

PENNSYLVANIA VEHICLE CODE ---

Point System

Section 1535. Schedule of convictions and points.

- (a) General rule - A point system for driver education and control is hereby established which is related to other provisions for use, suspension and revocation of the operating privilege as specified under this title. Every driver licensed in this Commonwealth who is convicted of any of the following offenses shall be assessed points as of the date of violation in accordance with the following schedule:

Section Number	Offense	Points
1512	Violation of restriction on driver's license.	2
1571	Violation concerning license.	3
3102	Failure to obey policeman or authorized person.	2
3112(a)(3)(i) or (ii)	Failure to stop for a red light.	3
3114(a)(1)	Failure to stop for a flashing red light.	3
3302	Failure to yield half of roadway to oncoming vehicle.	3
3303	Improper passing.	3
3304	Other improper passing.	3
3305	Other improper passing.	3
3306(a)(1)	Other improper passing.	4
3306(a)(2)	Other improper passing.	3
3306(a)(3)	Other improper passing.	3
3307	Other improper passing.	3
3310	Following too closely.	3
3321	Failure to yield to driver on the right at intersection.	3
3322	Failure to yield to oncoming driver when making left turn.	3
3323(b)	Failure to stop for stop sign.	3
3323(c)	Failure to yield at yield sign.	3
3324	Failure to yield when entering or crossing roadway between intersections.	3
3332	Improper turning around.	3
3341	Failure to stop for flashing red lights or gate at railroad crossing.	3
3341(a)	Failure to obey signal indicating approach of train.	2
3341(b)	Failure to comply with crossing gate or barrier. (and 30 days' suspension)	4
3342(b),(e)	Failure to stop at railroad crossings.	4
3344	Failure to stop when entering from alley, driveway or building.	3
3345(a)	Failure to stop for school bus with flashing red lights. (and 60 days' suspension)	5
3361	Driving too fast for conditions.	2
	Exceeding maximum speed Over Limit:	
	6-10	2
	11-15	3
3362	16-25	4
	26-30	5
	31-over	5
	(and departmental hearing and sanctions provided under section 1538(d))	
3365(b)	Exceeding special speed limit in school zone.	3
3365(c)	Exceeding special speed limit for trucks on downgrades.	3
3542(a)	Failure to yield to pedestrian in crosswalk.	2
3547	Failure to yield to pedestrian on sidewalk.	3

3549(a)	Failure to yield to blind pedestrian.	3
3702	Improper backing.	3
3714	Careless driving.	3
3745	Leaving scene of accident involving property damage only.	4

- (b) Multiple offenses from same act - If a driver is convicted of an offense under section 3361 (relating to driving vehicle at safe speed) or 3714 (relating to careless driving), in addition to being convicted of another offense committed at the same time and place, no points shall be assigned for violation of section 3361 or 3714 if points are assigned for the other offense.
- (c) No points after six months - The department shall assign points to the record of any person within six months from the date of a conviction. Any points assigned after such six-month period shall be null and void.
- (d) Exception - This section does not apply to a person who was operating a pedalcycle or an animal drawn vehicle.

Section 1536. Notice of assignment of points.

Whenever points are assigned to a driver's record, the department shall send to that person at his last known address a letter of notice pointing out the fact and emphasizing the nature and effects of the point system.

Failure to receive such letter shall not prevent the suspension of the operating privilege pursuant to this subchapter.

Section 1537. Removal of points.

- a. General rule - Points recorded against any person shall be removed at the rate of three points for each 12 consecutive months in which such person is not under suspension or revocation or has not committed any violation which results in the assignment of points or in suspension or revocation under this chapter. [Removal of points is governed by the date of violation.]
- b. Subsequent accumulation of points - When a driver's record is reduced to zero points and is maintained at zero points for 12 consecutive months, any accumulation of points thereafter shall be regarded as an initial accumulation of points.

Section 1538. School, examination or hearing on accumulation of points or excessive speeding.

- (a) Initial accumulation of six points -

When any person's record for the first time shows as many as six points, the department shall require the person to attend an approved driver improvement school or undergo a special examination and shall so notify the person in writing. Upon satisfactory attendance and completion of the course or upon passing the special examination, two points shall be removed from the person's record. Failure to attend and satisfactorily complete the requirements of driver improvement school shall result in the suspension of such person's operating privilege for 60 days. Failure to pass the examination shall result in the suspension of the operating privilege until the examination has been satisfactorily completed.

