

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 335 Session of
1999

INTRODUCED BY MAITLAND, STERN AND E. Z. TAYLOR, FEBRUARY 8, 1999

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 8, 1999

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for the use of Court Reporting
3 Network instruments.

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

6 Section 1. Sections 1548(a) and 3731(e)(6) of Title 75 of
7 the Pennsylvania Consolidated Statutes are amended to read:

8 § 1548. Requirements for driving under influence offenders.

9 (a) Evaluation using Court Reporting Network.--In addition
10 to any other requirements of the court, every person convicted
11 of a violation of section 3731 (relating to driving under
12 influence of alcohol or controlled substance) and every person
13 offered Accelerated Rehabilitative Disposition as a result of a
14 charge of a violation of section 3731 [~~shall~~] may, prior to
15 sentencing or receiving Accelerated Rehabilitative Disposition
16 or other preliminary disposition, be evaluated using Court
17 Reporting Network instruments issued by the department and any
18 other additional evaluation techniques deemed appropriate by the

1 court to determine the extent of the person's involvement with
2 alcohol or controlled substances and to assist the court in
3 determining what sentencing, probation or conditions of
4 Accelerated Rehabilitative Disposition would benefit the person
5 or the public.

6 * * *

7 § 3731. Driving under influence of alcohol or controlled
8 substance.

9 * * *

10 (e) Penalty.--

11 * * *

12 (6) Any person who accepts Accelerated Rehabilitative
13 Disposition of any charge brought under this section shall
14 accept as conditions the imposition of and the judge shall
15 impose in addition to any other conditions all of the
16 following:

17 (i) A fee to cover the costs referred to in section
18 1548(e) (relating to costs).

19 (ii) A mandatory suspension of operating privilege
20 for a period of not less than one month but not more than
21 12 months.

22 (iii) A condition that the defendant, as a condition
23 to entering the program, make restitution to any person
24 who incurred determinable financial loss as a result of
25 the defendant's actions which resulted in a charge of
26 violating this section.

27 (iv) Court supervision for any defendant required to
28 make restitution or submit to counseling or treatment.

29 [(v) Court supervision for a period of not less than
30 six months when the Court Reporting Network indicates

1 that counseling or treatment is not necessary and not
2 less than 12 months when the Court Reporting Network
3 indicates that counseling or treatment is in order.]

4 (vi) A fee to cover the reasonable costs, if any, of
5 a municipal corporation in connection with a charge
6 brought under this section which results in Accelerated
7 Rehabilitative Disposition.

8 * * *

9 Section 2. This act shall take effect immediately.