

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 804 Session of  
2005

INTRODUCED BY MAITLAND, SAYLOR, HESS, CALTAGIRONE, CAPPELLI,  
CRAHALLA, GINGRICH, GODSHALL, GRUCELA, HARRIS, M. KELLER,  
KILLION, McILHATTAN, MILLARD, S. MILLER, NAILOR, NICKOL,  
PAYNE, PHILLIPS, READSHAW, SAINATO, SCAVELLO, SOLOBAY, STERN,  
E. Z. TAYLOR, WALKO, GILLESPIE AND BOYD, MARCH 14, 2005

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 14, 2005

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, further providing for fleeing or attempting to  
3 elude police officer.

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

6 Section 1. Section 3733(a) of Title 75 of the Pennsylvania  
7 Consolidated Statutes is amended and the section is amended by  
8 adding a subsection to read:

9 § 3733. Fleeing or attempting to elude police officer.

10 (a) Offense defined.--Any driver of a motor vehicle who  
11 willfully fails or refuses to bring his vehicle to a stop, or  
12 who otherwise flees or attempts to elude a pursuing police  
13 officer, when given visual or audible signal to bring the  
14 vehicle to a stop, commits [a misdemeanor of the second degree.  
15 Any driver upon conviction shall pay an additional fine of \$500.  
16 This fine shall be in addition to and not in lieu of all other  
17 fines, court expenses, jail sentences or penalties] an offense

1 as graded in subsection (a.2).

2 \* \* \*

3 (a.2) Grading.--

4 (1) Except as provided in paragraph (2), an offense  
5 under subsection (a) constitutes a misdemeanor of the second  
6 degree. Any driver upon conviction shall pay an additional  
7 fine of \$500. This fine shall be in addition to and not in  
8 lieu of all other fines, court expenses, jail sentences or  
9 penalties.

10 (2) An offense under subsection (a) constitutes a felony  
11 of the third degree if the driver, simultaneously:

12 (i) commits a violation of section 3802 (relating to  
13 driving under influence of alcohol or controlled  
14 substance); or

15 (ii) crosses a State line.

16 \* \* \*

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