

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1416 Session of
2007

INTRODUCED BY CIVERA, BAKER, CAPPELLI, CREIGHTON, CUTLER,
EVERETT, GINGRICH, HARPER, HERSHEY, HESS, HORNAMAN, KAUFFMAN,
KIRKLAND, KORTZ, KOTIK, LENTZ, MARSHALL, McILHATTAN,
MICOZZIE, MILLARD, MILNE, MUNDY, PAYNE, PERZEL, PHILLIPS,
PYLE, RAYMOND, READSHAW, SAINATO, SCAVELLO, SCHRODER,
SOLOBAY, SWANGER, THOMAS AND WATSON, JUNE 5, 2007

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 5, 2007

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for the offense of homicide by
3 vehicle while driving under influence.

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

6 Section 1. Section 3735 of Title 75 of the Pennsylvania
7 Consolidated Statutes is amended by adding a subsection to read:
8 § 3735. Homicide by vehicle while driving under influence.

9 * * *

10 (c) State of mind.--An individual commits an offense under
11 this section without regard to whether the individual acted
12 intentionally, knowingly, recklessly or negligently.

13 Section 2. The provisions of 75 Pa.C.S. § 3735(c) are
14 severable. If any provision of 75 Pa.C.S. § 3735(c) or its
15 application to any person or circumstance is held invalid, the
16 invalidity shall not affect other provisions or applications of

1 75 Pa.C.S. § 3735 which can be given effect without the invalid
2 provision or application.

3 Section 3. This act shall take effect in 60 days.