

1 DEPARTMENT THAT PREVENTS A VEHICLE FROM BEING STARTED OR
2 OPERATED UNLESS THE OPERATOR FIRST PROVIDES A BREATH SAMPLE
3 INDICATING THAT THE OPERATOR HAS AN ALCOHOL LEVEL OF LESS THAN
4 .025%.

5 § 7002. IGNITION INTERLOCK SYSTEMS FOR DRIVING UNDER THE
6 INFLUENCE.

7 (A) FIRST OFFENSE.--IN ADDITION TO ANY OTHER REQUIREMENTS
8 IMPOSED BY THE COURT, WHERE A PERSON HAS BEEN CONVICTED FOR A
9 FIRST OFFENSE UNDER 75 PA.C.S. § 3731 (RELATING TO DRIVING UNDER
10 THE INFLUENCE OF ALCOHOL OR CONTROLLED SUBSTANCE), THE COURT MAY
11 ORDER THE INSTALLATION OF AN APPROVED IGNITION INTERLOCK SYSTEM
12 ON EACH MOTOR VEHICLE OWNED BY THE PERSON TO BE EFFECTIVE UPON
13 THE RESTORATION OF OPERATING PRIVILEGES BY THE DEPARTMENT. A
14 RECORD SHALL BE SUBMITTED TO THE DEPARTMENT WHEN THE COURT HAS
15 ORDERED THE INSTALLATION OF AN APPROVED INTERLOCK IGNITION
16 DEVICE. BEFORE THE DEPARTMENT MAY RESTORE SUCH PERSON'S
17 OPERATING PRIVILEGE, THE DEPARTMENT MUST RECEIVE A CERTIFICATION
18 FROM THE COURT THAT THE IGNITION INTERLOCK SYSTEM HAS BEEN
19 INSTALLED.

20 (B) SECOND OR SUBSEQUENT OFFENSE.--IN ADDITION TO ANY OTHER
21 REQUIREMENTS IMPOSED BY THE COURT, WHERE A PERSON HAS BEEN
22 CONVICTED OF A SECOND OR SUBSEQUENT VIOLATION OF 75 PA.C.S. §
23 3731, THE COURT SHALL ORDER THE INSTALLATION OF AN APPROVED
24 IGNITION INTERLOCK DEVICE ON EACH MOTOR VEHICLE OWNED BY THE
25 PERSON TO BE EFFECTIVE UPON THE RESTORATION OF OPERATING
26 PRIVILEGES BY THE DEPARTMENT. A RECORD SHALL BE SUBMITTED TO THE
27 DEPARTMENT WHEN THE COURT HAS ORDERED THE INSTALLATION OF AN
28 APPROVED INTERLOCK IGNITION DEVICE. BEFORE THE DEPARTMENT MAY
29 RESTORE SUCH PERSON'S OPERATING PRIVILEGE, THE DEPARTMENT MUST
30 RECEIVE A CERTIFICATION FROM THE COURT THAT THE IGNITION

1 INTERLOCK SYSTEM HAS BEEN INSTALLED.

2 (C) ALTERNATIVE DISPOSITION.--FOR THE PURPOSE OF THIS
3 SECTION, ACCEPTANCE OF ACCELERATED REHABILITATIVE DISPOSITION,
4 AN ADJUDICATION OF DELINQUENCY OR A CONSENT DECREE UNDER CHAPTER
5 63 (RELATING TO JUVENILE MATTERS), OR ANY OTHER FORM OF
6 PRELIMINARY DISPOSITION OF ANY CHARGE BROUGHT UNDER 75 PA.C.S. §
7 3731 SHALL BE CONSIDERED A FIRST CONVICTION.

8 (D) DEPARTMENT APPROVAL.--AN IGNITION INTERLOCK SYSTEM
9 REQUIRED TO BE INSTALLED UNDER THIS SECTION MUST BE A SYSTEM
10 WHICH HAS BEEN APPROVED BY THE DEPARTMENT. THE DEPARTMENT'S
11 APPROVAL OF IGNITION INTERLOCK SYSTEMS SHALL BE PUBLISHED IN THE
12 PENNSYLVANIA BULLETIN.

13 § 7003. ADDITIONAL DRIVER'S LICENSE RESTORATION REQUIREMENTS.

