

164--C

Cal. No. 128

2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sens. MAZIARZ, ALESİ, JOHNSON, LANZA, LARKIN, RANZENHOFER -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the vehicle and traffic law, in relation to acting as a supervising driver while under the influence of alcohol and/or drugs

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

1 Section 1. This act shall be known and may be cited as "Abbagail's
2 Law".
3 S 2. The vehicle and traffic law is amended by adding a new section
4 1192-b to read as follows:
5 S 1192-B. SUPERVISING A DRIVER WHILE UNDER THE INFLUENCE OF ALCOHOL
6 AND/OR DRUGS. 1. NO PERSON SHALL ACT AS A SUPERVISING DRIVER PURSUANT TO
7 SECTION FIVE HUNDRED ONE OR FIVE HUNDRED ONE-B OF THIS CHAPTER IF SUCH
8 PERSON WOULD BE IN VIOLATION OF SUBDIVISION ONE, TWO, THREE, FOUR OR
9 FOUR-A OF SECTION ELEVEN HUNDRED NINETY-TWO OF THIS ARTICLE IF HE OR SHE
10 WERE OPERATING THE VEHICLE.
11 SUPERVISING A DRIVER WHILE UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS
12 SHALL BE A CLASS A MISDEMEANOR.
13 2. AGGRAVATED SUPERVISING A DRIVER WHILE UNDER THE INFLUENCE OF ALCO-
14 HOL AND/OR DRUGS. NO PERSON SHALL ACT AS A SUPERVISING DRIVER PURSUANT
15 TO SECTION FIVE HUNDRED ONE OR FIVE HUNDRED ONE-B OF THIS CHAPTER IF
16 SUCH PERSON WOULD BE IN VIOLATION OF SUBDIVISION TWO-A OF SECTION ELEVEN

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

LBD01224-06-1

1 HUNDRED NINETY-TWO OF THIS ARTICLE IF HE OR SHE WERE OPERATING THE VEHI-
2 CLE.
3 AGGRAVATED SUPERVISING A DRIVER WHILE UNDER THE INFLUENCE OF ALCOHOL
4 AND/OR DRUGS SHALL BE A CLASS E FELONY.
5 S 3. This act shall take effect on the ninetieth day after it shall
6 have become a law.