

LICENSES, SUSPENSIONS & DUI CONSEQUENCES

TITLE 75
§§1540, 1541,
1543, 6502



★ MEMORY TRIGGER: SURRENDER → CREDIT → RESTORATION ✓

LICENSE LIFECYCLE

- LICENSED**
You have driving privileges.
- CONVICTION**
Court finds you guilty.
- PENNDOT NOTICE**
PennDOT mails suspension notice.
- LICENSE SURRENDERED**
You surrender your license to PennDOT.
- SUSPENSION CLOCK STARTS**
The clock starts the day your license is surrendered.
- ELIGIBLE FOR RESTORATION**
Complete requirements to get your license back.

NO SURRENDER = NO CREDIT!

QUESTION #2

Who informs the defendant of the mandatory suspension?

ANSWER: ✓ PennDOT

QUESTION #3

When does PennDOT begin crediting a DUI suspension?

SURRENDER LICENSE
CREDIT STARTS

ANSWER: ✓ Upon surrender of the driver's license.

DUI CONVICTION SCENARIO

DUI CONVICTION
 ↓
 LICENSE SURRENDERED
 ↓
 6 MONTHS IN PRISON
 ↓
 SUSPENSION CREDIT RUNS

KEY POINT:
 Prison time counts if license has been surrendered.

§1543(b)(1) DRIVING UNDER DUI SUSPENSION

- FIRST CONVICTION**
 60 DAYS JAIL
 \$500 FINE
- SECOND CONVICTION**
 90 DAYS JAIL
 \$1,000 FINE
- THIRD OR MORE CONVICTIONS**
 6 MONTHS JAIL
 \$2,500 FINE

WHY DUI SUSPENSIONS ARE DIFFERENT

ORDINARY SUSPENSION	DUI SUSPENSION
Wait out the time.	Mandatory jail time
	Higher fines
	Longer suspension
	Restoration requirements
	Possible ignition interlock

DUI penalties are mandatory and statutorily required.

\$6502 DEFAULT FINE

NO FINE LISTED?
DEFAULT FINE
\$25

If no fine is specified for an offense, the default fine is \$25.

RECKLESS DRIVING

Most people think jail.
TRUTH:
 ✓ It is a fine offense.
 ✓ No mandatory incarceration.

CARELESS = MISTAKE VS **RECKLESS = CHOICE**

CHOOSE WISELY. IT SHOWS IN COURT.

HIGH-YIELD REMINDERS

- ✓ PennDOT issues the suspension notice, not the court or DA.
- ✓ Credit toward suspension begins when the driver surrenders the license.
- ✓ Prison time counts toward the suspension once the license has been surrendered.
- ✓ Penalties for driving under DUI suspension (§1543) increase sharply with each conviction.
- ✓ If no fine is specified, default fine is \$25 (§6502).
- ✓ Reckless driving is a fine-only offense. No mandatory jail time.

SURRENDER No surrender, no credit.

CREDIT STARTS Clock starts the day you surrender.

FOLLOW STEPS Complete all requirements.

RESTORATION Earn it back the right way.

DUI, CHEMICAL TESTING & IGNITION INTERLOCK

TITLE 75
KEY SECTIONS
 §§1547, 1556,
 1612, 3802, 3808



★ **MEMORY TRIGGER:** MEASURE → APPROVED → INTERLOCK → PROTECT PUBLIC

1 DUI CLASSIFICATION (BAC LEVELS)

0.16% OR HIGHER HIGHEST RATE
0.10% - 0.159% HIGH RATE
0.08% - 0.099% GENERAL IMPAIRMENT

§3802

HIGHER BAC = HIGHER PENALTIES

2 CHEMICAL TESTS – §1547

Who must approve the devices, methods, and laboratories that perform breath and blood tests?

BREATH BLOOD

PENNSYLVANIA DEPARTMENT OF HEALTH

APPROVES:

- ✓ DEVICES
- ✓ METHODS
- ✓ LABORATORIES

ONLY APPROVED DEVICES, METHODS & LABS ARE VALID.

3 IGNITION INTERLOCK LIMITED LICENSE – §§1556, 3802, 3808

INTERLOCK LICENSE = INTERLOCK VEHICLE

4 TAMPERING WITH IGNITION INTERLOCK – EXAMPLES

	Asking another person to blow for you	TAMPERING
	Disconnecting or bypassing the device	TAMPERING
	Using any device designed to circumvent the interlock system	TAMPERING
	Altering, removing, or attempting to alter wiring or parts	TAMPERING

TAMPERING = CRIMINAL OFFENSE (LOSS OF LICENSE + ADDITIONAL PENALTIES)

5 ALCOHOL PROHIBITED IN VEHICLES §1612

COMMERCIAL VEHICLES SCHOOL VEHICLES

ANY ALCOHOL PROHIBITED IN THESE VEHICLES.

