

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 834 Session of
1997

INTRODUCED BY GREENLEAF, GERLACH AND HELFRICK, APRIL 1, 1997

REFERRED TO JUDICIARY, APRIL 1, 1997

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for driving under influence of
3 alcohol or controlled substance.

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

6 Section 1. Section 3731 of Title 75 of the Pennsylvania
7 Consolidated Statutes is amended by adding a subsection to read:

8 § 3731. Driving under influence of alcohol or controlled
9 substance.

10 * * *

11 (k) Vehicle immobilization.--In addition to any other
12 penalty provided by law, the court may order the immobilization
13 of the vehicle that the defendant was operating at the time of
14 the violation. The period of immobilization ordered by the court
15 under this subsection shall be as follows:

16 (1) The period of immobilization shall not be for more
17 than 30 days if the defendant has not previously been
18 convicted of an offense under this section or adjudicated

1 delinquent or granted a consent decree under 42 Pa.C.S. Ch.
2 63 (relating to juvenile matters) based on an offense under
3 this section or of an equivalent offense in this or other
4 jurisdictions.

5 (2) The period of immobilization shall not be for more
6 than 60 days if the defendant has previously been convicted
7 of an offense under this section or adjudicated delinquent or
8 granted a consent decree under 42 Pa.C.S. Ch. 63 based on an
9 offense under this section or of an equivalent offense in
10 this or other jurisdictions.

11 (3) The period of immobilization shall not be for more
12 than 90 days if the defendant has previously two or more
13 times been convicted of an offense under this section or
14 adjudicated delinquent or granted a consent decree under 42
15 Pa.C.S. Ch. 63 based on an offense under this section or of
16 an equivalent offense in this or other jurisdictions.

17 Any vehicle immobilized under this subsection shall be
18 immobilized at the residence of the owner of the vehicle or at
19 the location where the owner regularly parks the vehicle.

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