

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for chemical testing to determine
3 amount of alcohol or controlled substance.

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

6 Section 1. Section 1547(a) of Title 75 of the Pennsylvania
7 Consolidated Statutes is amended and the section is amended by
8 adding a subsection to read:

9 § 1547. Chemical testing to determine amount of alcohol or
10 controlled substance.

11 (a) General rule.--Any person who drives, operates or is in
12 actual physical control of the movement of a vehicle in this
13 Commonwealth shall be deemed to have given consent to one or
14 more chemical tests of breath, blood or urine for the purpose of
15 determining the alcoholic content of blood or the presence of a
16 controlled substance if a police officer has reasonable grounds
17 to believe the person to have been driving, operating or in
18 actual physical control of the movement of a vehicle[:

1 (1)] in violation of section 1543(b)(1.1) (relating to
2 driving while operating privilege is suspended or revoked),
3 3802 (relating to driving under influence of alcohol or
4 controlled substance) or 3808(a)(2) (relating to illegally
5 operating a motor vehicle not equipped with ignition
6 interlock)_; or

7 (2) which was involved in an accident in which the
8 operator or passenger of any vehicle involved or a pedestrian
9 required treatment at a medical facility or was killed.]

10 (a.1) Probable cause.--Any person who drives, operates or is
11 in actual physical control of the movement of a vehicle in this
12 Commonwealth which was involved in an accident and who could be
13 cited for any traffic offense where the accident resulted in the
14 immediate death or serious bodily injury, as defined in 18
15 Pa.C.S. § 2301 (relating to definitions), of any person shall
16 submit to drug and alcohol testing as soon as practicable after
17 the accident occurs. The traffic offense shall constitute
18 probable cause.

19 * * *

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