IMPORTANT TO KNOW

Chemical test results from unapproved devices or labs **MAY NOT** be used against you.

6 TEXTING PROHIBITED IN COMMERCIAL VEHICLE SYSTEMS §3316

NO TEXT-BASED COMMUNICATION WHILE OPERATING A COMMERCIAL VEHICLE.

KEY TAKEAWAYS – REMEMBER

- Chemical testing (breath & blood) must be approved by the **PENNSYLVANIA DEPARTMENT OF HEALTH**.
- Interlock license allows driving **ONLY** vehicles equipped with an interlock.
- Tampering with interlock = criminal offense.
- No alcohol in commercial or school vehicles.
- No texting while operating a commercial vehicle.

QUICK REFERENCE Q&A

Q1	Chemical tests of breath and blood performed on devices and laboratories must be approved by the _____?	A1	Pennsylvania Department of Health.
Q2	What are examples of tampering with an ignition interlock system?	A2	See 4 examples listed on left.
Q3	What is the penalty for allowing someone who is not authorized, or not properly licensed, to operate your vehicle?	A3	Summary offense. Fine up to \$300.
Q4	What are some exceptions to the front seat seatbelt requirement?	A4	See Page 5, Seat Belt Section.

RULES OF THE ROAD & KEY DEFINITIONS

TITLE 75
KEY SECTIONS
§§102, 312, 3111,
3111.1, 3121, 3122

★ MEMORY TRIGGER: SIGNS + POLICE + LAW → SAFETY FOR ALL

1 KEY RULES – KNOW THESE!

1 TEXTING PROHIBITED



No text-based communication while driving.

§1621, §1622

2 STOP SIGNS



Stop unless otherwise directed by a police officer.

§3323

3 ROAD CLOSED



Obey signs unless authorized exception.

§3111.1

4 EMERGENCY VEHICLES



- Move right
- Slow down
- Stop if necessary

§3325

2 HIGHWAY vs TRAFFICWAY (§102 – DEFINITIONS)

HIGHWAY



- ✓ Entire width between boundary lines.
- ✓ Publicly maintained.
- ✓ Open to the public for vehicular travel.

TRAFFICWAY



VS.

- ✓ Way open to the public for vehicular travel.
- ✓ As a matter of right.

ALL HIGHWAYS ARE TRAFFICWAYS,
BUT NOT ALL TRAFFICWAYS ARE HIGHWAYS.

3 DE MINIMIS INFRACTIONS (§312)



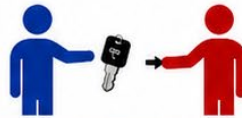
Technical violation of the Vehicle Code that:

- Does not jeopardize safety
- Does not harm person or property
- Does not violate a duty of care



Court has discretion to dismiss de minimis infractions.

4 PENALTY FOR UNAUTHORIZED DRIVER (§1574 – PERMITTING UNAUTHORIZED PERSON TO DRIVE)



PENALTY:
Summary offense.
Fine up to \$300.
(No jail time.)

5 DISABLED VEHICLE MARKINGS (§3327)



REQUIRED DEVICES:

- ✓ Reflectors
- ✓ Warning Flares
- ✓ Or other warning devices

MEMORY: STOP – WARN – PROTECT

WHAT YOU NEED TO KNOW

1 With a mandatory license suspension, the court or DA shall inform the defendant that the suspension shall be effective within how many days?



ANSWER:
Within 30 days of the notice.

2 If the conviction is for §3802 (DUI) and the motorist surrenders his license at sentencing and goes to prison for 6 months, when does PennDOT begin crediting towards his one-year suspension?

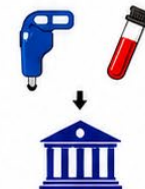


ANSWER:
Immediately upon surrender of the license.

3 What are the penalties for 1st, 2nd & 3rd conviction of driving under suspension §1543(b)(1)?

1ST CONVICTION	
	60 DAYS JAIL
	\$500 FINE
2ND CONVICTION	
	90 DAYS JAIL
	\$1,000 FINE
3RD CONVICTION (OR MORE)	
	6 MONTHS JAIL
	\$2,500 FINE

4 Chemical tests of breath and blood performed on devices and laboratories must be approved by the _____?



ANSWER:
Pennsylvania Department of Health.

5 What is the penalty for allowing someone who is not authorized, or not properly licensed, to operate your vehicle?



ANSWER:
Summary offense.
Fine up to \$300.
(No jail time.)

