

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

7927--A

2013-2014 Regular Sessions

I N A S S E M B L Y

June 10, 2013

Introduced by M. of A. ROBERTS, COOK -- Multi-Sponsored by -- M. of A. ARROYO, MAGEE -- read once and referred to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to the restoration of a driver's license in certain cases

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

1 Section 1. Section 510 of the vehicle and traffic law is amended by
2 adding a new subdivision 7-a to read as follows:
3 7-A. LICENSE RESTORATION. (A) NOTWITHSTANDING ANY INCONSISTENT
4 PROVISION OF THIS CHAPTER, WHEN A PERSON HAS BEEN CONVICTED OF A
5 VIOLATION OF ANY SUBDIVISION OF SECTION ELEVEN HUNDRED NINETY-TWO OF
6 THIS CHAPTER OR HAS BEEN ADJUDICATED A YOUTHFUL OFFENDER PURSUANT TO A
7 VIOLATION OF ANY SUBDIVISION OF SECTION ELEVEN HUNDRED NINETY-TWO OF
8 THIS CHAPTER, OR HAS BEEN FOUND TO HAVE OPERATED A MOTOR VEHICLE AFTER
9 HAVING CONSUMED ALCOHOL IN VIOLATION OF SECTION ELEVEN HUNDRED
10 NINETY-TWO-A OF THIS CHAPTER, AND AS A RESULT IS SUBJECT TO A REVOCATION
11 OR SUSPENSION OF A LICENSE OR PRIVILEGE TO OPERATE A MOTOR VEHICLE IN
12 THIS STATE PURSUANT TO THIS SECTION OR SECTION ELEVEN HUNDRED
13 NINETY-THREE OF THIS CHAPTER, THE COMMISSIONER SHALL NOT RESTORE SUCH
14 LICENSE OR PRIVILEGE UNLESS SUCH PERSON HAS DEMONSTRATED, ON FORMS
15 PRESCRIBED BY THE COMMISSIONER, THAT HE OR SHE HAS COMPLETELY SATISFIED
16 ALL OF THE APPLICABLE REQUIREMENTS IMPOSED PURSUANT TO ARTICLE
17 THIRTY-ONE OF THIS CHAPTER AND ANY OTHER APPLICABLE PROVISION OF THIS
18 CHAPTER, AND HAS COMPLIED IN FULL WITH ANY OTHER CONDITIONS OF SENTENC-
19 ING IMPOSED BY THE COURT, INCLUDING, BUT NOT LIMITED TO, THE PAYMENT IN
20 FULL OF ALL FINES AND MANDATORY SURCHARGES.
21 (B) THE COMMISSIONER, IN CONSULTATION WITH THE OFFICE OF COURT ADMIN-
22 ISTRATION, SHALL PROMULGATE REGULATIONS TO EFFECTUATE THE PROVISIONS OF

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

LBD11401-02-3

1 THIS SUBDIVISION AND PARAGRAPH (G) OF SUBDIVISION TWO OF SECTION ELEVEN
2 HUNDRED NINETY-THREE OF THIS CHAPTER.

3 S 2. Subdivision 2 of section 1193 of the vehicle and traffic law is
4 amended by adding a new paragraph (g) to read as follows:

5 (G) LICENSE RESTORATION. (1) NOTWITHSTANDING ANY INCONSISTENT
6 PROVISION OF THIS CHAPTER, WHEN A PERSON HAS BEEN CONVICTED OF A
7 VIOLATION OF ANY SUBDIVISION OF SECTION ELEVEN HUNDRED NINETY-TWO OF
8 THIS CHAPTER OR HAS BEEN ADJUDICATED A YOUTHFUL OFFENDER PURSUANT TO A
9 VIOLATION OF ANY SUBDIVISION OF SECTION ELEVEN HUNDRED NINETY-TWO-A OF
10 THIS CHAPTER, OR HAS BEEN FOUND TO HAVE OPERATED A MOTOR VEHICLE AFTER
11 HAVING CONSUMED ALCOHOL IN VIOLATION OF SECTION ELEVEN HUNDRED
12 NINETY-TWO-A OF THIS CHAPTER, AND AS A RESULT IS SUBJECT TO A REVOCATION
13 OR SUSPENSION OF A LICENSE OR PRIVILEGE TO OPERATE A MOTOR VEHICLE IN
14 THIS STATE PURSUANT TO THIS SECTION OR SECTION FIVE HUNDRED TEN OF THIS
15 CHAPTER, THE COMMISSIONER SHALL NOT RESTORE SUCH LICENSE OR PRIVILEGE
16 UNLESS SUCH PERSON HAS DEMONSTRATED, ON FORMS PRESCRIBED BY THE COMMIS-
17 SIONER, THAT HE OR SHE HAS COMPLETELY SATISFIED ALL OF THE APPLICABLE
18 REQUIREMENTS IMPOSED PURSUANT TO ARTICLE THIRTY-ONE OF THIS CHAPTER AND
19 ANY OTHER APPLICABLE PROVISION OF THIS CHAPTER, AND HAS COMPLIED IN FULL
20 WITH ANY OTHER CONDITIONS OF SENTENCING IMPOSED BY THE COURT, INCLUDING,
21 BUT NOT LIMITED TO, THE PAYMENT IN FULL OF ALL FINES AND MANDATORY
22 SURCHARGES.

23 (2) THE COMMISSIONER, IN CONSULTATION WITH THE OFFICE OF COURT ADMIN-
24 ISTRATION, SHALL PROMULGATE REGULATIONS TO EFFECTUATE THE PROVISIONS OF
25 THIS SUBDIVISION AND SUBDIVISION SEVEN-A OF SECTION FIVE HUNDRED TEN OF
26 THIS CHAPTER.

27 S 3. This act shall take effect immediately.