

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2293 Session of
2008

INTRODUCED BY GILLESPIE, BELFANTI, BEYER, BOYD, FRANKEL, GEIST,
HENNESSEY, HESS, HORNAMAN, KAUFFMAN, KILLION, KULA,
MACKERETH, MILLARD, R. MILLER, MILNE, MOUL, MUNDY, NAILOR,
O'NEILL, PAYNE, PYLE, READSHAW, SAYLOR, SIPTROTH, STERN,
SWANGER, TRUE, TURZAI AND PHILLIPS, MARCH 5, 2008

REFERRED TO COMMITTEE ON TRANSPORTATION, MARCH 5, 2008

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for grading of driving under
3 influence of alcohol or controlled substance offenses.

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

6 Section 1. Section 3803(b) of Title 75 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 3803. Grading.

9 * * *

10 (b) Other offenses.--

11 (1) An individual who violates section 3802(a)(1) where
12 there was an accident resulting in bodily injury, serious
13 bodily injury or death of any person or in damage to a
14 vehicle or other property, or who violates section 3802(b),
15 (e) or (f) and who has no more than one prior offense commits
16 a misdemeanor for which the individual may be sentenced to a
17 term of imprisonment of not more than six months and to pay a

1 fine under section 3804.

2 (2) An individual who violates section 3802(a)(1) where
3 the individual refused testing of blood or breath, or who
4 violates section 3802(c) or (d) and who has no prior offenses
5 commits a misdemeanor for which the individual may be
6 sentenced to a term of imprisonment of not more than six
7 months and to pay a fine under section 3804.

8 (3) An individual who violates section 3802(a)(1) where
9 there was an accident resulting in bodily injury, serious
10 bodily injury or death of any person or in damage to a
11 vehicle or other property, or who violates section 3802(b),
12 (e) or (f) and who has more than one prior offense commits a
13 misdemeanor of the first degree.

14 (4) An individual who violates section 3802(a)(1) where
15 the individual refused testing of blood or breath, or who
16 violates section 3802(c) or (d) and who has one or more prior
17 offenses commits a misdemeanor of the first degree.

18 (5) An individual who violates section 3802 and who has
19 been convicted of a prior offense under section 3735
20 (relating to homicide by vehicle while driving under
21 influence) commits a felony of the third degree.

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