SPEED, SCHOOL BUS & WORK ZONES ENFORCEMENT & DEVICES

**TITLE 75
KEY SECTIONS**
§§102, 3301-3315,
3345, 3368,
3751, 3757,
3802, 3808

MEMORY TRIGGER:
SPEED SMART
SIGN – MEASURE –
ADJUST – REACT

1 MAXIMUM SPEED LIMITS (§3302)

<p>RESIDENCE DISTRICT</p> <p>SPEED LIMIT 25 MPH</p>	<p>URBAN DISTRICT</p> <p>SPEED LIMIT 35 MPH</p>	<p>FREEWAYS (NOT POSTED)</p> <p>POSTED LIMIT PREVAILS</p>
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MEMORY: 25 – 35 – POSTED (or STATUTORY)

2 SPEED TIMING DEVICES (§3368)

USED TO MEASURE SPEED

RADAR GUN VASCAR / ENRADD STOPWATCH OTHER ELECTRONIC DEVICES

MUST BE TESTED & CALIBRATED AT INTERVALS PRESCRIBED BY THE MANUFACTURER.

EXAM TIP
If device not properly calibrated, its readings may be inadmissible.

3 SCHOOL BUS STOP REQUIREMENTS (§3345)

FLASHING RED LIGHTS = STOP

STOP AT LEAST 10 FEET AWAY IN FRONT OF THE BUS

<p>TWO-LANE ROAD</p>	<p>MULTI-LANE ROAD DIVIDED HIGHWAY</p>
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4 SCHOOL BUS CAMERA PROGRAM (§3345.1)

Photos/video from school bus cameras are prima facie evidence of a violation.

EXAM TIP
Rebuttable presumption – driver may offer evidence to the contrary.

5 WORK ZONE HEADLIGHTS (§3757)

Q: What is needed for a conviction for headlights not used in an active work zone?

- Active work zone in operation
- Vehicle operated within the work zone
- Required headlights not illuminated
- No exception applies

EXAM TIP
Higher speeds = higher fines (no jail time unless other offense).

6 SPEEDING PENALTIES OVER POSTED LIMIT (§3361)

OVER LIMIT	PENALTY (SUMMARY OFFENSE)
1 – 10 MPH	Up to \$50
11 – 20 MPH	Up to \$100
21 – 30 MPH	Up to \$150
31 – 40 MPH	Up to \$200
41+ MPH	Up to \$300

EXAM TIP
Higher speeds = higher fines (no jail time unless other offense).

7 DISABLED VEHICLE ON HIGHWAY (§3808)

When a vehicle is disabled upon a highway, the driver must immediately stop as far as practicable off the traveling portion and shall use the following:

REQUIRED DEVICES (ANY 2)

REFLECTORS FUSES / FLARES OTHER WARNING DEVICES

PLACEMENT

Place one device:

- 10 feet behind the disabled vehicle
- 100 feet behind the disabled vehicle

MEMORY: 10 – 100

8 SPEEDING IN A CONSTRUCTION OR MAINTENANCE ZONE (§3362)

Speeding in a work zone where workers are present:

<p>SUMMARY OFFENSE</p> <ul style="list-style-type: none"> Up to \$300 fine No jail time 	<p>HIGHER PENALTIES IF:</p> <ul style="list-style-type: none"> Workers are present AND Speeding exceeds posted speed limit
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MEMORY: Work zone + present = enhanced penalties.

9 FOLLOWING TOO CLOSE (§3303)

Driver must not follow another vehicle more closely than is reasonable and prudent (at a speed and distance necessary to avoid a collision).

EXAM TIP
Consider speed, traffic, road, weather, and vehicle condition.

10 STOP FOR POLICE, FIRE, OR EMERGENCY VEHICLE (§3325)

When approached by an authorized emergency vehicle using lights/siren:

- Move right (if possible)
- Slow down and be prepared to stop
- Do NOT pass until given clear signal

KEY TAKEAWAY: KNOW THE LIMITS + OBEY SIGNS + RESPECT SCHOOL BUSES + WATCH FOR WORK ZONES = SAFETY SAVES LIVES

NEGLIGENCE, ACCIDENTS & SAFETY

CARELESS vs RECKLESS DRIVING


TITLE 75
KEY SECTIONS
\$3701, \$3714,
\$3714, \$3745
\$4548, \$4594

★ MEMORY TRIGGER: ACT → PROTECT → REPORT → COOPERATE → PREVENT

CARELESS DRIVING

\$3714

UNINTENTIONAL MISTAKE



- ✓ Failure to use DUE CARE (ordinary prudence)
- ✓ Negligent
- ✓ Mistake


DUE CARE = What a reasonable person would do under the same circumstances.

VS.

RECKLESS DRIVING

\$3736

CONSCIOUS CHOICE



- ✓ Willful or wanton DISREGARD for safety of persons or property
- ✓ Conscious choice
- ✗ Fine offense only
- ✗ No mandatory jail

WILLFUL OR WANTON DISREGARD = You knew the risk and did it anyway.

KEY DIFFERENCE

CARELESS = MISTAKE

RECKLESS = CHOICE

⚡ CARELESS = MISTAKE | RECKLESS = CHOICE ⚡

SUDDEN EMERGENCY RULE – FOUR PART TEST

Driver is NOT liable if ALL FOUR elements are met.

