

2011-2012 Regular Sessions

I N   S E N A T E

(PREFILED)

January 5, 2011

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Introduced by Sen. DIAZ -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

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

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

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1 BEHALF IN AN EFFORT TO OBTAIN ALTERNATIVE TRANSPORTATION. NO REQUIRE-  
2 MENT WILL BE PLACED ON THE LICENSEE SHOULD TELEPHONE SERVICE BE UNAVAIL-  
3 ABLE AT THE TIME OF THE REQUEST NOR SHALL THE LICENSEE BE LIABLE FOR ANY  
4 FAILURE ON THE PART OF THE TRANSPORTATION SERVICE OR THE ALTERNATIVE  
5 TRANSPORTATION TO RESPOND TO THE REQUEST FOR SERVICE.  
6 4. ANY PERSON WITH SUCH LICENSE WHO VIOLATES THE PROVISIONS OF SUBDI-  
7 VISION TWO OR THREE OF THIS SECTION SHALL BE SUBJECT TO A FINE NOT TO  
8 EXCEED ONE HUNDRED DOLLARS.  
9 S 2. This act shall take effect on the first of October next succeed-  
10 ing the date on which it shall have become a law.