S T A T E O F N E W Y O R K

8809

2009-2010 Regular Sessions

I N A S S E M B L Y

June 10, 2009

Introduced by M. of A. ESPAILLAT -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to requiring any person convicted of operating a motor vehicle while under the influence of alcohol or drugs to complete a drinking driver program as a condition of their sentence

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

Section 1. Subdivision 1 of section 1193 of the vehicle and traffic law is amended by adding a new paragraph (g) to read as follows:

(G) WHERE THE COURT IMPOSES A SENTENCE FOR ANY VIOLATION OF SECTION ELEVEN HUNDRED NINETY-TWO OR SECTION ELEVEN HUNDRED NINETY-TWO-A OF THIS ARTICLE, THE COURT SHALL REQUIRE THE DEFENDANT, AS A CONDITION OF SUCH SENTENCE, TO COMPLETE A DRINKING DRIVER PROGRAM LICENSED BY THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES AND TAUGHT BY A SUBSTANCE ABUSE PROFESSIONAL WHO IS CREDENTIALED BY THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES PURSUANT TO SECTION 19.07 OF THE MENTAL HYGIENE LAW, AND RECEIVE AN EVALUATION CONDUCTED BY THE SUBSTANCE ABUSE PROFESSIONAL TEACHING THE PROGRAM. THE FEE FOR ATTENDING SUCH PROGRAM SHALL BE PAID BY THE DEFENDANT.

S 2. This act shall take effect on the first of November next succeeding 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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