

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 16 Session of 2017

INTRODUCED BY BLAKE, FONTANA, COSTA, SCHWANK, HUGHES, RAFFERTY, BOSCOLA, WARD AND HAYWOOD, MARCH 24, 2017

REFERRED TO TRANSPORTATION, MARCH 24, 2017

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
 2 Statutes, in driving after imbibing alcohol or utilizing
 3 drugs, providing for immediate suspension of operating
 4 privilege.

5 This act may be referred to as Shane's Law.

6 The General Assembly of the Commonwealth of Pennsylvania
 7 hereby enacts as follows:

8 Section 1. Title 75 of the Pennsylvania Consolidated
 9 Statutes is amended by adding a section to read:

10 § 3804.1. Immediate suspension of operating privilege.

11 (a) Mandatory suspension.--Notwithstanding any other
 12 provision under this chapter to the contrary and in addition to
 13 other penalties provided under law, the department shall
 14 immediately suspend the operating privilege of an individual who
 15 has violated section 3802 (relating to driving under influence
 16 of alcohol or controlled substance) if:

17 (1) the individual killed or seriously injured another
 18 individual in connection with the violation; or

19 (2) there was a passenger under 14 years of age in the

1 vehicle at the time of the violation.

2 (b) Notification.--The suspension under subsection (a) shall
3 occur immediately after the department receives a certified copy
4 of the charges filed against an individual to whom subsection
5 (a) applies from a law enforcement agency in this Commonwealth.

6 (c) Timing of suspension.--The suspension of operating
7 privilege under this section shall occur regardless of whether
8 the individual has been found guilty or has entered a plea of
9 guilty or nolo contendere.

10 (d) Cooperation.--Each law enforcement agency in this
11 Commonwealth shall cooperate in providing information to the
12 department to carry out the provisions of this section.

13 (e) Rules and regulations.--The department shall promulgate
14 rules and regulations necessary to implement the provisions of
15 this section.

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