

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 358 Session of 2017

INTRODUCED BY TOMLINSON, RAFFERTY, SABATINA, MENSCH AND BROWNE,
FEBRUARY 15, 2017

REFERRED TO JUDICIARY, FEBRUARY 15, 2017

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in accidents and accident reports, further
3 providing for accidents involving death or personal injury
4 while not properly licensed.

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

7 Section 1. Section 3742.1 of Title 75 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 3742.1. Accidents involving death or personal injury while
10 not properly licensed.

11 (a) Offense defined.--A person whose operating privilege was
12 disqualified, canceled, recalled, revoked or suspended and not
13 restored or who does not hold a valid driver's license and
14 applicable endorsements for the type and class of vehicle being
15 operated commits an offense under this section if the person was
16 the driver of any vehicle and:

17 (1) caused an accident resulting in injury or death of
18 any person; or

19 (2) was involved in an accident resulting in injury or

1 death of any person.

2 (b) Penalties.--

3 (1) Except as otherwise provided in this section, any
4 person violating subsection [(a)] (a)(1) commits a
5 misdemeanor of the second degree.

6 (2) If the victim suffers serious bodily injury or
7 death, any person violating subsection [(a)] (a)(1) commits a
8 felony of the third degree.

9 (2.1) Any person violating subsection (a)(2) resulting
10 in the serious bodily injury of any person commits a
11 misdemeanor of the third degree.

12 (2.2) Any person violating subsection (a)(2) resulting
13 in the death of any person commits a misdemeanor of the
14 second degree.

15 (3) Any motor vehicle, as defined in section 102
16 (relating to definitions), used in the commission of an
17 offense under this section may be deemed contraband and
18 forfeited in accordance with the provisions set forth in 18
19 Pa.C.S. § 6501(d) (relating to scattering rubbish).
20 Section 2. This act shall take effect in 60 days.