
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 575 Session of
1995

INTRODUCED BY BOYES, GANNON, FAJT, WOGAN, COY, GEIST, NAILOR,
STABACK, FICHTER, OLASZ, RUBLEY, E. Z. TAYLOR, CLARK,
MICOZZIE, WAUGH, LYNCH, RAYMOND, CIVERA, EGOLF, BROWNE,
SCHULER, BATTISTO, CAPPABIANCA, THOMAS, WALKO, J. TAYLOR AND
BAKER, FEBRUARY 2, 1995

SENATOR CORMAN, TRANSPORTATION, IN SENATE, AS AMENDED,
JUNE 6, 1995

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, providing for increased penalties for multiple
3 convictions for driving under influence of alcohol or
4 controlled substance; and further providing for accidents
5 involving damage to an attended and an unattended vehicle or
6 property.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Sections 3731(e)(1), 3743(b) and 3745(b) of Title
10 75 of the Pennsylvania Consolidated Statutes are amended to
11 read:

12 § 3731. Driving under influence of alcohol or controlled
13 substance.

14 * * *

15 (e) Penalty.--

16 (1) Any person violating any of the provisions of this
17 section is guilty of a misdemeanor of the second degree,

1 except that a person convicted of a ~~fourth~~ THIRD or
2 subsequent offense is guilty of a misdemeanor of the first
3 degree, and the sentencing court shall order the person to
4 pay a fine of not less than \$300 and serve a minimum term of
5 imprisonment of:

6 (i) Not less than 48 consecutive hours.

7 (ii) Not less than 30 days if the person has
8 previously accepted Accelerated Rehabilitative
9 Disposition or any other form of preliminary disposition,
10 been convicted of, adjudicated delinquent or granted a
11 consent decree under the Juvenile Act (42 Pa.C.S. § 6301
12 et seq.) based on an offense under this section or of an
13 equivalent offense in this or other jurisdictions within
14 the previous seven years.

15 (iii) Not less than 90 days if the person has twice
16 previously been convicted of, adjudicated delinquent or
17 granted a consent decree under the Juvenile Act based on
18 an offense under this section or of an equivalent offense
19 in this or other jurisdictions within the previous seven
20 years.

21 (iv) Not less than one year if the person has three
22 times previously been convicted of, adjudicated
23 delinquent or granted a consent decree under the Juvenile
24 Act based on an offense under this section or of an
25 equivalent offense in this or other jurisdictions within
26 the previous seven years.

27 * * *

28 § 3743. Accidents involving damage to attended vehicle or
29 property.

30 * * *

1 (b) Penalty.--Any person violating this section [is guilty
2 of a summary offense, punishable by a fine of \$300 or
3 imprisonment for not more than 90 days, or both.] commits a
4 misdemeanor of the third degree, punishable by a fine of \$2,500
5 or imprisonment for not more than one year, or both.

6 § 3745. Accidents involving damage to unattended vehicle or
7 property.

8 * * *

9 (b) Penalty.--A violation of this section is a summary
10 offense, punishable by a fine of [not less than \$50 nor more
11 than] \$300 or imprisonment for not more than 90 days, or both.

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