

3729

2009-2010 Regular Sessions

I N A S S E M B L Y

January 28, 2009

Introduced by M. of A. DIAZ, DINOWITZ -- Multi-Sponsored by -- M. of A. ALFANO, ARROYO, BARRA -- read once and referred to the Committee on Economic Development, Job Creation, Commerce and Industry

AN ACT to amend the alcoholic beverage control law, in relation to the posting of a sign alerting patrons who consume alcohol that assistance in obtaining safe transportation shall be provided

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

1 Section 1. The alcoholic beverage control law is amended by adding a
2 new section 105-d to read as follows:
3 S 105-D. SIGN POSTING AND ALTERNATIVE TRANSPORTATION ASSISTANCE. 1.
4 THE AUTHORITY SHALL PREPARE, HAVE PRINTED AND DISTRIBUTE ACROSS THE
5 STATE TO ALL PERSONS WITH A LICENSE TO SELL ANY ALCOHOLIC BEVERAGE FOR
6 CONSUMPTION ON THE PREMISES, A SIGN OR POSTER WITH CONSPICUOUS LETTERING
7 THAT STATES: "DRINKING AND DRIVING DON'T MIX. IF REQUESTED, MANAGEMENT
8 WILL ASSIST YOU IN PLACING ONE LOCAL CALL IN AN EFFORT TO OBTAIN ALTER-
9 NATIVE TRANSPORTATION." SUCH SIGN OR POSTER MUST HAVE CONSPICUOUS
10 LETTERING IN AT LEAST SEVENTY-TWO POINT BOLD FACE TYPE THAT STATES THE
11 NOTICE SET FORTH IN THIS SUBDIVISION.
12 2. ALL PERSONS WITH A LICENSE TO SELL ANY ALCOHOLIC BEVERAGE FOR
13 CONSUMPTION ON THE PREMISES SHALL DISPLAY IN A CONSPICUOUS PLACE THE
14 SIGN OR POSTER UPON RECEIVING IT FROM THE AUTHORITY.
15 3. PERSONS WITH A LICENSE TO SELL ANY ALCOHOLIC BEVERAGES FOR CONSUMP-
16 TION ON THE PREMISES SHALL ASSIST PATRONS IN OBTAINING ALTERNATIVE
17 TRANSPORTATION SHOULD IT BE REQUESTED PURSUANT TO SUBDIVISION ONE OF
18 THIS SECTION. ASSISTANCE SHALL BE PROVIDED BY PLACING A MINIMUM OF ONE
19 LOCAL TELEPHONE CALL TO A LOCAL TRANSPORTATION SERVICE, AND IN AREAS
20 WHERE A LOCAL TRANSPORTATION SERVICE IS NOT AVAILABLE OR IN CASES WHERE
21 SUCH LOCAL TRANSPORTATION SERVICE DOES NOT RESPOND TO A REQUEST FOR
22 SERVICE, ALLOW THE PATRON TO PLACE ONE LOCAL TELEPHONE CALL ON THEIR OWN
23 BEHALF IN AN EFFORT TO OBTAIN ALTERNATIVE TRANSPORTATION. NO REQUIRE-

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

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1 MENT WILL BE PLACED ON THE LICENSEE SHOULD TELEPHONE SERVICE BE UNAVAIL-
2 ABLE AT THE TIME OF THE REQUEST NOR SHALL THE LICENSEE BE LIABLE FOR ANY
3 FAILURE ON THE PART OF THE TRANSPORTATION SERVICE OR THE ALTERNATIVE
4 TRANSPORTATION TO RESPOND TO THE REQUEST FOR SERVICE.

5 4. ANY PERSON WITH SUCH LICENSE WHO VIOLATES THE PROVISIONS OF SUBDI-
6 VISION TWO OR THREE OF THIS SECTION SHALL BE SUBJECT TO A FINE NOT TO
7 EXCEED ONE HUNDRED DOLLARS.

8 S 2. This act shall take effect on the first of October next succeed-
9 ing the date on which it shall have become a law.