

# STATE OF NEW YORK

4733

2021-2022 Regular Sessions

## IN SENATE

February 10, 2021

Introduced by Sen. REICHLIN-MELNICK -- read twice and ordered printed,  
and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to including  
prior convictions of operation of a vessel while under the influence  
of alcohol or drugs as prior convictions of driving while intoxicated

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

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

3 § 2. Section 1192 of the vehicle and traffic law is amended by adding  
4 a new subdivision 8-b to read as follows:

5 8-b. Effect of prior convictions of operation of a vessel while under  
6 the influence of alcohol or drugs. A prior conviction for operation of a  
7 vessel while under the influence of alcohol or drugs under paragraph  
8 (b), (c), (d) or (e) of subdivision two of section forty-nine-a of the  
9 navigation law shall be deemed to be a prior conviction of a violation  
10 of subdivision two of this section for purposes of determining penalties  
11 imposed under this section or for purposes of any administrative action  
12 required to be taken pursuant to subdivision two of section eleven  
13 hundred ninety-three of this article. A prior conviction for operation  
14 of a vessel while under the influence of alcohol or drugs under para-  
15 graph (a) of subdivision two of section forty-nine-a of the navigation  
16 law shall be deemed to be a prior conviction of a violation of subdivi-  
17 sion one of this section for purposes of determining penalties imposed  
18 under this section or for purposes of any administrative action required  
19 to be taken pursuant to subdivision two of section eleven hundred nine-  
20 ty-three of this article.

21 § 3. This act shall take effect on the first of November after it  
22 shall have become a law.

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

LBD08258-01-1