

565--A

2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sen. ROBACH -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities -- committee discharged and said bill committed to the Committee on Alcoholism and Drug Abuse -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the alcoholic beverage control law, in relation to increasing the length of suspension of a driver's license for a person who illegally purchases or attempts to illegally purchase an alcoholic beverage

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

1 Section 1. Subdivision 6 of section 65-b of the alcoholic beverage
2 control law, as amended by chapter 519 of the laws of 1999, the opening
3 paragraph as amended by chapter 503 of the laws of 2000, is amended to
4 read as follows:
5 6. In addition to the penalties otherwise provided in subdivision
6 three of this section, if a determination is made sustaining a charge of
7 illegally purchasing or attempting to illegally purchase an alcoholic
8 beverage, the court may suspend such person's license to drive a motor
9 vehicle [and] OR, IF SUCH PERSON IS UNLICENSED, the privilege of [an
10 unlicensed person of] obtaining such license, in accordance with the
11 following and for the following periods, if it is found that a driver's
12 license was used for the purpose of such illegal purchase or attempt to
13 illegally purchase[; provided, however, that where a person is sentenced
14 pursuant to paragraph (b) or (c) of subdivision three of this section,
15 the court shall impose such license suspension if it is found that a
16 driver's license was used for the purpose of such illegal purchase or
17 attempt to illegally purchase:].

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

LBD01985-02-1

1 (a) For a first violation of paragraph (a) of subdivision two of this
2 section, a [three] SIX month suspension.
3 (b) For a second [violation of paragraph (a) of subdivision two of
4 this section, a six month suspension.
5 (c) For a third] or subsequent violation of paragraph (a) of subdivi-
6 sion two of this section, a suspension for one year or until the holder
7 reaches the age of twenty-one, whichever is the greater period of time.
8 Such person may thereafter apply for and be issued a restricted use
9 license in accordance with the provisions of section five hundred thirty
10 of the vehicle and traffic law.
11 S 2. This act shall take effect on the ninetieth day after it shall
12 have become a law.