

Survey to Chief APOs

Issue: Act 33 of 2016 – Ignition Interlock Limited License

Question (from Bradford County):

With the passing of Senate Bill 290 (relating to ignition interlock limited license) I am wondering how many county probation departments confiscate offenders drivers licenses at time of sentencing or ARD placement and send them to PENNDOT? Currently, we do and now see some liability issues based on the Senate Bill.

Allegheny County

Allegheny is the same as Erie. Offenders deal directly with PADOT.

Berks County

Same in Berks as York.

Blair County

We take license for IPs, but not ARDs. Where do you see the liability being?

Bucks County

Adult Probation in Bucks County does NOT confiscate drivers licenses. This is a function of our Clerk of Courts office. They take the license at time of sentence (usually in the court room) and then mail it to PennDOT. Much better for us this way.

Cambria County

Cambria is the same as Allegheny and Erie. Offenders deal directly with DOT.

Chester County

We don't take the license, it is turned over to the Clerk of Courts.

Cumberland County

Cumberland does the same as York and Dauphin

Dauphin County

Dauphin is the same as York.

Delaware County

Same in Delco as York.

Erie County

Erie County does not take licenses. The Clerks files the paperwork and from there the defendant deals with PennDOT.

Huntingdon County

Huntingdon County does the same as Erie County. Prothonotary files the paperwork and then the offender surrenders their license to PennDot when asked to send them in to begin the license suspension

Lancaster County

Same in Lancaster as York.

Lawrence County

In Lawrence County, the driver's license is turned over to the Clerk of Courts who then sends it PennDOT.

Lebanon County

When applicable, the offenders license is turned into the Clerk of Courts who in turn sends the license to Penn Dot along with a certified DL 21 form.

Lehigh County

Our Clerk of Judicial Records take possession of driver's licenses regardless if it is ARD, probation, parole or IP. APO has never taken driver's licenses.

Chief Egizio requested that I respond to you email. Currently, our Clerk of Judicial Records Office takes that license from the defendant at the time of sentencing. Our practice will remain the same until 10/20/18, at which time the procedure will change as a result of Act 233 and SB 553. Since PennDOT will be sending notification to the defendant within 60 days of sentencing as to the effective date of the suspension, as well as direction to surrender the license, we are anticipating that our Clerks Office will stop taking the licenses at that time. I have spoken to the DUI Association regarding this matter and it is still unclear as to how PennDOT is going to direct the individual to surrender the license. We are hopeful that they aren't told to report to us to do that. Unfortunately, until we receive the final word from PennDOT, we are stuck. The act states that several entities can take a license. PennDOT has been quite elusive as to what direction they are going to give the defendant. Since this aspect of the act does not become effective until next year, we have some time to figure it out. If I hear anything else, I will let you know.

Snyder County

In Snyder County all licenses are turned over to the Clerk of Courts at sentencing... If not, a DL form is filled out if they do not have it with them.

Venango County

Like many of the other counties, in Venango, the offender is required to surrender their license to the Clerk of Courts at Sentencing or ARD and they transmit the license to Penn Dot.

I think that might be changing based on the new requirements where the offenders deals directly with Penn Dot. I believe they set a number of days for the offenders to surrender his/her license to Penn DOT.

Wayne County

Wayne County's approach: We let Prothonotary file a DL 21 form to PennDot and they take it from there. We don't touch license. Always felt that is a liability concern since it is, I believe, considered personal property.

York County

In York County, the license is turned over to the Clerk of Courts who sends them to PennDot.