
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 476 Session of
2017

INTRODUCED BY FARNESE, BLAKE, BREWSTER, FONTANA, TARTAGLIONE,
COSTA AND RAFFERTY, MARCH 1, 2017

REFERRED TO JUDICIARY, MARCH 1, 2017

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in miscellaneous provisions, further providing for
3 accidents involving death or personal injury.

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

6 Section 1. Section 3742(b)(3) of Title 75 of the
7 Pennsylvania Consolidated Statutes is amended and the subsection
8 is amended by adding paragraphs to read:

9 § 3742. Accidents involving death or personal injury.

10 * * *

11 (b) Penalties.--

12 * * *

13 (3) (i) If the victim dies, any person violating
14 subsection (a) commits a felony of the second degree, and
15 the sentencing court shall order the person to serve a
16 minimum term of imprisonment of not less than three years
17 and a mandatory minimum fine of \$2,500, notwithstanding
18 any other provision of law.

1 (ii) In addition to the minimum term of imprisonment
2 provided for in subparagraph (i), the Pennsylvania
3 Commission on Sentencing shall provide within its
4 guidelines a sentencing enhancement if the victim dies as
5 the result of a violation of subsection (a). [The
6 provisions of this subparagraph shall not be an element
7 of the crime, and notice of the provisions of this
8 subparagraph shall not be required prior to conviction,
9 but reasonable notice of the Commonwealth's intention to
10 proceed under this subparagraph shall be provided after
11 conviction and before sentencing.]

12 (4) For each victim, the court shall impose an
13 additional fine and consecutive minimum term of imprisonment
14 as provided in this subsection.

15 (5) In addition to the minimum terms of imprisonment
16 provided for in paragraphs (1), (2), (3) and (4), the
17 Pennsylvania Commission on Sentencing shall provide within
18 its guidelines a sentencing enhancement if the person
19 convicted under this section is also convicted of a violation
20 of section 3802 (relating to driving under influence of
21 alcohol or controlled substance) that occurred concurrently
22 with the violation of this section. This enhanced term of
23 imprisonment shall be served consecutively.

24 * * *

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