) 344-2551 • Fax: (412) 344-3400

#### KENNEDY DISTRICT OFFICE

Kenmawr Plaza  
524 Pine Hollow Road  
Kennedy Township, PA 15136-1661  
(412) 331-1208 • Fax: (412) 331-2079

#### HARRISBURG OFFICE

Senate Box 203042  
Harrisburg, PA 17120-3042  
(717) 787-5300 • Fax: (717) 772-5484  
Senate of Pennsylvania: 1-800-364-1581 (TTY)

**E-MAIL:** fontana@pasenate.com

**WEB SITE:** www.senatorfontana.com

# WHAT EVERY PENNSYLVANIA DRIVER NEEDS TO KNOW



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Compliments of  
**STATE SENATOR  
WAYNE D. FONTANA**



# WHAT EVERY PENNSYLVANIA DRIVER NEEDS TO KNOW

## Your Driver's License

It is a privilege to drive a motor vehicle. If you commit a serious traffic violation, or several less serious ones, you could lose your driving privilege by having your license suspended or revoked.

A license **suspension** means the "temporary" loss of your driving privilege. It will be returned upon the completion of all requirements imposed under the terms of the suspension.

A **revocation** is generally the "permanent" loss of the driving privilege. A requirement prior to regaining the driving privilege will be to apply for a learner's permit and redemonstrate your knowledge of traffic laws and your ability to safely drive a motor vehicle.

### ■ **LICENSE RETURN/ SUSPENSION ACKNOWLEDGEMENT**

**Any person whose operating privilege has been suspended, revoked, disqualified or cancelled is required to surrender their driver's license.** All valid licenses, camera cards or learner's permits must be surrendered. A nonresident licensed driver, or any unlicensed driver, including a driver whose license has expired, must submit an acknowledgement of suspension in lieu of a driver's license (Form DL-16). Credit toward serving the suspension, revocation, disqualification or cancellation will not begin until all valid products or acknowledgement of suspension is surrendered. PennDOT will mail a letter to the driver acknowledging receipt of the license or acknowledgement of suspension.

## Alcohol Violations

### ■ **DRIVING UNDER THE INFLUENCE**

Alcohol and drugs reduce all of the important physical and mental skills you need to drive safely. It is a priority for law enforcement agencies to get impaired drivers off the roads.

**The Commonwealth only needs to prove a defendant drove a vehicle when the amount of alcohol in the blood was .08 percent for an adult or .02 percent for an individual under the age of 21.**

A person's **blood alcohol level** is determined by a breath, blood or urine chemical test.

**People under the age of 21 are prohibited from operating a vehicle with any alcohol in their system.**

The fact that the law makes it illegal to drive with a blood alcohol content level of .10 percent for adults and .02 percent for those under the age of 21 does not mean that it is safe to drive at a lower alcohol content level. The amount of alcohol it takes to reach the .10 or .02 percent level depends on your body weight and how quickly you drink.

First time offenders face a minimum fine of \$300 to \$1000 depending on the percent of the alcohol level and up to 72 hours in jail based on the alcohol level. Every conviction carries with it at least a one year license suspension—unless it is a .08 and a first offense—and imprisonment as follows:

- **2nd conviction—5 days for .08, 30 days for .10, 90 days for .16**

- **3rd conviction—10 days for .08, 90 days for .10 and .16**

Fines increase dramatically with each conviction. You could pay a fine of \$5,000 and face two years imprisonment.

In addition, all rehabilitation costs, testing, and treatment will be assessed against the defendant as part of a sentence or disposition. Conviction of **driving under the influence** (DUI) and homicide as a direct result of driving under the influence is a Felony 3 and carries a mandatory minimum sentence of 3 years imprisonment for each fatality.

### ■ **UNDERAGE DRINKING**

**People under the age of 21** who are convicted of or plead guilty to: **misrepresentation of age to secure, purchase, consume, possess or transport alcoholic beverages or carrying false identification will have their driving privilege suspended. You do not have to be in or near a car, have a driver's license or even be old enough to drive to**

**receive a suspension** if convicted of an "underage drinking" offense. The suspension imposed is as follows:

- **1st suspension—90 days**
- **2nd suspension—One year**
- **3rd suspension—Two years**
- **Subsequent suspension—Two years**

For those under the age of 16, suspension will begin on their 16th birthday providing **acknowledgement of suspension is surrendered.**

## Accelerated Rehabilitation Disposition Program

The law does provide a one-time alternative to trial, conviction and mandatory jail sentencing. The **Accelerated Rehabilitation Disposition (ARD program)** is a means of dealing with a first time offender without going to trial. The ARD program will not be available to you if you have caused a serious injury or death due to your drunk driving or if you had a prior misdemeanor within the preceding seven years. ARD is not an alternative for all first-time offenders. Every case is reviewed individually for acceptance into the program.

## Other Drugs

Drugs other than alcohol, including some **over-the-counter drugs** and **prescription drugs** such as tranquilizers, can affect your ability to drive. Make sure you check the drug's label for warnings about the effects it may have on driving ability.

People who violate state or federal drug laws will lose their license as follows:

- **1st suspension—Six months**
- **2nd suspension—One year**
- **3rd suspension—Two years**
- **Subsequent suspension—Two years**

These drugs, like alcohol, can affect your reflexes, judgment, vision and alertness. You do not have to be in or near a car, have a driver's license or even be old enough to drive to receive a suspension if convicted of a drug offense.

## COSTS AND PENALTIES ASSOCIATED WITH DRIVING UNDER THE INFLUENCE IN PENNSYLVANIA

Costs and program features may vary from county to county depending upon local policy.

### ACCELERATED REHABILITATION DISPOSITION PROGRAM (ARD)

- License suspension 2 to 6 months
- Possible Drug & Alcohol Treatment Assessment
- Drug and Alcohol Evaluation
- Alcohol Highway Safety school
- Additionally, the cost of: Probation, School, ARD Fees, Court Costs and other program costs could total from \$1,000 to \$2,000 in expenses and possibly more.

### CONVICTION

- Criminal Record
- Prison Term: 48 hours to 2 years
- License Suspension: 1 to 1 1/2 years
- Additionally, the cost of: Probation/Supervision, Court Costs, Fines from \$300 to \$10,000 and other program costs could total several thousand dollars.

### OTHER COSTS TO CONSIDER

- Expensive Legal Fees
- Lost Work Time and Wages
- Ignition Interlock Devices
- Potential Increase in Car Insurance Premiums