

**[J-17-2014] [MO: Stevens, J.]  
IN THE SUPREME COURT OF PENNSYLVANIA  
MIDDLE DISTRICT**

WILLIAM J. BELL,	:	No. 86 MAP 2013
	:	
Appellee	:	Appeal from the order of the
	:	Commonwealth Court at No. 2034 CD
	:	2012 dated July 3, 2013 affirming the
v.	:	order of the Bucks County Court of
	:	Common Pleas, Civil Division, at No.
	:	2012-03563 dated September 27, 2012
COMMONWEALTH OF PENNSYLVANIA,	:	
DEPARTMENT OF TRANSPORTATION,	:	SUBMITTED: February 25, 2014
BUREAU OF DRIVER LICENSING,	:	
	:	
Appellant	:	

**CONCURRING OPINION**

**MADAME JUSTICE TODD**

**DECIDED: July 21, 2014**

I agree with the Majority Opinion – insofar as it holds that the crimes of homicide by vehicle and homicide by vehicle while driving under the influence do not merge for the purpose of imposing criminal sentences, see Commonwealth v. Collins, 764 A.2d 1056, 1057-59 (Pa. 2001) – thus, I agree with its holding that the Commonwealth Court erred in concluding these offenses merge for purposes of imposing related drivers’ license suspensions. However, given that the majority’s holding in this regard requires reversal of the Commonwealth Court’s order and fully disposes of the instant matter, its subsequent discussion of the proper interpretation of 75 Pa.C.S.A. § 1532 and, more broadly, the application of merger principles to drivers’ license suspensions and other civil sanctions is non-precedential *obiter dictum*. See generally Rendell v. State Ethics Com’n, 983 A.2d 708, 714 (Pa. 2009) (noting statements not necessary to a court’s

decision constitute nonbinding *obiter dictum*); Howard ex rel. Estate of Ravert v. A.W. Chesterton Co., 78 A.3d 605, 610-11 (Pa. 2013) (Todd, J., concurring) (cautioning against the broad enunciation of legal principles unnecessary to the case at bar); Cass R. Sunstein, The Supreme Court, 1995 Term – Foreword: Leaving Things Undecided, 110 Harv. L. Rev. 4 (1996) (extolling the virtues of “decisional minimalism”). Accordingly, I concur only in the result.

Mr. Justice Baer joins this opinion.