EXAMPLES

- CHILD RUNS INTO ROAD
- DEER JUMPS OUT
- TIRE BLOWOUT
- SUDDEN SEVERE STORM



KEY REMINDERS

- Not every emergency qualifies.
- All four elements must be proven.
- Burden is on the defendant.
- Defense to negligence, not to willful misconduct.

MEMORY BOOST!



1

SUDDEN EMERGENCY

2

NOT MY FAULT

3

NO CHOICE BUT TO ACT

4

REASONABLE RESPONSE

EMERGENCIES HAPPEN. HOW YOU REACT MATTERS!

★ REMEMBER: SUDDEN ≠ SELF-CREATED • REASONABLE ≠ PERFECT

ACCIDENT DUTIES

STOP • IDENTIFY • REPORT

TITLE 75 §3745
KEY SECTIONS
 §3745, §3714, §3715

★ **MEMORY TRIGGER:** STOP → IDENTIFY → REPORT → PROTECT

THE LAW IS CLEAR:
 You **MUST** stop if you are involved in an accident.

STOP DO NOT LEAVE THE SCENE!
 It is a separate criminal offense.

- WHY IT MATTERS**
- ✓ Protect lives 
 - ✓ Provide aid 
 - ✓ Exchange information 
 - ✓ Comply with the law 
 - ✓ Avoid criminal charges 

DON'T LEAVE!



Leaving the scene = Separate criminal offense (hit and run)
STOP • STAY • DO YOUR DUTY



ACCIDENT REPORTING REQUIREMENTS (§3745)

You **MUST** report immediately to the police if the accident results in:

- INJURY OR DEATH**
 - Any person is injured
 - Any person is killed
- OR**
- PROPERTY DAMAGE**
 - Damage to any one attended vehicle
 - \$1,000 or more**
- OR**
- UNATTENDED VEHICLE**
 - Damage to any unattended vehicle
 - \$200 or more**

WHEN IN DOUBT REPORT!

DETAILS OF YOUR DUTIES

1 STOP IMMEDIATELY	2 IDENTIFY / LOCATE OWNER	3 PROVIDE INFORMATION	4 REPORT TO POLICE
<ul style="list-style-type: none"> • As close as possible to the scene • Do not obstruct traffic • Turn on hazard lights • Check for injuries 	<ul style="list-style-type: none"> • Locate owner or operator of any attended vehicle • If owner not present, leave written notice in a conspicuous place 	<ul style="list-style-type: none"> • Give your name • Give your address • Give your vehicle registration number 	<ul style="list-style-type: none"> • Report immediately if requirements are met • Give full and complete information 



DO YOUR DUTIES. PROTECT LIVES. AVOID CRIMINAL LIABILITY.

★ **YOUR DUTY DOESN'T END AFTER THE CRASH — IT STARTS THERE.**

★ MEMORY TRIGGER: ACT → PROTECT → REPORT → COOPERATE → PREVENT

WHAT THE MDJ DOES **NOT** DECIDE

TRAFFIC STOP LAWFUL?



✗ NOT AN MDJ ISSUE
For higher courts
(Suppression Motion)



SEARCH LAWFUL?



✗ NOT AN MDJ ISSUE
For higher courts
(Suppression Motion)



MEMORY CUE: **SUPPRESSION ISSUE = HIGHER COURT ISSUE**

DE MINIMIS – SMALL THINGS DON'T ALWAYS COUNT

1 TECHNICAL VIOLATION OF THE VEHICLE CODE



Example:
Broken tail light
(\$3752)

2 NO HARM OR DANGER TO PERSON OR PROPERTY



No real threat to safety

3 COURT MAY DISMISS IN THE INTEREST OF JUSTICE



Discretion of the court

KEY POINT



Not every technical violation deserves a conviction.

FOCUS ON WHAT REALLY MATTERS.

TORT LIABILITY vs VEHICLE CODE OFFENSES



CRIMINAL (VIOLATIONS)

- ✓ Violation of the Vehicle Code
- ✓ Penalty imposed by the state
- ✓ Punishment: fine, points, jail, suspension
- ✓ Goal: punish & deter the public

VS.

CIVIL (TORT) (§§3312, 3332)



- ✓ Private legal wrong
- ✓ Compensates the victim
- ✓ Damages for injury or property
- ✓ Goal: make the victim whole again



MEMORY BOOSTER!

CRIMINAL = Against the State
CIVIL = Between Private Parties



DIFFERENT PURPOSES. DIFFERENT RESULTS.

★ **BOTTOM LINE:** MDJ decides guilt or innocence of the charge, not the lawfulness of the stop or search.

