Under 21
PENNSYLVANIA
Know the Laws

IMPLIED CONSENT
PA VEHICLE CODE, TITLE 75
Section 1547
Chemical Testing to Determine Amount of Alcohol or Controlled Substance
Any person who drives, operates, or is in actual physical control of the movement of a motor vehicle in Pennsylvania shall be deemed to have given consent to one or more chemical tests of breath, blood or urine for the purposes of determining the alcoholic content of blood or the presence of a controlled substance if a police officer has reasonable grounds to believe that person to have been driving, operating or in actual physical control of the movement of the motor vehicle while under the influence of alcohol or a controlled substance or both; or which was involved in an accident in which the operator or passenger of any vehicle involved or a pedestrian required treatment at a medical facility or was killed.

If a person placed under arrest for driving under the influence refuses to submit to a chemical test, the testing shall not be conducted, but upon notice by the police officer, the Department of Transportation shall suspend the operating privilege of the person for a minimum of 12 months or 18 months under certain circumstances.

IGNITION INTERLOCK
An ignition interlock system uses a breath analyzer to detect whether the driver has recently consumed alcohol. If so, the vehicle cannot be started.

The Pennsylvania Liquor Control Board’s Bureau of Alcohol Education offers a variety of alcohol education materials free of charge.

For more information, please contact us:
Pennsylvania Liquor Control Board
Bureau of Alcohol Education
Northwest Office Building
Harrisburg, PA 17124-0001
www.lcb.state.pa.us
Or call our toll-free line:
1 (800) 453-PLCB (7522)
Hearing Impaired:
TDD/TTy (717) 772-3725

WHY ZERO TOLERANCE?
In your first few years of driving, you are still learning to handle the demands of the road. A good driver needs clear vision, sound judgment and reasoning, quick reflexes, and solid concentration. Drinking—even a little bit—messes up all of these skills.

Traffic crashes are the number one cause of death for teenagers in the United States. Young drivers between 15 and 20 years old make up 6.4% of the total drivers on the road, but they account for 13% of all drivers involved in fatal crashes and 15% of all the drivers involved in police-reported crashes. 31% of these young drivers who were killed in motor vehicle crashes had been drinking.1

In 2010, 31% of the driver deaths on Pennsylvania roadways involved drunk drivers from the 16-20 age group. This is up from 27% in 2009.2

2Pennsylvania Department of Transportation, 2013

Crime Code, Title 18
Vehicle Code, Title 75
2. Pennsylvania Department of Transportation, 2013
**UNDER 21 IN PENNSYLVANIA — KNOW THE LAWS**

