

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 887 Session of
1991

INTRODUCED BY PICCOLA, BARLEY, BUNT, GEIST, SCHEETZ, NOYE,
LAWLESS, E. Z. TAYLOR AND JOHNSON, APRIL 2, 1991

REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 2, 1991

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, providing for impoundment of certain vehicles.

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

5 Section 1. Title 75 of the Pennsylvania Consolidated
6 Statutes is amended by adding a section to read:

7 § 6312. Impoundment of vehicles of certain offenders.

8 (a) Limited offense.--If a person is convicted, pleads
9 guilty or pleads nolo contendere pursuant to section 3731(a)
10 (relating to driving under influence of alcohol or controlled
11 substance), and at the same time is convicted, pleads guilty or
12 pleads nolo contendere pursuant to section 1543(b) (relating to
13 driving while operating privilege is suspended or revoked), the
14 court shall classify the vehicle the defendant is driving as
15 inoperative. The court shall, as soon as possible, notify the
16 sheriff of the county where the vehicle is located, who shall
17 ascertain the owner of the title of the vehicle. If the

1 defendant is the owner, the vehicle and all other vehicles owned
2 by the defendant shall be impounded for a maximum period of up
3 to one year from the date of final disposition of the case.

4 (b) Repeat offense.--If a person is convicted, pleads guilty
5 or pleads nolo contendere pursuant to section 3731(a) within
6 seven years of the date of the commission of a previous offense
7 under that section, all vehicles owned by the defendant shall be
8 impounded for a maximum period of up to two years from the date
9 of final disposition of the case.

10 (c) Impoundment procedure.--

11 (1) Upon impoundment, the court, where appropriate,
12 shall notify the sheriff of the county in which the violation
13 occurred, who shall store the impounded vehicle.

14 (2) If the court determines that the vehicle used by a
15 defendant in subsection (a) is owned by a third party, the
16 court shall provide the sheriff immediate notice, and the
17 sheriff shall give immediate notice by the most expeditious
18 means and by certified mail, return receipt requested, of the
19 impoundment and location of the vehicle to the owner if the
20 name and address of the owner can be ascertained by the
21 sheriff. The owner may repossess the vehicle at any time upon
22 presentation of proof of ownership to the sheriff.

23 (d) Ownership.--For the purpose of this section, jointly
24 held title shall be sufficient to constitute ownership of title.

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