Q&A LIGHTNING ROUND

TITLE 75
KEY SECTIONS
\$3701+

★ MASTER THESE. OWN THE EXAM. ⚡

<p>Q1 With a mandatory license suspension, the court or DA shall inform the defendant that the suspension shall be effective within how many days?</p>		<p>A 30 DAYS after the notice.</p>							
<p>Q2 If the conviction is for §3802 (DUI) and the motorist surrenders his license at sentencing and goes to prison for 6 months, when does PennDOT begin crediting towards his one-year suspension?</p>		<p>A Immediately upon surrender of the license.</p>							
<p>Q3 What are the penalties for 1st, 2nd & 3rd (or more) conviction of driving under suspension §1543(b)(1)?</p>		<p>A</p> <table border="1"> <tr> <th>1ST CONVICTION</th> <th>2ND CONVICTION</th> <th>3RD CONVICTION (OR MORE)</th> </tr> <tr> <td>60 DAYS JAIL \$500 FINE</td> <td>90 DAYS JAIL \$1,000 FINE</td> <td>6 MONTHS JAIL \$2,500 FINE</td> </tr> </table>	1ST CONVICTION	2ND CONVICTION	3RD CONVICTION (OR MORE)	60 DAYS JAIL \$500 FINE	90 DAYS JAIL \$1,000 FINE	6 MONTHS JAIL \$2,500 FINE	
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<p>Q4 Chemical tests of breath and blood performed on devices and laboratories must be approved by the _____?</p>		<p>A Pennsylvania Department of Health.</p>							
<p>Q5 What is the penalty for allowing someone who is not authorized, or not properly licensed, to operate your vehicle?</p>		<p>A Summary offense. Fine up to \$300.</p>							
<p>Q6 What type of markings are needed for a disabled vehicle?</p>		<p>A Reflectors, warning flares, or other warning devices.</p>							
<p>Q7 What are examples of tampering with an ignition lock system?</p>		<p>A Asking another person to blow for you; disconnecting or bypassing the device; using a device to circumvent the system; altering, removing, or attempting to alter wiring or parts.</p>							
<p>Q8 What is needed for someone to be convicted of not having their headlights on in a work zone?</p>		<p>A Active work zone in operation; vehicle operated within the zone; required headlights not illuminated; no exception applies.</p>							
<p>Q9 What are some exceptions to the front seat seatbelt requirement?</p>		<p>A</p> <ul style="list-style-type: none"> ✓ Medical exemption (certified) ✓ Emergency vehicle operator ✓ Taxi driver transporting a passenger ✓ Vehicles manufactured before 7/1/1976 (driver) ✓ Public transportation & school buses ✓ Temporary removal for lawful reason (loading, backing, turning around, etc.) 							

STAY SHARP. THINK SMART. DRIVE SAFE.

KEY TAKEAWAY:
KNOW THE LAW. FOLLOW THE RULES.
PROTECT YOURSELF AND OTHERS.

TITLE 75 RAPID RECALL

HIGH-YIELD VEHICLE CODE FACTS





TITLE 75 KEY SECTIONS

\$3701-	\$3714
\$3715	\$3726
\$3736	\$3745
\$4548	\$4594

★ **MEMORY TRIGGER:** ACT → PROTECT → REPORT → COOPERATE → PREVENT

ACT	PROTECT	REPORT	COOPERATE	PREVENT
				
Make smart choices behind the wheel.	Protect lives, property, and yourself.	Report accidents and follow the law.	Cooperate with police and do your part.	Prevent crashes, injuries, and trouble.

★ **KEY CONCEPT CHECKLIST** ★

<p>✓ CARELESS vs RECKLESS DRIVING Mistake vs choice. </p> <p>✓ SUDDEN EMERGENCY RULE</p> <ol style="list-style-type: none"> 1 Sudden and unexpected emergency 2 Emergency not created by the driver 3 No reasonable alternative / immediate action required 4 Driver acted as a reasonable person under the circumstances <p>✓ ACCIDENT DUTIES STOP, identify, provide info, report. </p> <p>✓ DO NOT LEAVE THE SCENE It's a separate criminal offense. </p> <p>✓ NOT AN MDJ ISSUE Traffic stop lawful? Search lawful? Higher court issue (suppression). </p>	<p>✓ DE MINIMIS Small things don't always count. No harm = may be dismissed. </p> <p>✓ TORT vs VEHICLE CODE Criminal = against the state. Civil (tort) = between private parties. </p> <p>✓ PENALTIES Depend on number of convictions and the offense. </p> <p>✓ HEALTH & SAFETY RULES Tests, devices, seatbelts, headlights, work zones & more. </p> <p>✓ EXCEPTIONS EXIST Know them. Prove them. </p>
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⚠ **HIGH-FORGET FACTS** ⚠

<p> No fine specified? → DEFAULT FINE = \$25</p>	<p> RECKLESS DRIVING Many students incorrectly remember jail. → Fine offense → No mandatory incarceration </p>
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⚡ **RAPID RECALL** ⚡

