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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 954 Session of  
2011

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INTRODUCED BY EICHELBERGER, STACK, VOGEL, ERICKSON, KASUNIC,  
ALLOWAY, WOZNIAK, D. WHITE, RAFFERTY, BREWSTER, TARTAGLIONE,  
FARNESE AND WARD, APRIL 25, 2011

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REFERRED TO TRANSPORTATION, APRIL 25, 2011

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AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, further providing for driving under influence of  
3 alcohol or controlled substance.

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

6 Section 1. Section 3802(d) of Title 75 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 3802. Driving under influence of alcohol or controlled  
9 substance.

10 \* \* \*

11 (d) Controlled substances.--An individual may not drive,  
12 operate or be in actual physical control of the movement of a  
13 vehicle under any of the following circumstances:

14 (1) There is in the individual's blood any amount of a:

15 (i) Schedule I controlled substance, as defined in  
16 the act of April 14, 1972 (P.L.233, No.64), known as The  
17 Controlled Substance, Drug, Device and Cosmetic Act;

18 (ii) Schedule II or Schedule III controlled

1 substance, as defined in The Controlled Substance, Drug,  
2 Device and Cosmetic Act, which has not been medically  
3 prescribed for the individual; or

4 (iii) metabolite of a substance under subparagraph  
5 (i) or (ii).

6 (2) The individual is under the influence of a drug or  
7 combination of drugs to a degree which impairs the  
8 individual's ability to safely drive, operate or be in actual  
9 physical control of the movement of the vehicle.

10 (3) The individual is under the combined influence of  
11 alcohol and a drug or combination of drugs to a degree which  
12 impairs the individual's ability to safely drive, operate or  
13 be in actual physical control of the movement of the vehicle.

14 (4) The individual is under the influence of a solvent  
15 or noxious substance in violation of 18 Pa.C.S. § 7303  
16 (relating to sale or illegal use of certain solvents and  
17 noxious substances).

18 (5) There is in the individual's blood an amount of  
19 methadone which exceeds the amount prescribed to the  
20 individual or there is in the individual's blood any amount  
21 of methadone in combination with alcohol or other drugs.

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