

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL  
No. 2337 Session of  
1986

INTRODUCED BY SAURMAN, HAGARTY, FOX, LASHINGER, NAHILL, GLADECK,  
McCLATCHY, CORNELL AND BUNT, APRIL 9, 1986

REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 9, 1986

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, further providing for chemical testing in cases of  
3 driving under the influence.

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

6 Section 1. Section 1547(b) 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 \* \* \*

11 (b) Suspension for refusal.--

12 (1) If any person placed under arrest for a violation of  
13 section 3731 (relating to driving under influence of alcohol  
14 or controlled substance) is requested to submit to chemical  
15 testing and refuses to do so, the police officer and  
16 attendant medical personnel may attempt chemical testing  
17 nevertheless, provided that this attempt would not be likely  
18 to result in personal injury to the person being tested nor

1     to the police officer or medical personnel engaged in the  
2     attempt. If, in the judgment of the police officer and  
3     attendant medical personnel, such attempt is unfeasible for  
4     the reasons given in this paragraph, testing shall not be  
5     conducted but upon notice by the police officer, the  
6     department shall suspend the operating privilege of the  
7     person for a period of 12 months.

8           (2) It shall be the duty of the police officer to inform  
9     the person that the person's operating privilege will be  
10    suspended upon refusal to submit to chemical testing.

11          (3) Any person whose operating privilege is suspended  
12    under the provisions of this section shall have the same  
13    right of appeal as provided for in cases of suspension for  
14    other reasons.

15    \* \* \*

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