
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 873 Session of
2017

INTRODUCED BY GALLOWAY, READSHAW, D. COSTA, KINSEY, RYAN,
MILLARD AND DeLUCA, MARCH 16, 2017

REFERRED TO COMMITTEE ON TRANSPORTATION, MARCH 16, 2017

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in miscellaneous provisions, further providing for
3 the offenses of homicide by vehicle while driving under
4 influence and for aggravated assault by vehicle while driving
5 under the influence.

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

8 Section 1. Sections 3735(a) and 3735.1(a) of Title 75 of the
9 Pennsylvania Consolidated Statutes are amended to read:

10 § 3735. Homicide by vehicle while driving under influence.

11 (a) Offense defined.--Any person who unintentionally causes
12 the death of another person as the result of a violation of
13 section 3802 (relating to driving under influence of alcohol or
14 controlled substance) and who is convicted of violating section
15 3802 is guilty of [a] the following:

16 (1) A felony of the second degree when the violation is
17 the cause of death and the sentencing court shall order the
18 person to serve a minimum term of imprisonment of not less
19 than three years. A consecutive three-year term of

1 imprisonment shall be imposed for each victim whose death is
2 the result of the violation of section 3802.

3 (2) A misdemeanor of the second degree when the
4 violation is not the cause of death and the sentencing court
5 shall impose a fine of not more than \$5,000.

6 * * *

7 § 3735.1. Aggravated assault by vehicle while driving under the
8 influence.

9 (a) Offense defined.--Any person who negligently causes
10 serious bodily injury to another person as the result of a
11 violation of section 3802 (relating to driving under influence
12 of alcohol or controlled substance) and who is convicted of
13 violating section 3802 commits [a] the following:

14 (1) A felony of the second degree when the violation is
15 the cause of the injury.

16 (2) A misdemeanor of the second degree when the
17 violation is not the cause of the injury and the sentencing
18 court shall impose a fine of not more than \$2,500.

19 * * *

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