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

825

2009-2010 Regular Sessions

I N S E N A T E

January 18, 2009

Introduced by Sen. KRUGER -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to permitting Triborough bridge and tunnel authority officers to administer alco-sensor tests in certain cases

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

Section 1. Subdivision 1 of section 1194 of the vehicle and traffic law is amended by adding a new paragraph (c) to read as follows:

(C) FIELD TESTING; TRIBOROUGH BRIDGE AND TUNNEL PROPERTY. EVERY PERSON OPERATING A MOTOR VEHICLE WHICH HAS BEEN INVOLVED IN AN ACCIDENT ON A SITE OWNED, OPERATED, AND MAINTAINED BY THE TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY SHALL, AT THE REQUEST OF A BRIDGE AND TUNNEL OFFICER, LIEUTENANT, OR SERGEANT OF THE TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY, SUBMIT TO AN ALCO-SENSOR TEST TO BE ADMINISTERED BY SUCH OFFICER, LIEUTENANT, OR SERGEANT WHERE SUCH OFFICER, LIEUTENANT OR SERGEANT HAS REASONABLE CAUSE TO BELIEVE THAT SUCH PERSON HAS BEEN OPERATING A MOTOR VEHICLE IN VIOLATION OF ANY SUBDIVISION OF SECTION ELEVEN HUNDRED NINETY-TWO OF THIS ARTICLE. THIS TEST SHALL BE GIVEN WITH PORTABLE, HAND-HELD EQUIPMENT. IF SUCH TEST INDICATES THAT SUCH OPERATOR HAS CONSUMED ALCOHOL, THE BRIDGE AND TUNNEL OFFICER, LIEUTENANT, OR SERGEANT OF THE TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY SHALL TRANSPORT SUCH OPERATOR TO THE INTOXICATED DRIVER TESTING UNIT OF THE NEW YORK CITY POLICE DEPARTMENT FOR THE PURPOSE OF REQUIRING SUCH OPERATOR TO SUBMIT TO A CHEMICAL TEST IN THE MANNER SET FORTH IN SUBDIVISION TWO OF THIS SECTION.

S 2. This act shall take effect on the first of January 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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