

8351

2009-2010 Regular Sessions

I N A S S E M B L Y

May 15, 2009

Introduced by M. of A. RAIA -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to including the unlicensed operation of a motor vehicle within the crime of vehicular manslaughter in the second degree

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

1 Section 1. Subdivision 1 of section 125.12 of the penal law, as
2 amended by chapter 732 of the laws of 2006, is amended to read as
3 follows:
4 (1) operates a motor vehicle in violation of subdivision two, three,
5 four or four-a of section eleven hundred ninety-two of the vehicle and
6 traffic law or OPERATES A MOTOR VEHICLE IN VIOLATION OF SECTION FIVE
7 HUNDRED ELEVEN OF THE VEHICLE AND TRAFFIC LAW OR operates a vessel or
8 public vessel in violation of paragraph (b), (c), (d) or (e) of subdivi-
9 sion two of section forty-nine-a of the navigation law, and as a result
10 of such intoxication or impairment by the use of a drug, or by the
11 combined influence of drugs or of alcohol and any drug or drugs, oper-
12 ates such motor vehicle, vessel or public vessel in a manner that causes
13 the death of such other person, or
14 S 2. This act shall take effect on the first of November next succeed-
15 ing the date on which it shall have become a law.

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

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