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

7435

I N S E N A T E

April 9, 2010

Introduced by Sens. MAZIARZ, ALESI, O. JOHNSON, LANZA, LARKIN, RANZENHOFER, 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 ASSEMBLY, DO ENACT AS FOLLOWS:

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

S 2. Paragraph (a) of subdivision 1 of section 501-b of the vehicle and traffic law, as added by chapter 644 of the laws of 2002, is amended to read as follows:

(a) operate a motor vehicle with any front seat occupants other than the supervising driver WHO IS NOT UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS;

S 3. The vehicle and traffic law is amended by adding a new section 501-c to read as follows:

S 501-C. SUPERVISING DRIVER WHILE UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS. ANY INDIVIDUAL ACTING AS A SUPERVISING DRIVER PURSUANT TO SUBPARAGRAPH (II) OF PARAGRAPH (A) AND PARAGRAPH (C) OF SUBDIVISION FIVE OF SECTION FIVE HUNDRED ONE OF THIS ARTICLE THAT DOES SO UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS SHALL BE GUILTY OF A CLASS A MISDEMEANOR.

S 4. Section 1192 of the vehicle and traffic law is amended by adding a new subdivision 13 to read as follows:

13. SUPERVISING DRIVERS. ANY INDIVIDUAL ACTING AS A SUPERVISING DRIVER PURSUANT TO SUBPARAGRAPH (II) OF PARAGRAPH (A) AND PARAGRAPH (C) OF SUBDIVISION FIVE OF SECTION FIVE HUNDRED ONE OF THIS CHAPTER WHILE UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS IS IN VIOLATION OF SUBDIVISION ONE, TWO, TWO-A, THREE, FOUR OR FOUR-A OF THIS SECTION AND SHALL BE CHARGED ACCORDINGLY.

S 5. This act shall take effect on the ninetieth day after 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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