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

8351

2009-2010 Regular Sessions

I N A S S E M B L Y

May 15, 2009

Introduced by M. of A. RAIA -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to including the unlicensed operation of a motor vehicle within the crime of vehicular manslaughter in the second degree

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

Section 1. Subdivision 1 of section 125.12 of the penal law, as amended by chapter 732 of the laws of 2006, is amended to read as follows:

(1) operates a motor vehicle in violation of subdivision two, three, four or four-a of section eleven hundred ninety-two of the vehicle and traffic law or OPERATES A MOTOR VEHICLE IN VIOLATION OF SECTION FIVE HUNDRED ELEVEN OF THE VEHICLE AND TRAFFIC LAW OR operates a vessel or public vessel in violation of paragraph (b), (c), (d) or (e) of subdivision two of section forty-nine-a of the navigation law, and as a result of such intoxication or impairment by the use of a drug, or by the combined influence of drugs or of alcohol and any drug or drugs, operates such motor vehicle, vessel or public vessel in a manner that causes the death of such other person, or

S 2. This act shall take effect on the first of November next succeeding the date on which 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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