

3898

2013-2014 Regular Sessions

I N A S S E M B L Y

January 29, 2013

Introduced by M. of A. CRESPO -- read once and referred to the Committee
on Economic Development

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 ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. The alcoholic beverage control law is amended by adding a
2 new section 105-c to read as follows:
3 S 105-C. 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
23 BEHALF IN AN EFFORT TO OBTAIN ALTERNATIVE TRANSPORTATION. NO REQUIRE-
24 MENT WILL BE PLACED ON THE LICENSEE SHOULD TELEPHONE SERVICE BE UNAVAIL-

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

LBD00504-02-3

1 ABLE AT THE TIME OF THE REQUEST NOR SHALL THE LICENSEE BE LIABLE FOR ANY
2 FAILURE ON THE PART OF THE TRANSPORTATION SERVICE OR THE ALTERNATIVE
3 TRANSPORTATION TO RESPOND TO THE REQUEST FOR SERVICE.

4 4. ANY PERSON WITH SUCH LICENSE WHO VIOLATES THE PROVISIONS OF SUBDI-
5 VISION TWO OR THREE OF THIS SECTION SHALL BE SUBJECT TO A FINE NOT TO
6 EXCEED ONE HUNDRED DOLLARS.

7 S 2. This act shall take effect on the first of October next succeed-
8 ing the date on which it shall have become a law.