

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1240 Session of
2003

INTRODUCED BY MELIO, BEBKO-JONES, CASORIO, DALEY, FABRIZIO,
GOODMAN, HORSEY, LaGROTTA, LEWIS, PRESTON, TANGRETTI,
WASHINGTON, GEIST, HARHAI, KIRKLAND, LESCOVITZ, McCALL,
SHANER AND J. TAYLOR, APRIL 29, 2003

REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 29, 2003

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, providing for the offense of aggressive driving.

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

5 Section 1. Title 75 of the Pennsylvania Consolidated
6 Statutes is amended by adding a section to read:

7 § 3737. Aggressive driving.

8 (a) Offense defined.--A person commits the offense of
9 aggressive driving if the person operates a vehicle in a manner
10 which tends to harass, annoy or alarm another person and in a
11 manner which endangers or is likely to endanger the safety of
12 another person or property when the offense involves the
13 commission of two or more violations of the following sections
14 in a single act or series of acts in close proximity to another
15 vehicle:

16 Section 3102 (relating to obedience to authorized persons
17 directing traffic).

1 Section 3111 (relating to obedience to traffic-control
2 devices).

3 Section 3112 (relating to traffic-control signals).

4 Section 3114 (relating to flashing signals).

5 Section 3301 (relating to driving on right side of
6 roadway).

7 Section 3303 (relating to overtaking vehicle on the
8 left).

9 Section 3304 (relating to overtaking vehicle on the
10 right).

11 Section 3305 (relating to limitations on overtaking on
12 the left).

13 Section 3307 (relating to no-passing zones).

14 Section 3310 (relating to following too closely).

15 Section 3323 (relating to stop signs and yield signs).

16 Section 3326 (relating to duty of driver in construction
17 and maintenance areas or on highway safety corridors).

18 Section 3345 (relating to meeting or overtaking school
19 bus).

20 Section 3361 (relating to driving vehicle at safe speed).

21 Section 3362 (relating to maximum speed limits) when the
22 violation is more than ten miles per hour higher than the
23 posted speed limit.

24 Section 3365 (relating to special speed limitations).

25 Section 3367 (relating to racing on highways).

26 Section 3702 (relating to limitations on backing).

27 Section 3703 (relating to driving upon sidewalk).

28 Section 3710 (relating to stopping at intersection or
29 crossing to prevent obstruction).

30 Section 3714 (relating to careless driving).

1 Section 3736 (relating to reckless driving).

2 (b) Penalties.--

3 (1) Except as otherwise provided in this section, any
4 person violating subsection (a) commits a misdemeanor of the
5 third degree.

6 (2) Any person who violates this section while in
7 violation of section 3731 (relating to driving under
8 influence of alcohol or controlled substance) and who is
9 convicted of that violation under section 3731 commits a
10 misdemeanor of the first degree.

11 (3) Any person who negligently causes serious bodily
12 injury to another person as the result of a violation of this
13 section and who is convicted of violating this section
14 commits a felony of the third degree, and the sentencing
15 court shall order the person to serve a minimum term of
16 imprisonment of not less than 90 days and a mandatory minimum
17 fine of \$1,000, notwithstanding any other provision of law.

18 (c) Definition.--As used in this section, the term "serious
19 bodily injury" means any bodily injury which creates a
20 substantial risk of death or which causes serious, permanent
21 disfigurement or protracted loss or impairment of the function
22 of any bodily member or organ.

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