
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 502 Session of
2007

INTRODUCED BY STACK, TARTAGLIONE, BOSCOLA, KITCHEN, STOUT,
RAFFERTY, MUSTO, COSTA, FONTANA, ERICKSON, LOGAN, O'PAKE,
LAVALLE, FERLO AND BROWNE, MARCH 19, 2007

REFERRED TO TRANSPORTATION, MARCH 19, 2007

AN ACT

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

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

6 Section 1. Section 3742 of Title 75 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 3742. Accidents involving death or personal injury.

9 (a) General rule.--The driver of any vehicle involved in an
10 accident resulting in injury or death of any person shall
11 immediately stop the vehicle at the scene of the accident or as
12 close thereto as possible but shall then forthwith return to and
13 in every event shall remain at the scene of the accident until
14 he has fulfilled the requirements of section 3744 (relating to
15 duty to give information and render aid). Every stop shall be
16 made without obstructing traffic more than is necessary.

17 (b) Penalties.--

18 (1) Except as otherwise provided in this section, any

1 person violating this section commits a misdemeanor of the
2 first degree.

3 (2) If the victim suffers serious bodily injury, any
4 person violating subsection (a) commits a felony of the third
5 degree, and the sentencing court shall order the person to
6 serve a minimum term of imprisonment of not less than [90
7 days] two years and a mandatory minimum fine of \$1,000,
8 notwithstanding any other provision of law.

9 (3) If the victim dies, any person violating subsection
10 (a) commits a felony of the third degree, and the sentencing
11 court shall order the person to serve a minimum term of
12 imprisonment of not less than [one year] five years and a
13 mandatory minimum fine of \$2,500, notwithstanding any other
14 provision of law.

15 (c) Authority of sentencing court.--There shall be no
16 authority in any court to impose on an offender to which this
17 section is applicable any lesser sentence than provided for in
18 subsection (b)(2) or (3) or to place such offender on probation
19 or to suspend sentence. Sentencing guidelines promulgated by the
20 Pennsylvania Commission on Sentencing shall not supersede the
21 mandatory sentences provided in this section.

22 (d) Definitions.--As used in this section, the term "serious
23 bodily injury" means any bodily injury which creates a
24 substantial risk of death or which causes serious, permanent
25 disfigurement or protracted loss or impairment of the function
26 of any bodily member or organ.

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