

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 79 Session of 2011

INTRODUCED BY HANNA, BENNINGHOFF, BAKER, CALTAGIRONE, COHEN,
CONKLIN, D. COSTA, CREIGHTON, CUTLER, DONATUCCI, GEIST, HESS,
HORNAMAN, KAVULICH, KULA, MILLARD, MILLER, MILNE, PASHINSKI,
QUINN, SWANGER, TALLMAN AND VULAKOVICH, MARCH 25, 2011

REFERRED TO COMMITTEE ON TRANSPORTATION, MARCH 25, 2011

AN ACT

1 Amending Title 30 (Fish) of the Pennsylvania Consolidated
2 Statutes, in operation of boats, further providing for
3 operating watercraft under influence of alcohol or controlled
4 substance.

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

7 Section 1. Section 5502(d) of Title 30 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 5502. Operating watercraft under influence of alcohol or
10 controlled substance.

11 * * *

12 (d) Subsequent conviction.--Acceptance of Accelerated
13 Rehabilitative Disposition, an adjudication of delinquency or a
14 consent decree under 42 Pa.C.S. Ch. 63 or any other form of
15 preliminary disposition of any charge brought under this section
16 or a conviction or guilty plea under 75 Pa.C.S. § 3802 (relating
17 to driving under influence of alcohol or controlled substance)
18 shall be considered a first conviction for the purpose of

1 computing whether a subsequent conviction of a violation of this
2 section shall be considered a second, third or subsequent
3 conviction.

4 * * *

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