- (b) Second accumulation of six points -

1. When any person's record has been reduced below six points and for the second time shows as many as six points, the department shall require the person to attend a departmental hearing. The hearing examiner may recommend one or more of the following:
 - i. That the person be required to attend a driver improvement school.
 - ii. That the person undergo an examination as provided for in section 1508 (relating to examination of applicant for driver's license).
 - iii. That the person's driver's license be suspended for a period not exceeding 15 days.
2. The department may effect or modify the recommendations of the hearing examiner but may not impose any sanction not recommended by the hearing examiner.
3. Upon completion of the sanction or sanctions imposed by the department, two points shall be removed from the person's record.

Failure to attend the hearing or to attend and satisfactorily complete the requirements of a driver improvement school shall result in the suspension of such person's operating privilege for 60 days. Failure to pass an examination shall result in the suspension of such person's operating privilege until the examination has been satisfactorily completed.

(c) Subsequent accumulations of six points -

When any person's record has been reduced below six points and for the third or subsequent time shows as many as six points, the department shall require the driver to attend a departmental hearing to determine whether the person's operating privilege should be suspended for a period not to exceed 30 days. Failure to attend the hearing or to comply with the requirements of the findings of the department shall result in the suspension of the operating privilege until the person has complied.

(d) Conviction for excessive speeding -

1. When any person is convicted of driving 31 miles per hour or more in excess of the speed limit, the department shall require the person to attend a departmental hearing. The hearing examiner may recommend one or more of the following:
 - i. That the person be required to attend a driver improvement school.
 - ii. That the person undergo an examination as provided for in section 1508.
 - iii. That the person have his driver's license suspended for a period not exceeding 15 days.
2. The department shall effect at least one of the sanctions but may not increase any suspension beyond 15 days.
3. Failure to attend the hearing or to attend and satisfactorily complete the requirements of a driver improvement school shall result in the suspension of such person's operating privilege for 60 days. Failure to pass an examination shall result in the suspension of such person's operating privilege until the examination has been satisfactorily completed.

Section 1539. Suspension of operating privilege on accumulation of points.

a. General rule -

When any person's record shows an accumulation of 11 points or more, the department shall suspend the operating privilege of the person as provided in subsection (b).

b. Duration of suspension -

The first suspension shall be for a period of 5 days for each point, the second suspension shall be for a period of 10 days for each point, the third suspension shall be for a period of 15 days for each point and any subsequent suspension shall be for a period of one year.

c. Determination of subsequent suspensions -

Every suspension and revocation under any provision of this subchapter shall be counted in determining whether a suspension is a second, third or subsequent suspension. Acceptance of Accelerative Rehabilitative Disposition for an offense enumerated in section 1532 (relating to revocation or suspension of operating privilege) shall be considered a suspension in making such determination.

d. Section not exclusive -

Suspension under this section is in addition to any suspension mandated under section 1535 (relating to schedule of convictions and points).

Section 3362. Maximum speed limits.

(a) General rule - Except when a special hazard exists that requires lower speed for compliance with section 3361 (relating to driving vehicle at safe speed), the limits specified in this section or established under this subchapter shall be maximum lawful speeds and no person shall drive a vehicle at a speed in excess of the following maximum limits:

1. 35 miles per hour in any urban district.

(1.1) 65 miles per hour for all vehicles:

- i. on interstate highways outside of urbanized areas of population of 50,000 or more; and
- ii. on other freeways where the department has posted a 65-miles-per-hour speed limit in accordance with the provisions of 23 U.S.C. (relating to highways).

(1.2) 25 miles per hour in a residence district if the highway:

- iii. is not a numbered traffic route; and
- iv. is functionally classified by the department as a local highway.

2. 55 miles per hour in other locations.

3. Any other maximum speed limit established under this subchapter.

(b) Posting of speed limit -

1. No maximum speed limit established under subsection (a)(1), (1.2) or (3) shall be effective unless posted on fixed or variable official traffic-control devices erected in accordance with regulations adopted by the department which regulations shall require posting at the beginning and end of each speed zone and at intervals not greater than one-half mile.
2. No maximum speed limit established under subsection (a)(1.1) shall be effective unless posted on fixed or variable official traffic-control devices erected after each interchange on the portion of highway on which the speed limit is in effect and wherever else the department shall determine.

(c) Penalty -

1. Any person violating this section is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of:
 - i. \$42.50 for violating a maximum speed limit of 65 miles per hour; or
 - ii. \$35 for violating any other maximum speed limit.
2. Any person exceeding the maximum speed limit by more than five miles per hour shall pay an additional fine of \$2 per mile for each mile in excess of five miles per hour over the maximum speed limit.

(Chgd. by L.1995, Act 9(2); L.1998, Act 151(32), eff. 2/19/99.)