14 IN ADDITION TO ANY OTHER REQUIREMENTS ESTABLISHED FOR THE
15 RESTORATION OF A PERSON'S OPERATING PRIVILEGES UNDER 75 PA.C.S.
16 § 1548 (RELATING TO REQUIREMENTS FOR DRIVING UNDER INFLUENCE
17 OFFENDERS):

18 (1) WHERE A PERSON'S OPERATING PRIVILEGES ARE SUSPENDED
19 FOR A SECOND OR SUBSEQUENT VIOLATION OF 75 PA.C.S. § 3731
20 (RELATING TO DRIVING UNDER INFLUENCE OF ALCOHOL OR CONTROLLED
21 SUBSTANCE), OR A SIMILAR OUT-OF-STATE OFFENSE, AND THE PERSON
22 SEEKS A RESTORATION OF OPERATING PRIVILEGES, THE COURT SHALL
23 CERTIFY TO THE DEPARTMENT THAT EACH MOTOR VEHICLE OWNED BY
24 THE PERSON HAS BEEN EQUIPPED WITH AN APPROVED IGNITION
25 INTERLOCK SYSTEM.

26 (2) A PERSON SEEKING RESTORATION OF OPERATING PRIVILEGES
27 SHALL APPLY TO THE DEPARTMENT FOR AN IGNITION INTERLOCK
28 RESTRICTED LICENSE UNDER 75 PA.C.S. § 1951(D) (RELATING TO
29 DRIVER'S LICENSE AND LEARNER'S PERMIT) WHICH WILL BE CLEARLY
30 MARKED TO RESTRICT THE PERSON TO OPERATING ONLY MOTOR

1 VEHICLES EQUIPPED WITH AN APPROVED INTERLOCK IGNITION SYSTEM.

2 (3) DURING THE YEAR IMMEDIATELY FOLLOWING RESTORATION OF
3 THE PERSON'S OPERATING PRIVILEGE, AND THEREAFTER UNTIL THE
4 PERSON OBTAINS AN UNRESTRICTED LICENSE, THE PERSON SHALL NOT
5 OPERATE ANY MOTOR VEHICLE ON A HIGHWAY WITHIN THIS
6 COMMONWEALTH UNLESS THE MOTOR VEHICLE IS EQUIPPED WITH AN
7 APPROVED IGNITION INTERLOCK SYSTEM.

8 (4) ONE YEAR FROM THE DATE OF ISSUANCE OF AN IGNITION
9 INTERLOCK RESTRICTED LICENSE UNDER THIS SECTION, IF OTHERWISE
10 ELIGIBLE, A PERSON MAY APPLY FOR AN ADDITIONAL REPLACEMENT
11 LICENSE UNDER 75 PA.C.S. § 1951(D) THAT DOES NOT CONTAIN THE
12 IGNITION INTERLOCK SYSTEM RESTRICTION.

13 (5) A PERSON WHOSE OPERATING PRIVILEGE IS SUSPENDED FOR
14 A SECOND OR SUBSEQUENT VIOLATION OF 75 PA.C.S. § 3731 OR A
15 SIMILAR OUT-OF-STATE OFFENSE, WHO DOES NOT APPLY FOR AN
16 IGNITION INTERLOCK RESTRICTED LICENSE, SHALL NOT BE ELIGIBLE
17 TO APPLY FOR THE RESTORATION OF OPERATING PRIVILEGES FOR AN
18 ADDITIONAL YEAR AFTER OTHERWISE BEING ELIGIBLE FOR
19 RESTORATION UNDER PARAGRAPH (1).

20 SECTION 3. THE PROVISIONS OF 75 PA.C.S. CH. 70 SHALL APPLY
21 TO ALL PERSONS CONVICTED OF A SECOND OR SUBSEQUENT VIOLATION OF
22 75 PA.C.S. § 3731 ON OR AFTER THE EFFECTIVE DATE OF THIS
23 SECTION. NOTHING IN THIS ACT SHALL PROHIBIT A COURT FROM
24 IMPOSING ITS OWN IGNITION INTERLOCK REQUIREMENTS FOR FIRST
25 OFFENDERS PRIOR TO SEPTEMBER 30, 2001.

26 SECTION 4. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

27 (1) 75 PA.C.S. § 9720.1 SHALL TAKE EFFECT JULY 21, 2000.

28 (2) 75 PA.C.S. § 7002(A) SHALL TAKE EFFECT SEPTEMBER 30,
29 2001.

30 (3) THIS SECTION SHALL TAKE EFFECT IMMEDIATELY.

1 (4) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT
2 SEPTEMBER 30, 2000, OR IMMEDIATELY, WHICHEVER IS LATER.