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2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sen. DIAZ -- 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 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 ASSEMBLY, 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 (h) to read as follows:
3 (H) 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.

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