

STATE OF NEW YORK

6749

2017-2018 Regular Sessions

IN ASSEMBLY

March 16, 2017

Introduced by M. of A. GRAF, MONTESANO, GIGLIO, McDONOUGH, ERRIGO --
Multi-Sponsored by -- M. of A. THIELE -- read once and referred to the
Committee on Codes

AN ACT to amend the penal law, in relation to lowering the blood alcohol
level from .18 to .14 for the offenses of vehicular manslaughter in
the first degree, vehicular assault in the first degree and aggravated
vehicular assault

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. Subdivision 1 of section 125.13 of the penal law, as
2 amended by chapter 496 of the laws of 2009, is amended to read as
3 follows:
4 (1) commits such crime while operating a motor vehicle while such
5 person has [~~.18~~] .14 of one per centum or more by weight of alcohol in
6 such person's blood as shown by chemical analysis of such person's
7 blood, breath, urine or saliva made pursuant to the provisions of
8 section eleven hundred ninety-four of the vehicle and traffic law;
9 § 2. Subdivision 1 of section 120.04 of the penal law, as amended by
10 chapter 496 of the laws of 2009, is amended to read as follows:
11 (1) commits such crime while operating a motor vehicle while such
12 person has [~~.18~~] .14 of one per centum or more by weight of alcohol in
13 such person's blood as shown by chemical analysis of such person's
14 blood, breath, urine or saliva made pursuant to the provisions of
15 section eleven hundred ninety-four of the vehicle and traffic law;
16 § 3. Subdivision 1 of section 120.04-a of the penal law, as amended by
17 chapter 496 of the laws of 2009, is amended to read as follows:
18 (1) commits such crimes while operating a motor vehicle while such
19 person has [~~.18~~] .14 of one per centum or more by weight of alcohol in
20 such person's blood as shown by chemical analysis of such person's
21 blood, breath, urine or saliva made pursuant to the provisions of
22 section eleven hundred ninety-four of the vehicle and traffic law;
23 § 4. This act shall take effect immediately.

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

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