

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2547 Session of 2018

INTRODUCED BY MARSICO, WATSON, MILLARD, TAYLOR, BRIGGS, KORTZ, MARSHALL, SCHLOSSBERG, ROTHMAN, MATZIE, PETRARCA, WARD, HEFFLEY AND PYLE, JULY 3, 2018

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF REPRESENTATIVES, AS AMENDED, SEPTEMBER 24, 2018

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in miscellaneous provisions, further providing for
3 accidents involving certain vehicles.

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

6 Section 1. Section 3756 of Title 75 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 [§ 3756. †Accidents involving certain vehicles† ~~Post-accident~~ <--
9 testing.

10 (a) †Testing requirement.--A police officer investigating an <--
11 accident involving a motor carrier vehicle, bus, school bus or a
12 vehicle transporting hazardous materials required to be
13 placarded by department regulations and required to be
14 investigated under this subchapter shall request that the driver
15 of the vehicle submit to testing for alcohol and controlled
16 substances.† ~~Requirement. As soon as practicable following an~~ <--
17 ~~accident involving a commercial motor vehicle, an employer shall~~

1 ~~test the driver of the vehicle involved in the accident for~~
2 ~~alcohol and controlled substances when required under 49 CFR~~
3 ~~382.303 (relating to post accident testing).~~ Costs for testing
4 under this section shall be borne by the driver's employer. ~~A~~ <--
5 ~~police officer investigating an accident involving a commercial~~
6 ~~motor vehicle shall notify the driver of the requirement to~~
7 ~~comply with 49 CFR 382.303.~~

8 (b) Penalty.--A driver who refuses to submit to alcohol or
9 controlled substances testing under this section commits a
10 summary offense and shall, upon conviction, be sentenced to pay
11 a fine of up to \$200. ~~A receipt from a testing facility shall be~~ <--
12 ~~competent evidence of a driver's compliance with the~~
13 ~~requirements of this section.]~~ <--

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