<p style="text-align: center; font-weight: bold;">ACCIDENT DUTIES</p> <p style="text-align: center;"> STOP ↓ IDENTIFY ↓ REPORT</p>	<p style="text-align: center; font-weight: bold;">SUDDEN EMERGENCY</p> <p style="text-align: center;"></p> <ol style="list-style-type: none"> 1 Not My Fault 2 No Choice 3 Reasonable Response 	<p style="text-align: center; font-weight: bold;">SCHOOL BUS</p> <p style="text-align: center;"></p> <p style="text-align: center; font-weight: bold;">FLASHING REDS = STOP</p>	<p style="text-align: center; font-weight: bold;">WORK ZONE</p> <p style="text-align: center;"></p> <p style="text-align: center; font-weight: bold;">HEADLIGHTS REQUIRED</p>	<p style="text-align: center; font-weight: bold;">DUI / CHEMICAL TESTING</p> <p style="text-align: center;"></p> <p style="text-align: center; font-weight: bold;">DEPARTMENT OF HEALTH APPROVES TESTING</p>
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DEFINITIONS THAT DRIVE THE VEHICLE CODE

**TITLE 75
KEY SECTIONS**
§102 • §103 • §302
§3502 • §3503
§102(a.1)

★ **MEMORY TRIGGER:** ACT → PROTECT → REPORT → COOPERATE → PREVENT

1 HIGHWAY vs TRAFFICWAY



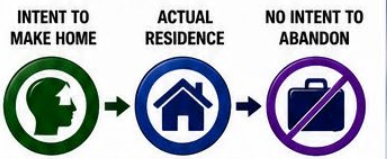
- HIGHWAY**
 - Entire width between boundary lines.
 - Includes **EVERYTHING** within those lines.
- TRAFFICWAY**
 - The entire area open to the public for purposes of vehicular travel as a matter of right.

💡 Not all trafficways are highways.



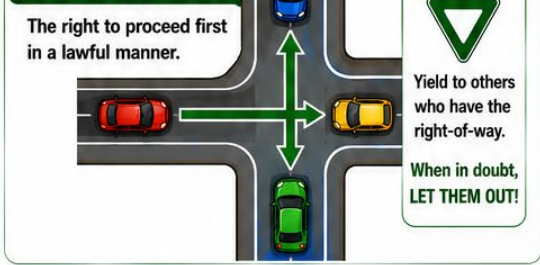
2 RESIDENT

A person who has established a place where he/she lives.



★ **IT TAKES ALL THREE:**
Intent + Actual Residence + No Intent to Abandon = **RESIDENT**

3 RIGHT-OF-WAY



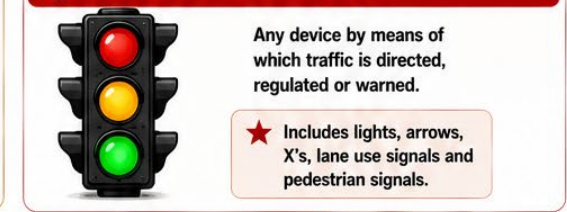
4 SCHOOL BUS



5 SCHOOL VEHICLE



6 TRAFFIC-CONTROL SIGNAL



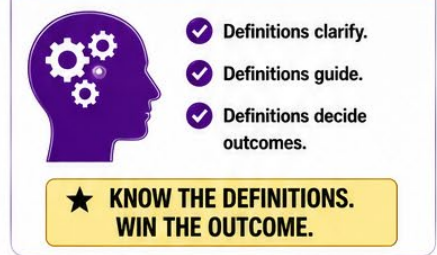
7 OFFICIAL TRAFFIC-CONTROL DEVICE



8 IGNITION INTERLOCK LIMITED LICENSE



9 DEFINITION = CONSEQUENCE



GET THE MEANING RIGHT. MAKE THE RIGHT DECISION.



TITLE 75 PENALTIES & CLASSIFICATIONS

TITLE 75 KEY SECTIONS
 §1543 • §3802 • §3803
 §3804 • §3809 • §6502
 §6575 • §1576

★ **MEMORY TRIGGER:** ACT → PROTECT → REPORT → COOPERATE → PREVENT



\$6502 DEFAULT FINE

NO FINE SPECIFIED IN THE TITLE?

↓

\$25 DEFAULT FINE

★ Know it. Use it. Don't lose it.

RECKLESS DRIVING (§3802)

A **choice**. Not a mistake.

- ✓ Summary offense
- ✓ Punishable by fine only
- ✓ **NO** mandatory incarceration

⚠ Many students incorrectly remember jail. It's still a fine offense.

UNAUTHORIZED DRIVER (§1543(b))

- ✓ Driving without effective consent of the owner.
- ✓ Summary offense. Punishable by fine.

WORK ZONE VIOLATIONS (§1576)

Enhanced penalties apply when:

- Active work zone
- Workers present
- Speeding
- Headlights not illuminated
- Other violations occur

Higher fines. Greater consequences.

SCHOOL BUS VIOLATIONS (§3803)

Different levels. Different fines. Often higher.

STOP for flashing red lights – no exceptions!

