S T A T E O F N E W Y O R K

164--C

Cal. No. 128

2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sens. MAZIARZ, ALESI, JOHNSON, LANZA, LARKIN, RANZENHOFER -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the vehicle and traffic law, in relation to acting as a supervising driver while under the influence of alcohol and/or drugs

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. This act shall be known and may be cited as "Abbagail's Law".

S 2. The vehicle and traffic law is amended by adding a new section 1192-b to read as follows:

S 1192-B. SUPERVISING A DRIVER WHILE UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS. 1. NO PERSON SHALL ACT AS A SUPERVISING DRIVER PURSUANT TO SECTION FIVE HUNDRED ONE OR FIVE HUNDRED ONE-B OF THIS CHAPTER IF SUCH PERSON WOULD BE IN VIOLATION OF SUBDIVISION ONE, TWO, THREE, FOUR OR FOUR-A OF SECTION ELEVEN HUNDRED NINETY-TWO OF THIS ARTICLE IF HE OR SHE WERE OPERATING THE VEHICLE.

SUPERVISING A DRIVER WHILE UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS SHALL BE A CLASS A MISDEMEANOR.

2. AGGRAVATED SUPERVISING A DRIVER WHILE UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS. NO PERSON SHALL ACT AS A SUPERVISING DRIVER PURSUANT TO SECTION FIVE HUNDRED ONE OR FIVE HUNDRED ONE-B OF THIS CHAPTER IF SUCH PERSON WOULD BE IN VIOLATION OF SUBDIVISION TWO-A OF SECTION ELEVEN

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD01224-06-1

HUNDRED NINETY-TWO OF THIS ARTICLE IF HE OR SHE WERE OPERATING THE VEHICLE.

AGGRAVATED SUPERVISING A DRIVER WHILE UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS SHALL BE A CLASS E FELONY.

S 3. This act shall take effect on the ninetieth day after it shall have become a law.