

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 777

Session of  
1977

INTRODUCED BY THOMAS, DININNI, ARTHURS, VROON, McCLATCHY,  
HELFRICK, DeVERTER, WAGNER, RENWICK, S. E. HAYES JR., WENGER,  
CESSAR, DeMEDIO, BRANDT, MADIGAN, PICCOLA, E. H. SMITH,  
PITTS, WASS, HALVERSON, POTT, DORR, FISHER, MACKOWSKI,  
ARMSTRONG, LEVI, TENAGLIO, KLINGAMAN, WEIDNER, HONAMAN,  
HOPKINS, FREIND, L. E. SMITH, MILLIRON, RUGGIERO, MORRIS,  
GLEESON, KOLTER, YAHNER, BERSON, O'KEEFE, F. TAYLOR,  
D. R. WRIGHT, PETRARCA, LIVENGOOD, STAIRS, BURD AND GARZIA,  
MARCH 28, 1977

REFERRED TO COMMITTEE ON TRANSPORTATION, MARCH 28, 1977

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, adding a provision for suspension of operating  
3 privilege in certain accidents involving death.

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

6 Section 1. Title 75, act of November 25, 1970 (P.L.707,  
7 No.230), known as the Pennsylvania Consolidated Statutes, added  
8 June 17, 1976 (No.81), is amended by adding a section to read:

9 § 1533.1. Suspension for certain accidents involving death.

10 (a) General rule.--Any driver involved in an accident in  
11 which one or more persons die shall have his operating privilege  
12 suspended immediately by the police upon determination that such  
13 driver was presumptively operating a vehicle while under the  
14 influence of alcohol in accordance with section 1547(d)(3)  
15 (relating to chemical test to determine amount of alcohol). The

1 police shall immediately forward such suspended driver's license  
2 to the department.

3 (b) Hearings.--The department shall require such person to  
4 attend a departmental hearing. The hearing examiner shall  
5 recommend either:

6 (1) that the person's operating privilege shall be  
7 immediately reinstated; or

8 (2) that the person's operating privilege be suspended  
9 until such time as a conclusive judicial determination is  
10 made as to causation and other relevant factors.

11 Section 2. This act shall take effect in 60 days or July 1,  
12 1977 whichever is later.