

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 782 Session of 2011

INTRODUCED BY STACK, RAFFERTY, KITCHEN, FONTANA, SOLOBAY,
BREWSTER, ERICKSON, PIPPY, TARTAGLIONE, BROWNE, D. WHITE,
FERLO AND FARNESE, MARCH 7, 2011

REFERRED TO TRANSPORTATION, MARCH 7, 2011

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for accidents involving death or
3 personal injury.

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

6 Section 1. Section 3742 of Title 75 of the Pennsylvania
7 Consolidated Statutes, amended October 19, 2010 (P.L.557,
8 No.81), is amended to read:

9 § 3742. Accidents involving death or personal injury.

10 (a) General rule.--The driver of any vehicle involved in an
11 accident resulting in injury or death of any person shall
12 immediately stop the vehicle at the scene of the accident or as
13 close thereto as possible but shall then forthwith return to and
14 in every event shall remain at the scene of the accident until
15 he has fulfilled the requirements of section 3744 (relating to
16 duty to give information and render aid). Every stop shall be
17 made without obstructing traffic more than is necessary.

18 (b) Penalties.--

1 (1) Except as otherwise provided in this section, any
2 person violating this section commits a misdemeanor of the
3 first degree.

4 (2) If the victim suffers serious bodily injury, any
5 person violating subsection (a) commits a felony of the third
6 degree, and the sentencing court shall order the person to
7 serve a minimum term of imprisonment of not less than [90
8 days] one year and a mandatory minimum fine of \$1,000,
9 notwithstanding any other provision of law.

10 (3) If the victim dies, any person violating subsection
11 (a) commits a felony of the third degree, and the sentencing
12 court shall order the person to serve a minimum term of
13 imprisonment of not less than [one year] three years and a
14 mandatory minimum fine of \$2,500, notwithstanding any other
15 provision of law.

16 (c) Authority of sentencing court.--There shall be no
17 authority in any court to impose on an offender to which this
18 section is applicable any lesser sentence than provided for in
19 subsection (b)(2) or (3) or to place such offender on probation
20 or to suspend sentence. Sentencing guidelines promulgated by the
21 Pennsylvania Commission on Sentencing shall not supersede the
22 mandatory sentences provided in this section.

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