

## Synopsis of PA Law Relating to Alcohol

**Law:** PA Crimes Code Sec. 6308

**Title:** Purchase, consumption, possession or transport of liquor or malt or brewed beverages.

**Synopsis of law:** It is illegal to purchase, consume, possess or knowingly and intentionally transport any liquor or malt or brewed beverages if you are under 21 years of age.

**Grading:** Summary Offense

**Maximum Penalty:**

- 1<sup>st</sup> Offense: 90 days in jail; \$300 fine; 90 days suspension of driving privileges in PA.
- Subsequent Offenses: 90 days in jail; \$500 fine; one year suspension of driving privileges in PA.

**Law:** PA Crimes Code Sec. 6307

**Title:** Misrepresentation of Age to Secure Liquor or Malt or Brewed Beverages.

**Synopsis of Law:** It is illegal to knowingly and falsely represents oneself to be 21 years of age or older to any licensed dealer, distributor or other person, for the purpose of procuring any liquor or malt or brewed beverages.

**Grading:**

- First Violation: Summary offense
- Subsequent Violations: Misdemeanor (3)

**Maximum Penalty:**

- 1<sup>st</sup> Offense: 90 days in jail; \$300 fine; 90 days suspension of driving privileges in PA.
- Subsequent Offense: One year in jail; \$2500 fine; one year suspension of driving privileges in PA.

**Law:** PA Crimes Code Sec. 6310.3

**Title:** Carrying a False Identification Card.

**Synopsis of Law:** It is illegal to possess an identification card falsely identifying that person by name, age, date of birth or photograph as being 21 years of age or older. It is also illegal to attempt to obtain liquor or malt or brewed beverages by using the identification card of another or by using an identification card that has not been lawfully issued.

**Grading:**

- First Violation: Summary offense
- Subsequent Violations: Misdemeanor (3)

**Maximum Penalty**

- 1<sup>st</sup> Offense: 90 days in jail; \$300 fine; 90 days suspension of driving privileges in PA.
- Subsequent Offense: One year in jail; \$2500 fine; One year suspension of driving privileges in PA.

**Law:** PA Crimes Code Sec. 6309

**Title:** Representing that Minor is of Age.

**Synopsis of Law:** It is illegal to knowingly, willfully, and falsely represent to any licensed dealer or person, any minor to be of full age, for the purpose of selling or furnishing liquor or malt or brewed beverages to a minor.

**Grading:** Misdemeanor (3)

**Maximum Penalty:** One year in jail; \$2500 fine.

**Law:** PA Crimes Code Sec. 5505

**Title:** Public Drunkenness and Similar Misconduct

**Synopsis of Law:** It is illegal to appear in any public place manifestly under the influence of alcohol or a controlled substance.

**Grading:** Summary Offense

**Maximum Penalty:**

- 1<sup>st</sup> Offense: 90 days in jail; \$300 fine
- Subsequent Offenses: 90 days in jail; \$500 fine

**Law:** PA Crimes Code Sec. 3802

**Title:** DUI

**Synopsis of Law:** If over 21 years of age, it is illegal to drive, operate or be in physical control of a vehicle with blood alcohol content in excess of .08%. If a minor, it is illegal to drive, operate or be in physical control of a vehicle with blood alcohol content in excess of .02%.

**Grading:**

- General impairment (BAC .08% to .10%) First Violation: Misdemeanor (3)
- High rate of impairment (BAC .10% to .16%) First Violation: Misdemeanor (3)
- Highest rate of impairment - Incapacity (BAC over .16%) First Violation: Misdemeanor (3)

**Maximum Penalty First Offense:** Varies by degree of impairment; subsequent offenses carry more severe punishment.

- General impairment – six months in jail; \$300 fine; six months probation;
- High rate of impairment – imprisoned for not less than 48 consecutive hours nor more than six months; fines not less than \$500 nor more than \$5000;
- Highest rate of impairment (incapacity) – imprisoned for not less than 72 consecutive hours nor more than six months; fines not less than \$1000 or more than \$5000;