

## **COMMITTEE BILL ANALYSIS**

**Bill:** Senate Bill 334

**Printer's No.:** 312

**Sponsor:** Senator Pileggi

**Prepared by:** Gregg Warner

**Synopsis:** This bill amends the Judicial Code, Title 42 of the Pennsylvania Consolidated Statutes, establishing a Traffic Division under the Philadelphia Municipal Court.

### **Summary:**

#### **Definition**

Section 102 of the Judicial Code, relating to definitions, revises the definition of “Traffic Court of Philadelphia” to mean the Traffic Division under section 1121(c), relating to the Philadelphia Municipal Court.

#### **Philadelphia Municipal Court**

The organization of the Philadelphia Municipal Court, provided for in section 1121, is revised to include a General Division consisting of 25 judges, and hearing examiners appointed by the President Judge of the municipal court.

The Traffic Division shall consist of five judges elected to the Traffic Court of Philadelphia prior to the effective date of this legislation. Vacancies shall not be filled. These provisions shall expire on the later of the date of the ratification of an amendment to the State constitution abolishing the Philadelphia Traffic Court or the date of the expiration of the longest term of such a judge.

A judge in the General Division must be an attorney at law. The General Division shall exercise full jurisdiction of the municipal court under section 1123(a).

A judge in the Traffic Division must be an attorney at law or complete a course of training and instruction in the duties of the office and pass an examination in the course. The Traffic Division, at the direction of the President Judge of the municipal court, shall exercise jurisdiction under section 1123(a)(9).

Under section 1123(a)(9) the Philadelphia Municipal Court shall have jurisdiction over prosecutions for summary offenses arising under the Vehicle Code, Title 75 of the Pennsylvania Consolidated Statutes, or an ordinance of a political subdivision enacted pursuant to the Vehicle Code.

**Philadelphia traffic court transition**

During the transition these provisions shall apply during the terms of all judges of the Philadelphia Traffic Court who have been elected prior to January 1, 2014 and whose term expires after December 31, 2017. A judge who falls within these parameters shall serve as a judge in the Traffic Division until the expiration of his term. These provisions shall expire on the later of the date of the ratification of an amendment to the State constitution abolishing the Philadelphia Traffic Court or the date of the expiration of the longest term of such a judge.

**Traffic Court of Philadelphia**

The court shall consist of two judges who are currently serving on the court and whose terms expire on December 31, 2017. This provision shall expire on the later of the date of the ratification of an amendment to the State constitution abolishing the Philadelphia Traffic Court or January 1, 2018. These judges shall have jurisdiction at the direction of the President Judge of the municipal court over summary offenses arising under the Vehicle Code or any ordinance of a political subdivision enacted pursuant to the Vehicle Code.

**Effective date**

This act takes effect in 60 days.

**Background:** No other county has a separate traffic court. Philadelphia currently has 7 traffic court judges. They are each paid a salary of \$91,052.

**Investigations**

According to the sponsor “Recently, an investigative report commissioned by the state Supreme Court concluded that the Philadelphia Traffic Court has ‘two tracks of justice – one for the connected and another for the unwitting general public.’”

On Thursday, January 31, 2013, federal law enforcement officials indicted nine current and former Philadelphia traffic court judges and three others for ticket fixing.

**Constitutional amendments**

Senate Bill 333 proposes integrated amendments to the State constitution eliminating the Traffic Court of Philadelphia. Senate Bill 334 is drafted so that it can take effect whether or not the constitutional amendments are adopted.