

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 467 Session of
2003

INTRODUCED BY C. WILLIAMS, MUSTO AND LOGAN, MARCH 12, 2003

REFERRED TO JUDICIARY, MARCH 12, 2003

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for driving under the influence.

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

5 Section 1. Section 3731(e)(1) of Title 75 of the
6 Pennsylvania Consolidated Statutes is amended to read:

7 § 3731. Driving under influence of alcohol or controlled
8 substance.

9 * * *

10 (e) Penalty.--

11 (1) Any person violating any of the provisions of this
12 section is guilty of a misdemeanor of the second degree,
13 [except that] a person convicted of a second offense is
14 guilty of a misdemeanor of the first degree and a person
15 convicted of a third or subsequent offense is guilty of a
16 [misdemeanor of the first] felony of the third degree, and
17 the sentencing court shall order the person to pay a fine of
18 not less than \$300 and serve a minimum term of imprisonment

of:

(i) Not less than 48 consecutive hours.

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

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

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

* * *

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