

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 273

Session of
1987

INTRODUCED BY STEIGHNER, LaGROTTA, MARKOSEK, FISCHER, DeWEESE, VROON, DAVIES, COWELL, SEVENTY, KOSINSKI, JOHNSON, JAROLIN, DeLUCA, CAPPABIANCA, DALEY, LANGTRY, WOZNIAK, CALTAGIRONE, WAMBACH, BATTISTO, COY, BOYES, SCHEETZ, COLE, CARLSON, TRELLO, TIGUE, BELFANTI, VAN HORNE, PUNT, GEIST, HERSHEY, MICOZZIE, HERMAN, OLASZ, JACKSON, RAYMOND, COLAFELLA, BOWSER, BLACK, CIVERA, FEE, BLAUM, FARGO, STAIRS, CLYMER, HALUSKA, LEH, BURD, FOX, BUNT, E. Z. TAYLOR AND ROBBINS,
FEBRUARY 10, 1987

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
JUNE 23, 1987

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing FOR CHEMICAL TESTING TO DETERMINE <—
3 THE AMOUNT OF ALCOHOL OR CONTROLLED SUBSTANCE IN A PERSON'S
4 BLOOD; AND FURTHER PROVIDING for interference with devices,
5 signs or signals.

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

8 ~~Section 1. Section 6126 of Title 75 of the Pennsylvania~~ <—
9 ~~Consolidated Statutes is amended to read:~~

10 SECTION 1. SECTION 1547(B) OF TITLE 75 OF THE PENNSYLVANIA <—
11 CONSOLIDATED STATUTES IS AMENDED TO READ:

12 § 1547. CHEMICAL TESTING TO DETERMINE AMOUNT OF ALCOHOL OR
13 CONTROLLED SUBSTANCE.

14 * * *

15 (B) SUSPENSION FOR REFUSAL.--

1 (1) IF ANY PERSON PLACED UNDER ARREST FOR A VIOLATION OF
2 SECTION 3731 (RELATING TO DRIVING UNDER INFLUENCE OF ALCOHOL
3 OR CONTROLLED SUBSTANCE) IS REQUESTED TO SUBMIT TO CHEMICAL
4 TESTING AND REFUSES TO DO SO, THE TESTING SHALL NOT BE
5 CONDUCTED BUT UPON NOTICE BY THE POLICE OFFICER OR CERTIFIED
6 BREATH TEST OPERATOR, THE DEPARTMENT SHALL SUSPEND THE
7 OPERATING PRIVILEGE OF THE PERSON FOR A PERIOD OF 12 MONTHS.

8 (2) IT SHALL BE THE DUTY OF THE POLICE OFFICER OR
9 CERTIFIED BREATH TEST OPERATOR TO INFORM THE PERSON THAT THE
10 PERSON'S OPERATING PRIVILEGE WILL BE SUSPENDED UPON REFUSAL
11 TO SUBMIT TO CHEMICAL TESTING.

12 (3) ANY PERSON WHOSE OPERATING PRIVILEGE IS SUSPENDED
13 UNDER THE PROVISIONS OF THIS SECTION SHALL HAVE THE SAME
14 RIGHT OF APPEAL AS PROVIDED FOR IN CASES OF SUSPENSION FOR
15 OTHER REASONS.

16 * * *

17 SECTION 2. SECTION 6126 OF TITLE 75 IS AMENDED TO READ:

18 § 6126. Interference with devices, signs or signals.

19 (a) General rule.--No person shall, without lawful
20 authority, attempt to or in fact, alter, twist, obstruct,
21 deface, injure, knock down, remove or interfere with the
22 effective operation of any official traffic-control device, or
23 any railroad sign or signal, or any inscription, shield or
24 insignia thereon or any other part thereof. It shall also be
25 unlawful for any person to willfully destroy, remove, injure or
26 deface any temporary traffic-control device erected for the
27 purpose of enhancing traffic or worker safety in a construction
28 or maintenance work zone, including, but not limited to, cones,
29 batons, barrels, barricades, signs, sign trucks, arrow boards or
30 other devices specified in a traffic safety plan approved by the

1 Department of Transportation.

2 (b) Penalty.--A person who violates this section commits a
3 summary offense and shall, upon conviction, be sentenced to pay
4 a fine of \$500. NOT LESS THAN \$200 NOR MORE THAN \$500 FOR THE <—
5 FIRST OFFENSE, AND A MANDATORY FINE OF \$500 FOR THE SECOND OR
6 ANY SUBSEQUENT OFFENSE.

7 Section 2 3. This act shall take effect in 60 days. <—