

AMENDMENTS TO SENATE BILL NO. 961

Sponsor: REPRESENTATIVE MARSICO

Printer's No. 2087

1 Amend Bill, page 1, line 8, by inserting after "influence"
2 , for accidents involving certain vehicles

3 Amend Bill, page 1, line 11, by inserting after "grading"
4 and for penalties

5 Amend Bill, page 8, line 6, by striking out "and 3803" and
6 inserting

7 , 3756, 3803 and 3804(e) (2) (ii)

8 Amend Bill, page 8, line 19, by striking out "was involved
9 in an" and inserting

10 that contributed to causing the

11 Amend Bill, page 9, by inserting between lines 8 and 9

12 § 3756. [Accidents involving certain vehicles] Post-accident
13 testing.

14 [(a) Testing requirement.--A police officer investigating an
15 accident involving a motor carrier vehicle, bus, school bus or a
16 vehicle transporting hazardous materials required to be
17 placarded by department regulations and required to be
18 investigated under this subchapter shall request that the driver
19 of the vehicle submit to testing for alcohol and controlled
20 substances. Costs for testing under this section shall be borne
21 by the driver's employer.

22 (b) Penalty.--A driver who refuses to submit to alcohol or
23 controlled substances testing under this section commits a
24 summary offense and shall, upon conviction, be sentenced to pay
25 a fine of up to \$200.] The department shall promulgate
26 regulations consistent with 49 CFR 382.303 (relating to post-
27 accident testing).

28 Amend Bill, page 11, line 6, by inserting a bracket before
29 "a"

30 Amend Bill, page 11, line 7, by inserting after "degree."

- 1 **l**:
2 (i) A misdemeanor of the first degree if the
3 individual has no more than one prior offense.
4 (ii) A felony of the third degree if the individual
5 has two or more prior offenses.

6 § 3804. Penalties.

7 * * *

8 (e) Suspension of operating privileges upon conviction.--

9 * * *

10 (2) Suspension under paragraph (1) shall be in
11 accordance with the following:

12 * * *

13 (ii) 18 months for a misdemeanor of the first degree
14 or felony of the third degree under this chapter.

15 * * *

16 Amend Bill, page 11, line 8, by striking out "in 60 days."

17 and inserting

18 as follows:

19 (1) The following provisions shall take effect
20 immediately:

21 (i) The amendment of 75 Pa.C.S. § 3756.

22 (ii) This section.

23 (2) The remainder of this act shall take effect in 60
24 days.