

## AMENDMENTS TO SENATE BILL NO. 961

Sponsor: REPRESENTATIVE MARSICO

Printer's No. 2087

1 Amend Bill, page 1, line 8, by inserting after "influence"  
2 , for accidents involving certain vehicles

3 Amend Bill, page 1, line 11, by inserting after "grading"  
4 and for penalties

5 Amend Bill, page 8, line 6, by striking out "and 3803" and  
6 inserting

7 , 3756, 3803 and 3804(e) (2) (ii)

8 Amend Bill, page 8, line 19, by striking out ", was involved  
9 in an" and inserting

10 that contributed to causing the

11 Amend Bill, page 9, by inserting between lines 8 and 9

12 § 3756. [Accidents involving certain vehicles] Post-accident  
13 testing.

14 [(a) Testing requirement.--A police officer investigating an  
15 accident involving a motor carrier vehicle, bus, school bus or a  
16 vehicle transporting hazardous materials required to be  
17 placarded by department regulations and required to be  
18 investigated under this subchapter shall request that the driver  
19 of the vehicle submit to testing for alcohol and controlled  
20 substances. Costs for testing under this section shall be borne  
21 by the driver's employer.

22 (b) Penalty.--A driver who refuses to submit to alcohol or  
23 controlled substances testing under this section commits a  
24 summary offense and shall, upon conviction, be sentenced to pay  
25 a fine of up to \$200.] The department shall promulgate  
26 regulations consistent with 49 CFR 382.303 (relating to post-  
27 accident testing).

28 Amend Bill, page 11, line 6, by inserting a bracket before  
29 "a"

30 Amend Bill, page 11, line 7, by inserting after "degree."

1:.

(i) A misdemeanor of the first degree if the individual has no more than one prior offense.

(ii) A felony of the third degree if the individual has two or more prior offenses.

§ 3804. Penalties.

\* \* \*

(e) Suspension of operating privileges upon conviction.--

\* \* \*

(2) Suspension under paragraph (1) shall be in accordance with the following:

\* \* \*

(ii) 18 months for a misdemeanor of the first degree or felony of the third degree under this chapter.

\* \* \*

Amend Bill, page 11, line 8, by striking out "in 60 days."

and inserting

as follows:

(1) The following provisions shall take effect immediately:

(i) The amendment of 75 Pa.C.S. § 3756.

(ii) This section.

(2) The remainder of this act shall take effect in 60 days.