

No. 1989-92

AN ACT

SB 355

Amending the act of April 14, 1972 (P.L.233, No.64), entitled "An act relating to the manufacture, sale and possession of controlled substances, other drugs, devices and cosmetics; conferring powers on the courts and the secretary and Department of Health, and a newly created Pennsylvania Drug, Device and Cosmetic Board; establishing schedules of controlled substances; providing penalties; requiring registration of persons engaged in the drug trade and for the revocation or suspension of certain licenses and registrations; and repealing an act," providing that a conviction for any violation involving possession or delivery of a controlled substance will result in a mandatory driver's license suspension.

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

Section 1. Section 13 of the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, is amended by adding a subsection to read:

Section 13. Prohibited Acts; Penalties.—* * *

(m) Notwithstanding any other provision in this act, any person, not a registrant, who possesses, sells, delivers, offers for sale, holds for sale or gives away any controlled substance, in addition to any other penalty provided in this or any act, upon conviction for a violation of this act, shall have his or her operating privilege suspended. A copy of the court order shall be transmitted to the Department of Transportation. When the department suspends the operating privilege of a person under this subsection, the duration of the suspension shall be as follows:

(1) For a first offense, a period of 90 days from the date of suspension.

(2) For a second offense, a period of one year from the date of suspension.

(3) For a third offense, and any offense thereafter, a period of two years from the date of suspension. Any multiple sentences imposed shall be served consecutively.

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

APPROVED—The 22nd day of December, A. D. 1989.

ROBERT P. CASEY