

## No. 165

## AN ACT

## HB 812

Amending the act of April 29, 1959 (P. L. 58), entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors," requiring the secretary to credit a suspension period served against the mandatory revocation period and to rescind the suspension in certain cases.

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

Section 1. The introductory paragraph of subsection (a) of section 616 and clause (1) of subsection (b) of section 618, act of April 29, 1959 (P. L. 58), known as "The Vehicle Code," are amended to read:

Section 616. Revocation of Operating Privilege.—

(a) Upon receiving a certified record, from the clerk of the court, of proceedings in which a person pleaded guilty, entered a plea of nolo contendere, or was found guilty by a judge or jury, of any of the crimes enumerated in this section, the secretary shall forthwith revoke, for a period of one (1) year from the date of revocation, the operating privilege of any such person: *Provided, however, That if such person is serving or has served a period of suspension for the same offense under the provisions of clause (1) of subsection (b) of section 618 of this act, he shall be credited with the suspension time served against the one (1) year revocation,* and where such person was convicted, or entered a plea of guilty or nolo contendere, of any one of the crimes enumerated in this section, such operating privilege shall not be restored, unless and until the fine and costs, imposed in such cases, have been fully paid. The clerk of the courts shall, when such fine and costs have been so paid in any such case, certify such fact to the Department of Revenue. Bases requiring such certification follow:

\* \* \*

Section 618. Suspension of Licenses or Operating Privileges.—

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(b) The secretary may suspend the operator's license or learner's permit of any person, after a hearing before the secretary or his representative, whenever the secretary finds upon sufficient evidence:

(1) That such person has committed any offense for the conviction of which mandatory revocation of license is provided in this act: *Provided, That in the event such person has been adjudged not guilty, is discharged, or the indictment against him is nolle prossed in connection with those offenses referred to herein then and in that event the secretary, upon receipt of certification of such verdict of not guilty, discharge or nolle prosee, shall forthwith rescind the suspension of any*

*such person who has been suspended in accordance with the within provision and restore such person's operating privileges;*

\* \* \*

Section 2. The provisions of this amending act shall apply retroactively to every suspension in effect at the time this amending act becomes effective.

APPROVED—The 17th day of December, A. D. 1969.

RAYMOND P. SHAFER

The foregoing is a true and correct copy of Act of the General Assembly No. 165.

A handwritten signature in cursive script, reading "Robert L. Kelley, Jr.", is written in black ink. The signature is fluid and stylized, with a large initial 'R' and 'K'.

*Secretary of the Commonwealth.*