

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

8809

2009-2010 Regular Sessions

I N A S S E M B L Y

June 10, 2009

Introduced by M. of A. ESPAILLAT -- read once and referred to the
Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to requiring
any person convicted of operating a motor vehicle while under the
influence of alcohol or drugs to complete a drinking driver program as
a condition of their sentence

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

1 Section 1. Subdivision 1 of section 1193 of the vehicle and traffic
2 law is amended by adding a new paragraph (g) to read as follows:
3 (G) WHERE THE COURT IMPOSES A SENTENCE FOR ANY VIOLATION OF SECTION
4 ELEVEN HUNDRED NINETY-TWO OR SECTION ELEVEN HUNDRED NINETY-TWO-A OF THIS
5 ARTICLE, THE COURT SHALL REQUIRE THE DEFENDANT, AS A CONDITION OF SUCH
6 SENTENCE, TO COMPLETE A DRINKING DRIVER PROGRAM LICENSED BY THE OFFICE
7 OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES AND TAUGHT BY A SUBSTANCE
8 ABUSE PROFESSIONAL WHO IS CREDENTIALLED BY THE OFFICE OF ALCOHOLISM AND
9 SUBSTANCE ABUSE SERVICES PURSUANT TO SECTION 19.07 OF THE MENTAL HYGIENE
10 LAW, AND RECEIVE AN EVALUATION CONDUCTED BY THE SUBSTANCE ABUSE PROFES-
11 SIONAL TEACHING THE PROGRAM. THE FEE FOR ATTENDING SUCH PROGRAM SHALL BE
12 PAID BY THE DEFENDANT.
13 S 2. This act shall take effect on the first of November next succeed-
14 ing 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.

LBD03914-02-9