

AMENDMENTS TO HOUSE BILL NO. 208

Sponsor: REPRESENTATIVE MUNDY

Printer's No. 1039

1 Amend Bill, page 1, lines 9 through 13; page 2, lines 1
2 through 8, by striking out all of said lines on said pages and
3 inserting

4 Section 1. Section 3742 of Title 75 of the Pennsylvania
5 Consolidated Statutes, amended October 19, 2010 (P.L.557,
6 No.81), is amended to read:

7 § 3742. Accidents involving death or personal injury.

8 (a) General rule.--The driver of any vehicle involved in an
9 accident resulting in injury or death of any person shall
10 immediately stop the vehicle at the scene of the accident or as
11 close thereto as possible but shall then forthwith return to and
12 in every event shall remain at the scene of the accident until
13 he has fulfilled the requirements of section 3744 (relating to
14 duty to give information and render aid). Every stop shall be
15 made without obstructing traffic more than is necessary.

16 (b) Penalties.--

17 (1) Except as otherwise provided in this section, any
18 person violating this section commits a misdemeanor of the
19 first degree.

20 (2) If the victim suffers serious bodily injury, any
21 person violating subsection (a) commits a felony of the third
22 degree, and the sentencing court shall order the person to
23 serve a minimum term of imprisonment of not less than 90 days
24 and a mandatory minimum fine of \$1,000, notwithstanding any
25 other provision of law. An additional fine and term of
26 imprisonment under this paragraph shall be imposed for each
27 victim.

28 (3) If the victim dies, any person violating subsection
29 (a) commits a felony of the [third] second degree, and the
30 sentencing court shall order the person to serve a minimum
31 term of imprisonment of not less than one year and a
32 mandatory minimum fine of \$2,500, notwithstanding any other
33 provision of law. An additional fine and term of imprisonment
34 under this paragraph shall be imposed for each victim.

35 (b.1) Enhanced penalties.--

36 (1) Except as otherwise provided in this subsection, any
37 person violating this section concurrently with a violation

1 of section 3802 (relating to driving under influence of
2 alcohol or controlled substance) and who is convicted of
3 violating section 3802 commits a felony of the third degree.

4 (2) If the victim suffers serious bodily injury, any
5 person violating subsection (a) concurrently with a violation
6 of section 3802 and who is convicted of violating section
7 3802 commits a felony of the second degree, and the
8 sentencing court shall order the person to serve a minimum
9 term of imprisonment of not less than one year and to pay a
10 mandatory fine of \$2,500, notwithstanding any other provision
11 of law. An additional fine and term of imprisonment under
12 this paragraph shall be imposed for each victim.

13 (3) If the victim dies, any person violating subsection
14 (a) concurrently with a violation of section 3802 and who is
15 convicted of violating section 3802 commits a felony of the
16 second degree, and the sentencing court shall order the
17 person to serve a minimum term of imprisonment of not less
18 than three years and to pay a mandatory fine of \$5,000,
19 notwithstanding any other provision of law. An additional
20 fine and term of imprisonment under this paragraph shall be
21 imposed for each victim.

22 (c) Authority of sentencing court.--There shall be no
23 authority in any court to impose on an offender to which this
24 section is applicable any lesser sentence than provided for in
25 subsection (b) (2) or (3) or (b.1) (2) or (3) or to place such
26 offender on probation or to suspend sentence. Sentencing
27 guidelines promulgated by the Pennsylvania Commission on
28 Sentencing shall not supersede the mandatory sentences provided
29 in this section.

30 Section 1.1. Section 6503(a) of Title 75 is amended to read: