



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 208

PRINTERS NO. 3491

PRIME SPONSOR: Reed

COST / (SAVINGS)

FUND	FY 2011/12	FY 2012/13
General Fund	\$0	See Fiscal Impact
Motor License Fund	\$0	\$0
County Funds	\$0	See Fiscal Impact

SUMMARY: Amends the Vehicle Code to increase the grading of the offense of “hit and run involving a fatality” to a second-degree felony; and makes a technical correction regarding penalties for fleeing or attempting to elude a police officer and driving while suspended when a person refuses blood or breath testing. This legislation would take effect in 60 days.

ANALYSIS: This legislation would amend Title 75 (Vehicles) providing for driving while operating privilege is suspended or revoked, for duties of drivers in accidents involving death or personal injury and for subsequent convictions of certain offenses. Specifically, this legislation does the following:

- §1543(b) is amended to include in the offense when a person refuses testing of blood or breath.
- §3742(b) is amended to increase the grading of a “hit and run” offense, when a fatality is involved, from a felony of the third degree to a felony of the second degree. As a result, the range for this offense in the sentencing guidelines is pushed upwards, but the sentencing decision is still within the presiding Judge’s discretion.
- §6503(a) is amended by eliminating the reference to §3733 (relating to fleeing/attempting to elude an officer) because §3733 includes penalties inconsistent with the penalties in §6503.

FISCAL IMPACT: According to PennDOT, as well as the Administrative Office of Pennsylvania Courts, there is no data that segregates sentencing rates for “hit and run involving a fatality” from other accidents involving death or personal injury. Due to the lack of pertinent statistics regarding sentencing for “hit and run” incidents involving a fatality, it is indeterminable to calculate the fiscal impact of this legislation. Since there is the potential that some offenders will receive a harsher sentence under the increased sentencing guidelines, this legislation could have a minimal fiscal impact on the Pennsylvania Department of Corrections as well county jails.

PREPARED BY: Tim Rodrigo
House Appropriations Committee (R)

DATE: June 29, 2012

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.