

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1951

Session of
1981

INTRODUCED BY LEHR, VROON, A. C. FOSTER, JR., ARTY, CALTAGIRONE,
STEVENS, SALVATORE, TRELLO, ARMSTRONG, BOYES, COLE, MORRIS,
PRATT, FEE, PETERSON, W. W. FOSTER, MADIGAN AND GALLAGHER,
OCTOBER 13, 1981

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 13, 1981

AN ACT

1 Amending Titles 42 (Judiciary and Judicial Procedure) and 75
2 (Vehicles) of the Pennsylvania Consolidated Statutes, further
3 providing for the penalty of driving under the influence of
4 alcohol or controlled substances.

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

7 Section 1. The definition of "delinquent act" in section
8 6302 of Title 42, act of November 25, 1970 (P.L.707, No.230),
9 known as the Pennsylvania Consolidated Statutes, is amended to
10 read:

11 § 6302. Definitions.

12 The following words and phrases when used in this chapter
13 shall have, unless the context clearly indicates otherwise, the
14 meanings given to them in this section:

15 * * *

16 "Delinquent act."

17 (1) The term means an act designated a crime under the
18 law of this Commonwealth, or of another state if the act

1 occurred in that state, or under Federal law, or under local
2 ordinances.

3 (2) The term shall not include:

4 (i) [the] The crime of murder[; or].

5 (ii) [summary] Summary offenses, unless the child
6 fails to pay a fine levied thereunder, in which event
7 notice of such fact shall be certified to the court.

8 (iii) Violations of 75 Pa.C.S. § 3731 (relating to
9 driving under influence of alcohol or controlled
10 substance).

11 * * *

12 Section 2. Section 1532(b) of Title 75 is amended to read:

13 § 1532. Revocation or suspension of operating privilege.

14 * * *

15 (b) Suspension.--

16 (1) The department shall suspend the operating privilege
17 of any driver for one year upon receiving a certified record
18 of the driver's conviction in the same proceeding of
19 violating the provisions of § 3731 (relating to driving under
20 influence of alcohol or controlled substance) and 18 Pa.C.S.
21 § 6308 (relating to purchase, consumption, possession or
22 transportation of intoxicating beverages).

23 [(1)] (2) The department shall suspend the operating
24 privilege of any driver for six months upon receiving a
25 certified record of the driver's conviction of any offense
26 under the following provisions:

27 Section 3367 (relating to racing on highways).

28 Section 3731 (relating to driving under influence of
29 alcohol or controlled substance).

30 Section 3733 (relating to fleeing or attempting to

1 elude police officer).

2 Section 3734 (relating to driving without lights to
3 avoid identification or arrest).

4 Section 3743 (relating to accidents involving damage
5 to attended vehicle or property).

6 [(2)] (3) The department shall suspend the operating
7 privilege of any driver for six months upon receiving a
8 certified record of the driver's conviction of a subsequent
9 offense under the following provisions:

10 Section 1501(a) (relating to drivers required to be
11 licensed).

12 Section 1543 (relating to driving while operating
13 privilege is suspended or revoked).

14 [(3)] (4) This subsection does not effect an additional
15 period of revocation of the operating privileges of a driver
16 who receives an additional period of revocation for a second
17 or subsequent violation of section 1543.

18 Section 3. This act shall take effect in 60 days.