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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 590      Session of  
2007

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INTRODUCED BY ORIE, RHOADES, WAUGH, ERICKSON, WASHINGTON,  
RAFFERTY AND WONDERLING, MARCH 20, 2007

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REFERRED TO TRANSPORTATION, MARCH 20, 2007

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AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, providing for ignition interlock restrictions upon  
3 driving after first DUI offense.

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

6 Section 1. Section 3805(a) and (c) of Title 75 of the  
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 3805. Ignition interlock.

9 (a) General rule.--If a person violates section 3802  
10 (relating to driving under influence of alcohol or controlled  
11 substance) and[, within the past ten years, has a prior offense  
12 as defined in section 3806(a) (relating to prior offenses) or  
13 has had their operating privileges suspended pursuant to section  
14 1547(b.1) (relating to chemical testing to determine amount of  
15 alcohol or controlled substance) or 3808(c) (relating to  
16 illegally operating a motor vehicle not equipped with ignition  
17 interlock) and the person] seeks a restoration of operating  
18 privileges, the department shall require as a condition of

1 issuing a restricted license pursuant to this section that the  
2 following occur:

3 (1) Each motor vehicle owned by the person or registered  
4 to the person has been equipped with an ignition interlock  
5 system and remains so for the duration of the restricted  
6 license period.

7 (2) If there are no motor vehicles owned by the person  
8 or registered to the person that the person so certify to the  
9 department. A person so certifying shall be deemed to have  
10 satisfied the requirement that all motor vehicles owned by  
11 the person or registered to the person be equipped with an  
12 ignition interlock system as required by this subsection.

13 \* \* \*

14 (c) Issuance of unrestricted license.--[One year]

15 (1) Except as provided in paragraph (2), six months from  
16 the date of issuance of an ignition interlock restricted  
17 license under this section, if otherwise eligible, a person  
18 may be issued a replacement license under section 1951(d)  
19 that does not contain the ignition interlock system  
20 restriction.

21 (2) If a person violates section 3802 and, within the  
22 past ten years, has a prior offense as defined in section  
23 3806(a) (relating to prior offenses) and the person seeks  
24 restoration of operating privileges under this section, the  
25 department may not issue a replacement license under section  
26 1951(d) for one year from the date of issuance of an ignition  
27 interlock restricted license under this section, unless the  
28 replacement license contains the ignition interlock  
29 restriction.

30 \* \* \*

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