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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1480 Session of  
2019

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INTRODUCED BY RABB, WHEATLEY, BRIGGS, HILL-EVANS, DAWKINS,  
KINSEY, KENYATTA, ROZZI, DONATUCCI, SIMS, DAY AND FRANKEL,  
MAY 23, 2019

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REFERRED TO COMMITTEE ON GAME AND FISHERIES, MAY 23, 2019

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AN ACT

1 Amending Titles 30 (Fish) and 75 (Vehicles) of the Pennsylvania  
2 Consolidated Statutes, in operation of boats, further  
3 providing for the offense of operating watercraft under  
4 influence of alcohol or controlled substance; and, in driving  
5 after imbibing alcohol or utilizing drugs, further providing  
6 for the offense of driving under influence of alcohol or  
7 controlled substance.

8 The General Assembly of the Commonwealth of Pennsylvania  
9 hereby enacts as follows:

10 Section 1. Section 5502(a.3)(1) of Title 30 of the  
11 Pennsylvania Consolidated Statutes is amended to read:

12 § 5502. Operating watercraft under influence of alcohol or  
13 controlled substance.

14 \* \* \*

15 (a.3) Controlled substances.--An individual may not operate  
16 or be in actual physical control of the movement of a watercraft  
17 under any of the following circumstances:

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

19 [(i) Schedule I controlled substance, as defined in  
20 the act of April 14, 1972 (P.L.233, No.64), known as The

1           Controlled Substance, Drug, Device and Cosmetic Act;]

2           (ii) Schedule I, II or III controlled substance, as  
3 defined in the act of April 14, 1972 (P.L.233, No.64),  
4 known as The Controlled Substance, Drug, Device and  
5 Cosmetic Act, which has not been medically prescribed for  
6 the individual; or

7           (iii) metabolite of a substance under subparagraph  
8 [(i) or] (ii).

9           \* \* \*

10          Section 2. Section 3802(d)(1) of Title 75 is amended to  
11 read:

12 § 3802. Driving under influence of alcohol or controlled  
13 substance.

14          \* \* \*

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

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

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

22           (ii) Schedule I, II or Schedule III controlled  
23 substance, as defined in the act of April 14, 1972  
24 (P.L.233, No.64), known as The Controlled Substance,  
25 Drug, Device and Cosmetic Act, which has not been  
26 medically prescribed for the individual; or

27           (iii) metabolite of a substance under subparagraph  
28 [(i) or] (ii).

29          \* \* \*

30          Section 3. This act shall take effect in 60 days.