**PA CRIMES CODE, TITLE 18**

**Crimes Associated With Underage Drinking**

<table>
<thead>
<tr>
<th>OFFENSE</th>
<th>PENALTY</th>
<th>SANCTIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Section 5505 Public Drunkenness</strong></td>
<td>Fine 0 – $300 0 – 90 days</td>
<td>0 – $300 0 – 90 days</td>
</tr>
<tr>
<td>A person is guilty of a summary offense if he appears in any public place manifestly under the influence of alcohol... to the degree that he may endanger himself or other persons or property, or annoy persons in his vicinity.</td>
<td>Fine 0 – $300 0 – 90 days 90 days</td>
<td>0 – $500 0 – 1 year 1 year</td>
</tr>
<tr>
<td><strong>Section 6300 Misrepresentation of Age to Secure Liquor or Malt or Brewed Beverages</strong></td>
<td>Fine 0 – $300 0 – 90 days</td>
<td>0 – $500 0 – 1 year 1 year</td>
</tr>
<tr>
<td>A person is guilty of a summary offense for a 1st violation and a misdemeanor of the 3rd degree for any subsequent violations if he being under the age of 21 years, knowingly and falsely represents himself to be 21 years of age or older to any licensed dealer, distributor or other person, for the purpose of procuring or having furnished to him, any liquor or malt or brewed beverages.</td>
<td>Fine 0 – $300 90 days 90 days License Susp. Notify Parent (of minor)</td>
<td>0 – $500 0 – 90 days 12 months 2 years</td>
</tr>
<tr>
<td><strong>Section 6309 Representing That a Minor is &quot;of Age&quot;</strong></td>
<td>Fine $300 – $2,500 0 – 1 year</td>
<td>$300 – $2,500 0 – 1 year</td>
</tr>
<tr>
<td>A person is guilty of a misdemeanor of the third degree if he knowingly, willfully and falsely represents to any licensed dealer, or other person, any minor to be of full age, for the purpose of inducing that person to sell or furnish any liquor or malt or brewed beverages to the minor.</td>
<td>Fine $300 – $2,500 0 – 1 year 90 days</td>
<td>$300 – $2,500 0 – 1 year</td>
</tr>
<tr>
<td><strong>Section 6310 Inducement of Minors to Buy Liquor or Malt or Brewed Beverages</strong></td>
<td>Fine $1,000 – $2,500 0 – 1 year</td>
<td>$2,500 0 – 1 year</td>
</tr>
<tr>
<td>A person is guilty of a misdemeanor of the third degree if he hires or requests or induces any minor to purchase or offer to purchase, liquor or malt or brewed beverages from a duly licensed dealer for any purpose.</td>
<td>Fine $1,000 – $5,000 0 – 2 years License Susp. Notify Parent (of minor)</td>
<td>$2,500 – $5,000 0 – 2 years</td>
</tr>
<tr>
<td><strong>Section 6310.2 Manufacture or Sale of False Identification Card</strong></td>
<td>Fine $300 – $99 days 90 days License Susp. Notify Parent (of minor)</td>
<td>0 – $500 0 – 90 days 1 year</td>
</tr>
<tr>
<td>A person commits a misdemeanor of the second degree if he intentionally, knowingly or recklessly manufactures, makes, alters, sells or attempts to sell an identification card falsely representing the identity, birth date or age of another.</td>
<td>Fine $300 – $99 days 90 days License Susp. Notify Parent (of minor)</td>
<td>0 – $500 0 – 90 days 2 years</td>
</tr>
<tr>
<td><strong>Section 6310.7 Selling or Furnishing Nonalcoholic Beverages to Persons Under 21</strong></td>
<td>Fine $1,000 – $5,000 0 – 2 years License Susp. Notify Parent (of minor)</td>
<td>0 – $500 0 – 90 days 2 years</td>
</tr>
<tr>
<td>A person is guilty of a summary offense if he intentionally and knowingly sells or furnishes nonalcoholic beverages to any person under 21 years of age. As used in this section, the term &quot;nonalcoholic beverage&quot; means any beverage intended to be marketed or sold as nonalcoholic beer, wine, or liquor having some alcohol content but does not contain more than 0.5% alcohol by volume.</td>
<td>Fine $300 – $99 days 90 days License Susp. Notify Parent (of minor)</td>
<td>0 – $500 0 – 90 days 2 years</td>
</tr>
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</table>

**PA VEHICLE CODE, TITLE 75**

**Penalties for DUI**

<table>
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<th>OFFENSE</th>
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<tbody>
<tr>
<td><strong>Section 3701 Minor Prohibited from Operating with any Alcohol in System</strong></td>
<td>Fine $100</td>
<td>$100</td>
</tr>
<tr>
<td>Notwithstanding any other provision of this title, a minor shall not drive, operate or be in physical control of a motor vehicle while having any alcohol in his system. A person who violates this subsection commits a summary offense.</td>
<td>Fine $25</td>
<td>$25</td>
</tr>
<tr>
<td><strong>Section 3809 Restriction on Alcoholic Beverages</strong></td>
<td>Fine $500 – $5,000 48 hrs. – 6 mos. 12 months License Susp. Notify Parent (of minor)</td>
<td>$750 – $5,000 30 days – 6 mos. 12 months License Susp. Notify Parent (of minor)</td>
</tr>
<tr>
<td>It is unlawful for any person who is an operator or an occupant in any motor vehicle to be in possession of an open alcoholic beverage container or to consume any alcoholic beverage or controlled substance while the motor vehicle is located on any highway in this Commonwealth. Any person who violates this section commits a summary offense.</td>
<td>Fine $500 – $5,000 48 hrs. – 6 mos. 12 months License Susp. Notify Parent (of minor)</td>
<td>$750 – $5,000 30 days – 6 mos. 12 months License Susp. Notify Parent (of minor)</td>
</tr>
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**Additional Penalties May Include:**
- Alcohol Highway Safety School; CRN Evaluation
- Alcohol Highway Safety School; CRN Evaluation; Ignition Interlock; D & A Assessment & Compliance
- CRN Evaluation; Ignition Interlock; D & A Assessment & Compliance

**Note:** DUI offenders less than 21 years old also face underage drinking charges and the accompanying penalties.

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- Alcohol Highway Safety School; CRN Evaluation
- Alcohol Highway Safety School; CRN Evaluation; Ignition Interlock; D & A Assessment & Compliance
- CRN Evaluation; Ignition Interlock; D & A Assessment & Compliance

*CRN Evaluation: Refers to Court Reporting Network, an assessment tool  **Ignition Interlock: 1 year (mandatory) D & A Assessment and Compliance: Mandatory Drug and Alcohol Assessment and compliance with D & A treatment as condition of sentencing.