

3397

2011-2012 Regular Sessions

I N   A S S E M B L Y

January 25, 2011

---

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

AN ACT to amend the vehicle and traffic law, in relation to the defini-  
tion of "drug"

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

1     Section 1. Section 114-a of the vehicle and traffic law, as added by  
2 chapter 163 of the laws of 1973, is amended to read as follows:  
3     S 114-a. Drug. The term "drug" when used in this chapter, means and  
4 includes any substance listed in section thirty-three hundred six of the  
5 public health law, AND ANY HAZARDOUS INHALANTS AND GLUE CONTAINING A  
6 SOLVENT HAVING THE PROPERTY OF RELEASING TOXIC VAPORS AND FUMES, AS  
7 DEFINED IN SECTION THIRTY-THREE HUNDRED EIGHTY OF SUCH LAW.  
8     S 2. Subdivision 5 of section 509-a of the vehicle and traffic law, as  
9 added by chapter 675 of the laws of 1985, is amended to read as follows:  
10     (5) drug shall mean any substance listed in section thirty-three  
11 hundred six of the public health law not dispensed or consumed pursuant  
12 to a lawful prescription, AND ANY HAZARDOUS INHALANTS AND GLUE CONTAIN-  
13 ING A SOLVENT HAVING THE PROPERTY OF RELEASING TOXIC VAPORS AND FUMES,  
14 AS DEFINED IN SECTION THIRTY-THREE HUNDRED EIGHTY OF SUCH LAW;  
15     S 3. Subdivision 1 of section 510-a of the vehicle and traffic law, as  
16 amended by section 13 of part E of chapter 60 of the laws of 2005, is  
17 amended to read as follows:  
18     1. Revocation. A commercial driver's license shall be revoked by the  
19 commissioner whenever the holder is convicted within or outside of this  
20 state (a) of a felony involving the use of a motor vehicle except a  
21 felony as described in paragraph (b) of this subdivision; (b) of a felo-  
22 ny involving manufacturing, distributing or dispensing a drug [as  
23 defined in], WHICH, NOTWITHSTANDING section one hundred fourteen-a of  
24 this chapter, SHALL MEAN AND INCLUDE ANY SUBSTANCE LISTED IN SECTION  
25 THIRTY-THREE HUNDRED SIX OF THE PUBLIC HEALTH LAW, or possession of any

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

LBD02624-01-1

1 such drug with intent to manufacture, distribute or dispense such drug  
2 in which a motor vehicle was used; (c) of a violation of subdivision one  
3 or two of section six hundred of this chapter; (d) of operating a  
4 commercial motor vehicle when, as a result of prior violations committed  
5 while operating a commercial motor vehicle, the driver's commercial  
6 driver's license is revoked, suspended, or canceled, or the driver is  
7 disqualified from operating a commercial motor vehicle; (e) or has been  
8 convicted of causing a fatality through the negligent operation of a  
9 commercial motor vehicle, including but not limited to the crimes of  
10 vehicular manslaughter or criminally negligent homicide.  
11 S 4. This act shall take effect on the thirtieth day after it shall  
12 have become a law.