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

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I N A S S E M B L Y

April 12, 2010

Introduced by M. of A. KELLNER, STIRPE, KOON, CASTRO, M. MILLER, MAYER-SOHN, MAISEL, ROBINSON, CUSICK, SPANO, HYER-SPENCER -- Multi-Sponsored by -- M. of A. BOYLAND, CROUCH, FINCH, GABRYSZAK, GALEF, HOOPER, JOHN, P. LOPEZ, MOLINARO, RAIA, TOBACCO, WEISENBERG -- read once and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law law, in relation to suspension of driving privileges

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

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

S 2. Subparagraph (xiv) of paragraph (b) of subdivision 2 of section 510 of the vehicle and traffic law, as added by chapter 571 of the laws of 2006, is amended to read as follows:

(xiv) for a period of forty-five days where the holder is convicted of a traffic infraction for a first violation of article twenty-six of this chapter and the commission of such violation caused serious physical injury to another person, EXCEPT: (A) WHERE THE HOLDER IS CONVICTED OF A TRAFFIC INFRACTION FOR A FIRST VIOLATION OF SECTION ELEVEN HUNDRED FORTY-SIX OF THIS CHAPTER AND THE COMMISSION OF SUCH VIOLATION CAUSED SERIOUS PHYSICAL INJURY TO ANOTHER PERSON, THE SUSPENSION SHALL BE FOR A PERIOD OF SIX MONTHS; AND (B) WHERE THE HOLDER IS CONVICTED OF A TRAFFIC INFRACTION FOR A SECOND VIOLATION OF SECTION ELEVEN HUNDRED FORTY-SIX OF THIS CHAPTER AND THE COMMISSION OF SUCH VIOLATION CAUSED SERIOUS PHYSICAL INJURY TO ANOTHER PERSON, AND SUCH PERSON HAS PREVIOUSLY BEEN CONVICTED OF A TRAFFIC INFRACTION FOR A VIOLATION OF SECTION ELEVEN HUNDRED FORTY-SIX OF THIS CHAPTER AND THE COMMISSION OF SUCH VIOLATION CAUSED SERIOUS PHYSICAL INJURY TO ANOTHER PERSON WITHIN FIVE YEARS, THE SUSPENSION SHALL BE FOR A PERIOD OF ONE YEAR.

S 3. This act shall take effect immediately.

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

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