

§ 1380. Suspension of registration upon unpaid tolls.**(a) General rule.--**

(1) The department shall suspend the registration of a vehicle upon notification from a tolling entity that the owner or registrant of the vehicle has either:

(i) failed to pay or defaulted in the payment of six or more violations issued under 74 Pa.C.S. § 8116(a) (relating to collection and disposition of tolls and other revenue) or 8117(a)(1) (relating to electronic toll collection) or other law, regulation, ordinance or standard applicable to the toll collection or payment requirements for a tolling entity; or

(ii) incurred unpaid tolls or administrative fees or costs that collectively total a minimum of \$500, regardless of the number of violations.

(2) Nothing in paragraph (1) shall be construed to limit a tolling entity's ability to recoup unpaid tolls or administrative fees or costs by any means available under the law.

(b) Notice.--Prior to notifying the department under subsection (c), the tolling entity shall provide the owner or registrant written notice by first class mail of its intent to seek suspension of the vehicle registration under this section and afford the owner or registrant with the opportunity to be heard during an administrative proceeding.

(c) Notice to department.--

(1) Not sooner than 30 days after mailing the notice under subsection (b), the tolling entity, provided it has entered into an agreement with the department to enforce the provisions of this section, may notify the department electronically in a format prescribed by the department whenever an owner or registrant meets the requirements for suspension under subsection (a)(1).

(2) When a tolling entity has provided notice under this subsection and all of the violations are subsequently paid, dismissed, reversed on appeal or canceled, the tolling entity shall notify the department electronically in a format prescribed by the department of the disposition of the violation and shall provide the owner or registrant with a release from the suspension.

(d) Period of suspension.--A suspension under subsection (a) shall continue until the department receives notice from the tolling entity that the violations are paid, dismissed, reversed on appeal or canceled or the owner or registrant enters into an agreement with the tolling entity to make installment payments for tolls, administrative fees and costs imposed and pays the fee prescribed in section 1960 (relating to reinstatement of operating privilege or vehicle registration), provided that the suspension may be reimposed by the department if the owner or registrant fails to make regular installment payments.

(e) Additional suspension.--The department shall impose an additional period of registration suspension if, subsequent to the issuance of a suspension under subsection (a) but prior to the restoration of the registration, the department is notified by the tolling entity that the owner or registrant has failed to pay, failed to respond or defaulted in the payment of an additional violation issued under 74 Pa.C.S. § 8117(a)(1).

(f) Violations outside Commonwealth.--

(1) The department shall suspend the registration of a vehicle upon the notification from a tolling entity that has entered into an enforcement agreement with the department as authorized under section 6146 (relating to enforcement agreements) for any toll violation of that state or an authority or for failure to pay any fine or costs imposed in

accordance with the laws of the jurisdiction in which the violation occurred.

(2) An owner or registrant who provides proof satisfactory to the department that the full amount of the fine and costs has been forwarded to and received by the other state may not be regarded as having failed to pay for the purposes of this subsection.

(g) Documentation.--

(1) In any proceeding under this section, documents obtained by the department from a tolling entity or from the appropriate agency of the Commonwealth or another state shall be admissible into evidence to support the department's case.

(2) The department may treat the documents and reports as documents of the department and use any of the methods of storage permitted under the provisions of 42 Pa.C.S. § 6109 (relating to photographic copies of business and public records) and may reproduce the documents in accordance with the provisions of 42 Pa.C.S. § 6103 (relating to proof of official records).

(3) The department may certify that it has received or obtained documents and reports from a tolling entity, the Commonwealth or other states, and the certification shall be prima facie proof of the facts contained in the documents and reports.

(h) Three-year statute of limitations.--No suspension may be imposed based upon a violation of 74 Pa.C.S. § 8117(a)(1) or similar provision from another state more than three years after the violation is committed.

(i) Collection of out-of-State tolls.--The department or a tolling entity may collect the civil penalties and tolls imposed by an out-of-State tolling entity if the department or tolling entity has entered into a reciprocity agreement that confirms the following:

(1) The other state or tolling entity has its own effective reciprocal procedure for collecting penalties and tolls imposed by a Commonwealth tolling entity and agrees to collect penalties and tolls of the Commonwealth tolling entity by employing sanctions that include denial of an owner's or registrant's right to register or reregister a motor vehicle.

(2) The penalties, exclusive of tolls, claimed by the other state or tolling entity against an owner or registrant of a motor vehicle registered in this Commonwealth do not exceed \$100 for a first violation or \$600 for all pending violations.

(3) The other state or tolling entity provides due process and appeal protections to avoid the likelihood that a false, mistaken or unjustified claim will be pursued against an owner or registrant.

(4) An owner or registrant of a motor vehicle registered in this Commonwealth may present evidence to the other state or tolling entity by mail, telephone, electronic means or other means to invoke rights of due process without having to appear personally in the jurisdiction where the violation is alleged to have occurred.

(5) The reciprocal collection agreement between the department or a tolling entity and the other state or tolling entity provides that each party may charge the other a fee sufficient to cover the costs of collection services, including costs incurred by the agency that registers motor vehicles.

(j) Definition.--As used in this section, the term "tolling entity" means any of the following:

(1) The Pennsylvania Turnpike Commission.

(2) An entity authorized to impose and collect tolls in accordance with any of the following:

(i) The laws of this Commonwealth.

(ii) The laws of another state.

(iii) The terms of an interstate compact or agreement.

(3) An authorized agent of an entity under paragraph (2).
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2016 Amendment. Act 165 added section 1380.

Cross References. Section 1380 is referred to in sections 1376, 1960 of this title.