DUI OFFENSE LEVELS & PENALTIES (§3802, §3804)

	JAIL	MINIMUM FINE	LICENSE SUSPENSION	IGNITION INTERLOCK	OTHER REQUIREMENTS
HIGHEST 3rd+ OFFENSE WITHIN 10 YEARS	1 Year Mandatory	\$2,500	18 Months Mandatory	1 Year Mandatory	Assessment, treatment, community service, license fees
HIGH 2nd OFFENSE WITHIN 10 YEARS	90 Days to 5 Years	\$1,000 to \$5,000	12 Months Mandatory	1 Year Mandatory	Assessment, treatment, community service, license fees
GENERAL 1st OFFENSE OR FIRST WITHIN 10 YEARS	72 Hours to 6 Months	\$300 to \$2,500	12 Months Mandatory	6 Months Mandatory	Assessment, possible treatment, license fees

★ BAC ≥ .10% and/or drugs = Higher penalties at every level.

OTHER IMPORTANT PENALTIES

- SUSPENSION VIOLATION (§1545)**
Driving while suspended = Summary Offense + Additional suspension.
- SPEEDING 16+ MPH OVER LIMIT (§3361)**
Summary offense. Higher fines and points.
- SEATBELT VIOLATION (§4581)**
Summary offense. Fine up to \$50.

★ IMPORTANT REMINDERS ★

- ✓ Penalties increase with prior convictions.
- ✓ Court may impose additional costs and fees.
- ✓ Driver's record impacts insurance and employment.
- ✓ Know the penalty **BEFORE** you make the choice.

KEY TAKEAWAY

- ✓ Know the offense.
- ✓ Know the classification.
- ✓ Know the penalty.
- ✓ Make better choices.

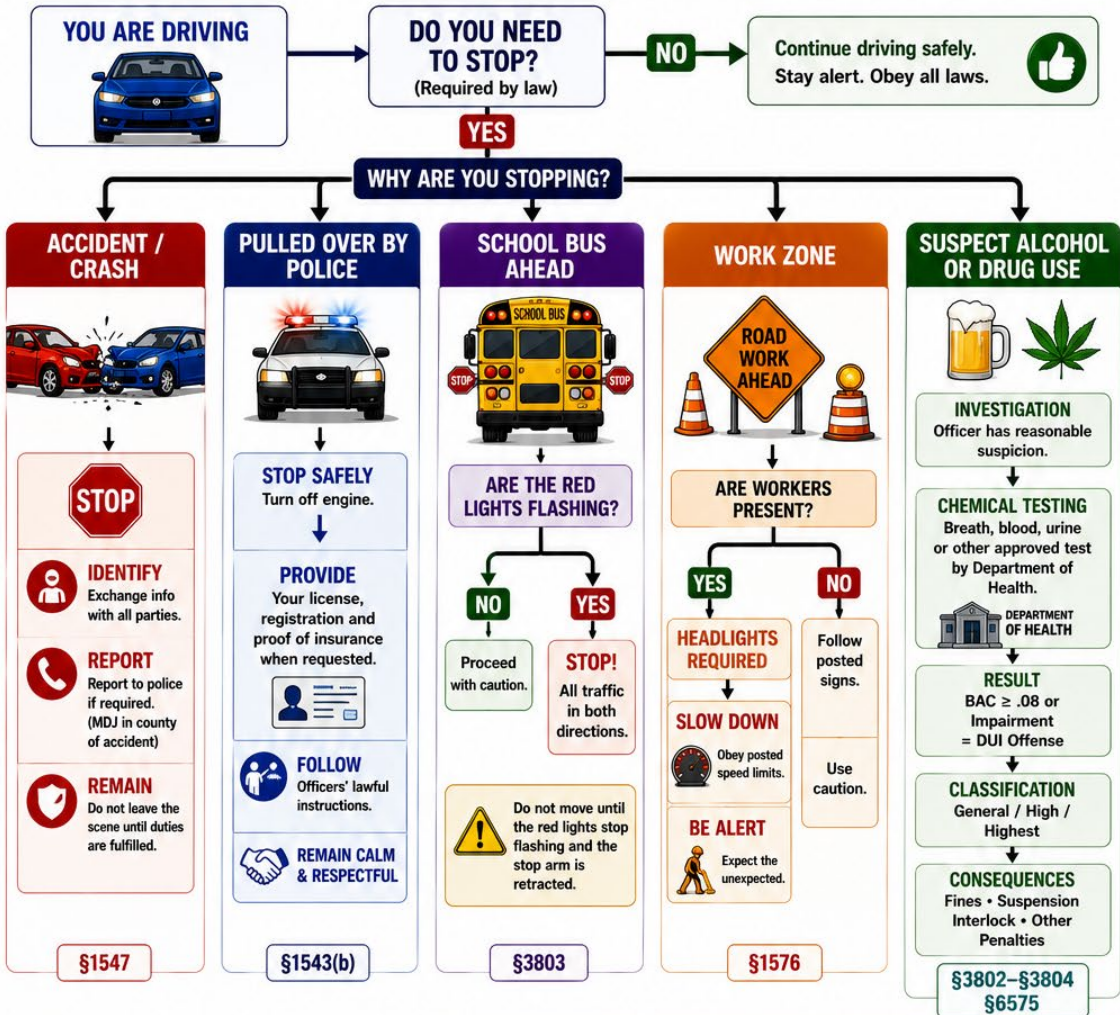
THE RIGHT CHOICE TODAY PREVENTS THE PENALTY TOMORROW.

