

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 336

Session of
1983

INTRODUCED BY FLICK, POTT, GREENWOOD, VROON, CIMINI, GRUPPO,
E. Z. TAYLOR, PRATT, MRKONIC, NOYE, GODSHALL, SALVATORE,
PERZEL, SIRIANNI, MERRY, MAIALE, FISCHER, WOGAN, GEIST,
COLAFELLA, MICOZZIE, MORRIS, HERSHEY, McVERRY, JOHNSON,
FATTAH, CARN, HAYES, ARTY, CIVERA, RYAN, SPITZ, SCHULER,
ARMSTRONG, ANGSTADT AND KOSINSKI, MARCH 14, 1983

REFERRED TO COMMITTEE ON TRANSPORTATION, MARCH 14, 1983

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, providing for notice relating to chemical tests and
3 driving under the influence.

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

6 Section 1. Section 3731 of Title 75 of the Pennsylvania
7 Consolidated Statutes is amended by adding a subsection to read:
8 § 3731. Driving under influence of alcohol or controlled
9 substance.

10 * * *

11 (g) Notice by department.--The department shall prepare a
12 notice which shall contain a clear statement of the penalties
13 prescribed by law for driving under the influence in violation
14 of this section, for homicide by vehicle while driving under
15 influence in violation of section 3735 (relating to homicide by
16 vehicle while driving under influence), for refusal to take a

chemical test provided for in section 1547 (relating to chemical testing to determine amount of alcohol or controlled substance) and for consuming alcohol or a controlled substance in a vehicle while the vehicle is in operation on any highway in violation of section 3715 (relating to restriction on alcoholic beverages).
The notice shall include a statement that the length of any suspension of operating privileges resulting from a refusal to take a chemical test shall be in addition to the length of any suspension imposed as a result of a conviction for driving under the influence notwithstanding the fact that both suspensions were imposed in connection with the same incident. The notice shall also include a statement advising that it is possible that these penalties could be revised, in whole or in part, by the General Assembly prior to their receipt of a subsequent notice. Failure to receive the notice shall not be a defense in any criminal, license suspension or license revocation proceeding brought pursuant to this title or in any other action whether or not the failure is due to an error or omission on the part of the department. The department shall send the notice to operators and owners of motor vehicles in the same mailing that it utilizes for the issuance of learners' permits and for the issuance and renewal on a continuing basis of registrations and drivers' licenses.

Section 2. This act shall take effect in 90 days.