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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2222 Session of  
2005

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INTRODUCED BY KAUFFMAN, McILHATTAN, ALLEN, ARMSTRONG, BASTIAN,  
BOYD, CALTAGIRONE, CREIGHTON, DeLUCA, GABIG, GINGRICH,  
GRUCELA, JAMES, KILLION, MANN, PHILLIPS, PISTELLA, RAPP,  
SCAVELLO, SIPTROTH, B. SMITH, SOLOBAY, STERN, R. STEVENSON,  
E. Z. TAYLOR, THOMAS AND TIGUE, NOVEMBER 14, 2005

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REFERRED TO COMMITTEE ON TRANSPORTATION, NOVEMBER 14, 2005

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AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, further providing for chemical testing to determine  
3 amount of alcohol or controlled substance.

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

6 Section 1. Section 1547(a) of Title 75 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 1547. Chemical testing to determine amount of alcohol or  
9 controlled substance.

10 (a) General rule.--Any person who drives, operates or is in  
11 actual physical control of the movement of a vehicle in this  
12 Commonwealth shall be deemed to have given consent to one or  
13 more chemical tests of breath, blood or urine for the purpose of  
14 determining the alcoholic content of blood or the presence of a  
15 controlled substance if [a police officer has reasonable grounds  
16 to believe the person to have been driving, operating or in  
17 actual physical control of the movement of a vehicle:

1 (1) in violation of section 1543(b)(1.1) (relating to  
2 driving while operating privilege is suspended or revoked),  
3 3802 (relating to driving under influence of alcohol or  
4 controlled substance) or 3808(a)(2) (relating to illegally  
5 operating a motor vehicle not equipped with ignition  
6 interlock); or

7 (2) which was involved in an accident in which the  
8 operator or passenger of any vehicle involved or a pedestrian  
9 required treatment at a medical facility or was killed.] one  
10 of the following applies:

11 (1) A police officer has reasonable grounds to believe  
12 the person to have been driving, operating or in actual  
13 physical control of the movement of a vehicle in violation of  
14 section 1543(b)(1.1) (relating to driving while operating  
15 privilege is suspended or revoked), 3802 (relating to driving  
16 under influence of alcohol or controlled substance) or  
17 3808(a)(2) (relating to illegally operating a motor vehicle  
18 not equipped with ignition interlock).

19 (2) The person was driving, operating or in actual  
20 physical control of the movement of a vehicle which was  
21 involved in an accident in which the operator or passenger of  
22 any vehicle involved or a pedestrian required treatment at a  
23 medical facility or was killed.

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25 Section 2. The amendment of 75 Pa.C.S. § 1547(a) shall apply  
26 to a person driving, operating or in actual physical control of  
27 the movement of a vehicle in this Commonwealth on or after the  
28 effective date of this section.

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