THE TITLE 75 DECISION TREE

THE RIGHT ACTION. EVERY TIME.

**TITLE 75
KEY SECTIONS**
 §102 • §103 • §1543
 §1576 • §3802 • §3803
 §3804 • §6502 • §6575
 §4574 • §4581

★ MEMORY TRIGGER: ACT → PROTECT → REPORT → COOPERATE → PREVENT



WHEN IN DOUBT... STOP → THINK → ACT LEGALLY → EVERYONE GETS HOME SAFE **SMART CHOICES SAVE LIVES.**



TITLE 75 SPECIAL RULES & ADVANCED CONCEPTS

Small Details. Big Consequences.

TITLE 75 KEY SECTIONS
 §102 • §103 • §1543
 §1576 • §3802 • §3803
 §3804 • §6502 • §6575
 §4574 • §4581

★ MEMORY TRIGGER: ACT → PROTECT → REPORT → COOPERATE → PREVENT ★

1 DUI LOOK-BACK PERIOD

10 YEARS

DUI Conviction Today

REMEMBER: DUI uses a 10-year look-back period. Prior offenses within that period increase penalties.

2 COURT vs PENNDOT

COURT	PENNDOT
<ul style="list-style-type: none"> Determines guilt Imposes fines Imposes costs Imposes jail 	<ul style="list-style-type: none"> Points Suspensions Restorations Driver history

THE COURT DOES NOT SUSPEND LICENSES. PENNDOT DOES.

3 DRIVER HISTORY LOOK-BACK

Traffic Convictions
 ↓
 Driver Record Review
 ↓
7 YEARS

★ Driver history matters.

4 §1543(b) FLAT JAIL SENTENCES

3+ THIRD OR MORE	6 MONTHS
2 SECOND	90 DAYS
1 FIRST	60 DAYS

FLAT SENTENCES

- No parole.
- No early release.
- Serve the sentence imposed.

5 AFFIRMATIVE DEFENSE

Defendant admits the conduct occurred but asserts a legally recognized defense.

EXAMPLES:

- Sudden Emergency
- Justification
- Necessity

ADMIT + EXPLAIN = AFFIRMATIVE DEFENSE

6 DE MINIMIS HARM TO SOCIETY ANALYSIS

Technical Violation vs Public Harm

COURT MAY DISMISS WHERE:

- Harm is trivial
- No meaningful danger
- Prosecution serves little public purpose

7 DRIVING SUSPICIONS

Indicators an officer may rely upon:

- Seat switching
- Running from vehicle
- PennDOT suspension notice
- Driver record
- Observations

★ Suspicion comes from facts, not guesses.

8 HABITUAL OFFENDERS

Violation → Violation → Violation

GREATER CONSEQUENCES WITH EACH OFFENSE

9 OCCUPATIONAL LIMITED LICENSE

SUSPENDED
 ↓
 LIMITED DRIVING PRIVILEGES
 ↓
 EMPLOYMENT / NECESSITY

★ Not a full license. Restricted privilege.

10 PROBATIONARY LICENSE

Repeated Violations
 ↓
 Restricted License Status
 ↓
 Future Violations
 ↓
 Additional Consequences

11 SOVEREIGN CITIZEN ENCOUNTERS

Common Characteristics:

- Jurisdiction challenges
- Consent arguments
- "Traveling, not driving"
- Refusal to recognize authority

APPLY THE LAW. DO NOT DEBATE THE PHILOSOPHY.

RAPID RECALL

<p>DUI = 10 YEARS</p> <p>Look-back period.</p>	<p>DRIVER HISTORY = 7 YEARS</p> <p>Look-back period.</p>	<p>COURT ≠ PENNDOT</p> <p>Different roles. Different results.</p>	<p>§1543(b) FLAT SENTENCES</p> <p>60 / 90 / 6 Months No early release.</p>	<p>AFFIRMATIVE DEFENSE</p> <p>Admit the act. Prove the defense.</p>	<p>OCCUPATIONAL LIMITED LICENSE</p> <p>Restricted driving for work or necessity.</p>	<p>HABITUAL OFFENDERS</p> <p>Pattern of violations = escalating consequences.</p>
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★ KNOW THE RULES. UNDERSTAND THE DETAILS. MAKE SMART DECISIONS. PROTECT YOUR LICENSE. ★