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

2452

2009-2010 Regular Sessions

I N A S S E M B L Y

January 16, 2009

Introduced by M. of A. ORTIZ, GREENE, CLARK, ROBINSON -- Multi-Sponsored by -- M. of A. BENJAMIN, COLTON, TOWNS, WEISENBERG -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to requiring certain vehicles to be equipped with ignition interlock devices

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

Section 1. The vehicle and traffic law is amended by adding a new section 379 to read as follows:

S 379. IGNITION INTERLOCK DEVICE REQUIRED FOR CERTAIN VEHICLES. 1. ANY MOTOR VEHICLE DESCRIBED IN SUBDIVISION ONE OF SECTION THREE HUNDRED SEVENTY-EIGHT OF THIS ARTICLE AND ANY OTHER COMMERCIAL VEHICLE WHICH HAS A GROSS COMBINED WEIGHT OF EIGHTEEN THOUSAND POUNDS OR MORE, AND ANY MOTOR VEHICLE ENGAGED IN PUBLIC MASS TRANSPORTATION SUCH AS A PUBLIC BUS OR A SCHOOL BUS, SHALL BE EQUIPPED WITH AN IGNITION INTERLOCK DEVICE AS DEFINED IN SECTION ONE HUNDRED NINETEEN-A OF THIS CHAPTER.

2. A VIOLATION OF ANY OF THE PROVISIONS OF THIS SECTION OR OF ANY RULE OR REGULATION PROMULGATED HEREUNDER SHALL CONSTITUTE A MISDEMEANOR PUNISHABLE BY A FINE OF NOT MORE THAN ONE HUNDRED DOLLARS FOR A FIRST OFFENSE, THREE HUNDRED FIFTY DOLLARS FOR A SECOND OFFENSE, OR SEVEN HUNDRED FIFTY DOLLARS FOR EACH SUBSEQUENT OFFENSE, OR BY IMPRISONMENT FOR NOT MORE THAN THIRTY DAYS, OR BY BOTH SUCH FINE AND IMPRISONMENT.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law, provided, however, that the commissioner of the department of motor vehicles is authorized to immediately promulgate any rules and regulations necessary to effectuate the provisions of this act on or before the effective date of this act.

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

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