

## PENALTIES (CONT'D)

Furnishing to Minors: Adults who sell, furnish, or purchase with the intent to sell or furnish alcohol to anyone under 21 (even their own children), or provide them a place to consume alcohol will receive a mandatory minimum fine of \$1,000, and up to \$2,500 for each subsequent offense, in addition to other potential penalties.<sup>10</sup>

## THAT'S NOT THE END OF THE STORY

The effects of a DUI arrest can continue for years. You may experience:

- Work problems — Without a driver's license, you may not be able to get to work. If your job requires travel, you could be fired. Future employers may use the DUI arrest as reason not to hire you.
- Insurance problems — You can expect your car insurance rates to increase after an arrest. Some companies may cancel your policy, and others may refuse coverage.

**REMEMBER—  
IT'S NOT YOUR CALL,  
IT'S THE LAW.**

<sup>10</sup> Pennsylvania Crimes Code, Title 18

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](http://www.lcb.state.pa.us)

Or call our toll-free line:  
1 (800) 453-PLCB (7522)

Hearing Impaired:  
TDD/TTY (717) 772-3725

### PLCB DISCLAIMER OF LIABILITY

This information is not intended to be legal advice, but merely conveys information pertinent to alcohol-related offenses. For more information or further clarification, please contact your local District Attorney's Office or a private attorney.



**UNDER 21  
ZERO  
TOLERANCE**

**IT'S NOT  
YOUR CALL,  
IT'S THE LAW**

## UNDER 21 IN PA

Under 21: It is illegal for anyone under 21 to possess, purchase, attempt to purchase, consume or transport any alcohol, liquor, malt or brewed beverages. It is also illegal for anyone under 21 to lie about their age or to carry a false ID card to obtain any alcohol, liquor, malt or brewed beverages.<sup>1</sup>

Penalty: Minors (persons under 21) convicted of any of the offenses cited above, will lose their driver's license for 90 days and face fines up to \$300 plus court cost for a first offense. For the first offense, individuals who do not have a driver's license, will not be able to apply for a driver's license or a learner's permit for 90-days from the date of the suspension. For first time offenders under 16, the 90-day penalty begins on their 16<sup>th</sup> birthday.<sup>2</sup>

## ZERO TOLERANCE

Mixing alcohol with driving is always extremely dangerous. If you're under 21, drinking and driving in Pennsylvania imposes stiff penalties. If you're caught driving with **ANY measurable** amount of alcohol in your blood, you may be arrested for Driving Under the Influence (DUI). The "Zero Tolerance" law (Section 3802(e) of the PA Vehicle Code, Title 75) lowered the Blood Alcohol Content (BAC) for minors to .02%.

## WHY ZERO TOLERANCE?

Motor vehicle crashes are the leading cause of death for U.S. teens, accounting for more than one in three deaths in this age group.<sup>3</sup> In 2009, eight teens ages 16 to 19 died every day from motor vehicle injuries. In 2009, about 3,000 teens in the United States aged 15–19 were killed and more than 350,000 were treated in emergency departments for injuries suffered in motor-vehicle crashes.<sup>3,4</sup>

Young people ages 15-24 represent only 14% of the U.S. population. However, they account for 30% (\$19 billion) of the total costs of motor vehicle injuries among males and 28% (\$7 billion) of the total costs of motor vehicle injuries among females.<sup>5</sup> In 2010, approximately 1,300 Pennsylvania drivers who were under the age of 21 were involved in alcohol-related crashes.<sup>6</sup>

1. Pennsylvania Crimes Code, Title 18

2. Pennsylvania Vehicle Code, Title 75

3. Center for Disease Control and Prevention, 2010

4. U.S. Dept. of Transportation, National Highway Traffic Safety Administration, 2009

5. Incidence and Economic Burden of Injuries in the United States. New York: Oxford University Press; 2006

6. Pennsylvania Department of Transportation, 2010

## SERIOUS CONSEQUENCES FOR A DUI IF UNDER 21<sup>7</sup>

If you are arrested for a DUI, the police will ask you to take a breath or blood test. If your BAC level is between .02% and .159% and you are convicted of a DUI, you can expect:

- 12 months - 18 months license suspension
- 48 hours - 6 months jail time for a first offense; 1 - 5 years for a fourth offense.
- Drug & Alcohol Evaluation
- Court Reporting Network (CRN) evaluation
- Fines from \$500 to \$5,000 for a first offense; \$1,500 to \$10,000 for a 3rd offense
- Completion of a state-approved Alcohol Highway Safety Program
- Ignition Interlock device installed in your vehicle for 1 year for a 2nd and 3rd offense, after the license suspension has been served.

### MINORS WITH HIGHER BAC'S AND THOSE WHO REFUSE TO TAKE A CHEMICAL TEST FACE EVEN STIFFER PENALTIES:

- 12 months - 18 months license suspension
- 72 hours - 12 months jail time for a first offense; 1-5 years for a third offense
- Drug & Alcohol evaluation
- Court Reporting Network (CRN) evaluation
- Fines from \$1,000 to \$10,000
- Completion of a state-approved Alcohol Highway Safety Program
- Ignition Interlock device installed in your vehicle for 1 year for a 2nd and 3rd Offense, after the license suspension has been served.

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

7. Pennsylvania Vehicle Code, Title 75

### PLUS...

If you're under 18 (*Juvenile DUI*), you may also have a juvenile complaint filed against you and may become an adjudicated delinquent. Your parents will be notified of your arrest.

If you're 18-20 (*Minor DUI*), you may be ordered to Accelerated Rehabilitative Disposition Program (ARD) if you qualify. If you don't qualify, you may be sentenced to 48 hours in jail.

A DUI arrest stays on your record for ten years. That's a long time. If you're convicted more than once, the fines, suspensions, and jail time all increase.

## OTHER PENALTIES

False ID: It is illegal for a person to knowingly, intentionally or recklessly manufacture, make, alter, sell or attempt to sell an identification card falsely representing the identity, birth date, or age of another.<sup>8</sup>

Open Container: It is against the law in Pennsylvania for drivers or their passengers to consume alcohol or possess an open container of alcohol on Pennsylvania roads.

This law does not apply to passengers in a commercial transport vehicle, such as a bus, taxi, limousine, or to those riding in the living quarters of a house coach or trailer.<sup>9</sup>

8. Pennsylvania Crimes Code, Title 18

9. Pennsylvania Vehicle Code, Title 75