

8606

2009-2010 Regular Sessions

I N A S S E M B L Y

May 29, 2009

Introduced by M. of A. ESPAILLAT, SALADINO, COOK -- Multi-Sponsored by
-- M. of A. REILLY, WALKER -- read once and referred to the Committee
on Economic Development, Job Creation, Commerce and Industry

AN ACT to amend the alcoholic beverage control law, in relation to the
posting of a sign alerting patrons who consume alcohol that assistance
in obtaining safe transportation shall be provided

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

1 Section 1. The alcoholic beverage control law is amended by adding a
2 new section 105-d to read as follows:

3 S 105-D. SIGN POSTING AND ALTERNATIVE TRANSPORTATION ASSISTANCE. 1.
4 THE AUTHORITY SHALL PREPARE, HAVE PRINTED AND DISTRIBUTE ACROSS THE
5 STATE TO ALL PERSONS WITH A LICENSE TO SELL ANY ALCOHOLIC BEVERAGE FOR
6 CONSUMPTION ON THE PREMISES, A SIGN OR POSTER WITH CONSPICUOUS LETTERING
7 THAT STATES: "DRINKING AND DRIVING DON'T MIX. IF REQUESTED, MANAGEMENT
8 WILL ASSIST YOU IN PLACING ONE LOCAL CALL IN AN EFFORT TO OBTAIN ALTER-
9 NATIVE TRANSPORTATION." SUCH SIGN OR POSTER MUST HAVE CONSPICUOUS
10 LETTERING IN AT LEAST SEVENTY-TWO POINT BOLD FACE TYPE THAT STATES THE
11 NOTICE SET FORTH IN THIS SUBDIVISION.

12 2. ALL PERSONS WITH A LICENSE TO SELL ANY ALCOHOLIC BEVERAGE FOR
13 CONSUMPTION ON THE PREMISES SHALL DISPLAY IN A CONSPICUOUS PLACE THE
14 SIGN OR POSTER UPON RECEIVING IT FROM THE AUTHORITY.

15 3. PERSONS WITH A LICENSE TO SELL ANY ALCOHOLIC BEVERAGES FOR CONSUMP-
16 TION ON THE PREMISES SHALL ASSIST PATRONS IN OBTAINING ALTERNATIVE
17 TRANSPORTATION SHOULD IT BE REQUESTED PURSUANT TO SUBDIVISION ONE OF
18 THIS SECTION. ASSISTANCE SHALL BE PROVIDED BY PLACING A MINIMUM OF ONE
19 LOCAL TELEPHONE CALL TO A LOCAL TRANSPORTATION SERVICE, AND IN AREAS
20 WHERE A LOCAL TRANSPORTATION SERVICE IS NOT AVAILABLE OR IN CASES WHERE
21 SUCH LOCAL TRANSPORTATION SERVICE DOES NOT RESPOND TO A REQUEST FOR
22 SERVICE, ALLOW THE PATRON TO PLACE ONE LOCAL TELEPHONE CALL ON THEIR OWN
23 BEHALF IN AN EFFORT TO OBTAIN ALTERNATIVE TRANSPORTATION. NO REQUIRE-

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

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1 MENT WILL BE PLACED ON THE LICENSEE SHOULD TELEPHONE SERVICE BE UNAVAIL-
2 ABLE AT THE TIME OF THE REQUEST NOR SHALL THE LICENSEE BE LIABLE FOR ANY
3 FAILURE ON THE PART OF THE TRANSPORTATION SERVICE OR THE ALTERNATIVE
4 TRANSPORTATION TO RESPOND TO THE REQUEST FOR SERVICE.

5 4. ANY PERSON WITH SUCH LICENSE WHO VIOLATES THE PROVISIONS OF SUBDI-
6 VISION TWO OR THREE OF THIS SECTION SHALL BE SUBJECT TO A FINE NOT TO
7 EXCEED ONE HUNDRED DOLLARS.

8 S 2. This act shall take effect on the first of October next succeed-
9 ing the date on which it shall have become a law.