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

6988

2011-2012 Regular Sessions

I N  A S S E M B L Y

April 7, 2011

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

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:

Section 1. This act shall be known and may be cited as "Abbagail's Law".

S 2. The vehicle and traffic law is amended by adding a new section 1192-b to read as follows:

S 1192-B. SUPERVISING A DRIVER WHILE UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS. 1. NO PERSON SHALL ACT AS A SUPERVISING DRIVER PURSUANT TO SECTION FIVE HUNDRED ONE OR FIVE HUNDRED ONE-B OF THIS CHAPTER IF SUCH PERSON WOULD BE IN VIOLATION OF SUBDIVISION ONE, TWO, THREE, FOUR OR FOUR-A OF SECTION ELEVEN HUNDRED NINETY-TWO OF THIS ARTICLE IF HE OR SHE WERE OPERATING THE VEHICLE.

SUPERVISING A DRIVER WHILE UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS SHALL BE A CLASS A MISDEMEANOR.

2. AGGRAVATED SUPERVISING A DRIVER WHILE UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS. NO PERSON SHALL ACT AS A SUPERVISING DRIVER PURSUANT TO SECTION FIVE HUNDRED ONE OR FIVE HUNDRED ONE-B OF THIS CHAPTER IF SUCH PERSON WOULD BE IN VIOLATION OF SUBDIVISION TWO-A OF SECTION ELEVEN HUNDRED NINETY-TWO OF THIS ARTICLE IF HE OR SHE WERE OPERATING THE VEHICLE.

AGGRAVATED SUPERVISING A DRIVER WHILE UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS SHALL BE A CLASS E FELONY.

S 3. This act shall take effect on the ninetieth day after 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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