

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1503

 Session of 2005

INTRODUCED BY PAYNE, CAPPELLI, CREIGHTON, J. EVANS, GILLESPIE, GINGRICH, HARRIS, HERSHEY, M. KELLER, MUSTIO, PYLE, SCHRODER, SOLOBAY, E. Z. TAYLOR, J. TAYLOR AND YOUNGBLOOD, MAY 3, 2005

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF REPRESENTATIVES, AS AMENDED, MARCH 15, 2006

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for ~~grading of driving under the~~ <—
3 ~~influence.~~ THE OFFENSE OF FLEEING OR ATTEMPTING TO ELUDE <—
4 POLICE OFFICER.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 ~~Section 1. Section 3803 of Title 75 of the Pennsylvania~~ <—
8 ~~Consolidated Statutes is amended by adding a subsection to read:~~
9 ~~§ 3803. Grading.~~

10 * * *

11 ~~(c) Enhanced penalties. Notwithstanding any other provision~~
12 ~~of this chapter to the contrary, a violation of section 3802~~
13 ~~shall constitute a felony of the first degree if the offender:~~

14 ~~(1) crossed a border of this Commonwealth and entered~~
15 ~~into another jurisdiction;~~

16 ~~(2) caused a vehicular accident resulting in serious~~
17 ~~bodily injury or substantial property damage to another~~
18 ~~person;~~

~~(3) required police pursuit through a school zone;~~
~~(4) required police pursuit lasting in excess of 15~~
~~minutes; or~~
~~(5) required police pursuit at a speed in excess of 20~~
~~miles per hour over the posted speed limit.~~

SECTION 1. SECTION 3733(A) OF TITLE 75 OF THE PENNSYLVANIA
CONSOLIDATED STATUTES IS AMENDED TO READ:

§ 3733. FLEEING OR ATTEMPTING TO ELUDE POLICE OFFICER.

(A) OFFENSE DEFINED[.--] AND PENALTIES.--

(1) ANY DRIVER OF A MOTOR VEHICLE WHO WILLFULLY FAILS OR
REFUSES TO BRING HIS VEHICLE TO A STOP, OR WHO OTHERWISE
FLEES OR ATTEMPTS TO ELUDE A PURSUING POLICE OFFICER, WHEN
GIVEN A VISUAL AND AUDIBLE SIGNAL TO BRING THE VEHICLE TO A
STOP, COMMITS A MISDEMEANOR OF THE SECOND DEGREE. ANY DRIVER
UPON CONVICTION SHALL PAY AN ADDITIONAL FINE OF \$500. THIS
FINE SHALL BE IN ADDITION TO AND NOT IN LIEU OF ALL OTHER
FINES, COURT EXPENSES, JAIL SENTENCES OR PENALTIES.

(2) ANY DRIVER OF A MOTOR VEHICLE WHO WILLFULLY FAILS OR
REFUSES TO BRING HIS VEHICLE TO A STOP, OR WHO OTHERWISE
FLEES OR ATTEMPTS TO ELUDE A PURSUING POLICE OFFICER, WHILE
ENGAGED IN A VIOLATION OF SECTION 3802 (RELATING TO DRIVING
UNDER INFLUENCE OF ALCOHOL OR CONTROLLED SUBSTANCE), WHEN
GIVEN A VISUAL AND AUDIBLE SIGNAL TO BRING THE VEHICLE TO A
STOP, COMMITS A MISDEMEANOR OF THE FIRST DEGREE. ANY DRIVER
UPON CONVICTION SHALL BE SENTENCED TO PAY AN ADDITIONAL FINE
OF NOT LESS THAN \$1,000 AND TO IMPRISONMENT FOR NOT LESS THAN
72 CONSECUTIVE HOURS. THIS FINE SHALL BE IN ADDITION TO AND
NOT IN LIEU OF ALL OTHER FINES, COURT EXPENSES, JAIL
SENTENCES OR PENALTIES.

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1 Section 2. This act shall take effect in 60 days.