
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1079 Session of
2013

INTRODUCED BY BAKER, YUDICHAK, RAFFERTY, VULAKOVICH, MENSCH,
SOLOBAY AND TEPLITZ, SEPTEMBER 9, 2013

REFERRED TO JUDICIARY, SEPTEMBER 9, 2013

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(b) of Title 75 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 3742. Accidents involving death or personal injury.

9 * * *

10 (b) Penalties.--

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

14 (2) If the victim suffers serious bodily injury, any
15 person violating subsection (a) commits a felony of the third
16 degree, and the sentencing court shall order the person to
17 serve a minimum term of imprisonment of not less than 90 days
18 and a mandatory minimum fine of \$1,000, notwithstanding any

1 other provision of law.

2 (3) (i) If the victim dies, any person violating
3 subsection (a) commits a felony of the second degree, and
4 the sentencing court shall order the person to serve a
5 minimum term of imprisonment of not less than [one year]
6 three years and a mandatory minimum fine of \$2,500,
7 notwithstanding any other provision of law.

8 (ii) In addition to the minimum term of imprisonment
9 provided for in subparagraph (i), the Pennsylvania
10 Commission on Sentencing shall provide within its
11 guidelines a sentencing enhancement if the victim dies as
12 the result of a violation of subsection (a). The
13 provisions of this subparagraph shall not be an element
14 of the crime, and notice of the provisions of this
15 subparagraph shall not be required prior to conviction,
16 but reasonable notice of the Commonwealth's intention to
17 proceed under this subparagraph shall be provided after
18 conviction and before sentencing.

19 * * *

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