

**TITLE 9: VEHICLE CODE**  
**DIVISION 7: SERIOUS TRAFFIC OFFENSES AND PENALTIES**

**§ 7105. Driving While Under the Influence of Alcohol or Drugs.**

(a) A person shall not drive, operate or be in actual physical control of any vehicle while:

- (1) Having a Blood Alcohol Concentration (BAC) of 0.08 percent or more as measured by a breath or blood test; or
- (2) Under the influence of alcohol; or
- (3) Under the influence of any drug or combination of drugs to a degree which renders the person incapable of safely driving; or
- (4) Under the combined influence of alcohol and any drug or drugs to a degree which renders the person incapable of safely driving; or
- (5) Having a Blood Alcohol Concentration (BAC) of 0.01 percent or more for a person under the age of 21.

**Source:** PL 3-61, § 1 (§ 705); amended by PL 9-44, § 1, modified.

**Commission Comment:** PL 9-44, which (among other provisions) lowered the BAC standard specified in subsection (a)(1) from 0.10 percent to 0.08 percent and imposed the 0.01 percent standard for minors specified in subsection (a)(5), took effect July 6, 1995.