STATE OF NEW YORK

7435

IN SENATE

April 9, 2010
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Introduced by Sens. MAZIARZ, ALESI, O. JOHNSON, LANZA, LARKIN, RANZEN-
  HOFER, VOLKER -- 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 acting as a
  supervising driver while under the influence of alcohol and/or drugs

   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 "Abbagail's
2 Law".
3   S 2. Paragraph (a) of subdivision 1 of section 501-b of the vehicle
4 and traffic law, as added by chapter 644 of the laws of 2002, is amended
5 to read as follows:
6   (a) operate a motor vehicle with any front seat occupants other than
7 the supervising driver WHO IS NOT UNDER THE INFLUENCE OF ALCOHOL AND/OR
8 DRUGS;
9   S 3. The vehicle and traffic law is amended by adding a new section
10 501-c to read as follows:
11   S 501-C. SUPERVISING DRIVER WHILE UNDER THE INFLUENCE OF ALCOHOL
12 AND/OR DRUGS. ANY INDIVIDUAL ACTING AS A SUPERVISING DRIVER PURSUANT TO
13 SUBPARAGRAPH (II) OF PARAGRAPH (A) AND PARAGRAPH (C) OF SUBDIVISION FIVE
14 OF SECTION FIVE HUNDRED ONE OF THIS ARTICLE THAT DOES SO UNDER THE
15 INFLUENCE OF ALCOHOL AND/OR DRUGS SHALL BE GUILTY OF A CLASS A MISDEMEA-
16 NOR.
17   S 4. Section 1192 of the vehicle and traffic law is amended by adding
18 a new subdivision 13 to read as follows:
19   13. SUPERVISING DRIVERS. ANY INDIVIDUAL ACTING AS A SUPERVISING DRIVER
20 PURSUANT TO SUBPARAGRAPH (II) OF PARAGRAPH (A) AND PARAGRAPH (C) OF
21 SUBDIVISION FIVE OF SECTION FIVE HUNDRED ONE OF THIS CHAPTER WHILE UNDER
22 THE INFLUENCE OF ALCOHOL AND/OR DRUGS IS IN VIOLATION OF SUBDIVISION
23 ONE, TWO, TWO-A, THREE, FOUR OR FOUR-A OF THIS SECTION AND SHALL BE
24 CHARGED ACCORDINGLY.
25   S 5. This act shall take effect on the ninetieth day after it shall
26 have become a law.

     EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
                    [ ] is old law to be omitted.
                                                        LBD16635-02-0