

2977

2013-2014 Regular Sessions

I N A S S E M B L Y

January 22, 2013

Introduced by M. of A. *ORTIZ, HOOPER, BOYLAND, CASTRO, DenDEKKER, WEPRIN*
-- Multi-Sponsored by -- M. of A. *CRESPO, HIKIND, ROBINSON, WEISENBERG*
-- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to mandating ignition interlock devices

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

- 1 Section 1. The vehicle and traffic law is amended by adding a new
2 section 1198-b to read as follows:
3 S 1198-B. INSTALLATION OF IGNITION INTERLOCK DEVICES. 1. EVERY MOTOR
4 VEHICLE, AS DEFINED IN SECTION ONE HUNDRED TWENTY-FIVE OF THIS CHAPTER,
5 MANUFACTURED FOR USE IN THIS STATE ON AND AFTER DECEMBER THIRTY-FIRST,
6 TWO THOUSAND SIXTEEN, AND EVERY SECOND HAND MOTOR VEHICLE SOLD IN THIS
7 STATE ON AND AFTER DECEMBER THIRTY-FIRST, TWO THOUSAND SEVENTEEN WHICH
8 IS CAPABLE OF HAVING AN IGNITION INTERLOCK DEVICE INSTALLED, SHALL BE
9 EQUIPPED WITH A FUNCTIONAL IGNITION INTERLOCK DEVICE OF A TYPE AND SPEC-
10 IFICATION AS CERTIFIED BY THE COMMISSIONER OF HEALTH PURSUANT TO SUBDI-
11 VISION SIX OF SECTION ELEVEN HUNDRED NINETY-EIGHT OF THIS ARTICLE.
12 2. IGNITION INTERLOCKING DEVICES FOR EXISTING MOTOR VEHICLES REGIS-
13 TERED IN THE STATE. ANY MOTOR VEHICLE AS DEFINED IN SECTION ONE HUNDRED
14 TWENTY-FIVE OF THIS CHAPTER, SHALL BY DECEMBER THIRTY-FIRST, TWO THOU-
15 SAND SEVENTEEN BE RETROFITTED SO THAT ALL SUCH VEHICLES ARE EQUIPPED
16 WITH AN IGNITION INTERLOCKING DEVICE IN ACCORDANCE WITH THE PROVISIONS
17 OF THIS SECTION.
18 3. FOR THE PURPOSES OF THIS SECTION, THE TERM "IGNITION INTERLOCKING
19 DEVICE" SHALL MEAN ANY BLOOD ALCOHOL CONCENTRATION EQUIVALENCE MEASURING
20 DEVICE WHICH CONNECTS TO A MOTOR VEHICLE IGNITION SYSTEM AND PREVENTS A
21 MOTOR VEHICLE FROM BEING STARTED WITHOUT FIRST DETERMINING THROUGH AN
22 ESSENTIAL DEEP LUNG BREATH SAMPLE THAT THE OPERATOR'S EQUIVALENT BREATH
23 ALCOHOL LEVEL DOES NOT EXCEED THE CALIBRATED SETTING ON SUCH DEVICE.
24 S 2. This act shall take effect immediately.

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

LBD06851-01-3