

	1 st	2 nd	3 rd and sub.	4 th and sub.
.08 to .099 Incapable of safe driving	--Ungraded misdemeanor --6 months max. probation --\$300 fine --Attend Alcohol Highway Safety School --CRN evaluation --Pending CRN, full assessment and compliance with D&A treatment as part of sentencing	--Ungraded misdemeanor --5 days min. imprisonment --\$300 to \$2,500 fine --12 month license suspension --Attend Alcohol Highway Safety School --Mandatory 1 year Ignition Interlock --CRN evaluation --Mandatory full D&A assessment and compliance with D&A treatment as condition of sentencing	--2 nd degree misdemeanor --10 days min. imprisonment --\$500 to \$5,000 fine --12 month license suspension --Mandatory 1 year Ignition Interlock --CRN evaluation --Mandatory full D&A assessment and compliance with D&A treatment as condition of sentencing	
CURRENT LAW	No current penalties for .08 conviction	No current penalties for .08 conviction	No current penalties for .08 conviction	--1 st degree misdemeanor --1 year min. imprisonment --\$1,500 to \$10,000 fine --18 month license suspension --Mandatory 1 year Ignition Interlock --CRN evaluation --Mandatory full D&A assessment and compliance with D&A treatment as condition of sentencing
.10 to .159 Incapable of safe driving with crash/injuries Minors (.02) CDL drivers (.04) and school bus/vehicle drivers (.02)	--Ungraded misdemeanor --48 consecutive hours imprisonment --\$500 to \$5,000 fine --12 month license suspension --Attend Alcohol Highway Safety School --CRN evaluation --Pending CRN, full assessment and compliance with D&A treatment as part of sentencing	--Ungraded misdemeanor --30 days min. imprisonment --\$750 to \$5,000 fine --12 month license suspension --Attend Alcohol Highway Safety School --Mandatory 1 year Ignition Interlock --CRN evaluation --Mandatory full D&A assessment and compliance with D&A treatment as condition of sentencing	--1 st degree misdemeanor --90 days min. imprisonment --\$1,500 to \$10,000 fine --18 month license suspension --Mandatory 1 year Ignition Interlock --CRN evaluation --Mandatory full D&A assessment and compliance with D&A treatment as condition of sentencing	--1 st degree misdemeanor --1 year min. imprisonment --\$300 min. fine --12 month license suspension --Ignition Interlock --CRN evaluation --Mandatory treatment
CURRENT LAW (penalties not linked to BAC level)	--2 nd degree misdemeanor --48 consecutive hours imprisonment --\$300 min. fine --12 month license suspension --Ignition Interlock optional --Attend and completion of Alcohol Highway Safety School --CRN evaluation and possible treatment if court orders	--2 nd degree misdemeanor --30 days minimum imprisonment --\$300 min. fine --12 month license suspension --Ignition Interlock mandatory --CRN evaluation --Mandatory treatment	--1 st degree misdemeanor --90 days min. imprisonment --\$300 min. fine --12 month license suspension --Ignition Interlock mandatory --CRN evaluation --Mandatory treatment	--1 st degree misdemeanor --1 year min. imprisonment --\$300 min. fine --12 month license suspension --Ignition Interlock --CRN evaluation --Mandatory treatment
.16 and higher Controlled Substances Incapable of safe driving after refusing testing	--Ungraded misdemeanor --72 consecutive hours min. imprisonment --\$1,000 to \$5,000 fine --12 month license suspension --Attend Alcohol Highway Safety School --CRN evaluation --Mandatory full D&A assessment and compliance with D&A treatment as condition of sentencing	--1 st degree misdemeanor --90 days min. imprisonment --\$1,500 min. fine --18 month license suspension --Attend Alcohol Highway Safety School --Mandatory 1 year Ignition Interlock --CRN evaluation --Mandatory full D&A assessment and compliance with D&A treatment as condition of sentencing	--1 st degree misdemeanor --1 year min. imprisonment --\$2,500 min. fine --18 month license suspension --Mandatory 1 year ignition interlock --CRN evaluation --Mandatory full D&A assessment and compliance with D&A treatment as condition of sentencing	
CURRENT LAW (No current high BAC law in PA)	Same as penalties for .10—see above	Same as penalties for .10—see above	Same as penalties for .10—see above	