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

7967

2013-2014 Regular Sessions

I N A S S E M B L Y

June 12, 2013

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

AN ACT to amend the vehicle and traffic law, in relation to driving a motor vehicle under the influence of drugs or combined use of drugs and alcohol

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

Section 1. Subdivisions 4 and 4-a of section 1192 of the vehicle and traffic law, subdivision 4 as added by chapter 47 of the laws of 1988 and subdivision 4-a as added by chapter 732 of the laws of 2006, are amended to read as follows:

4. Driving while ability impaired by drugs. No person shall operate a motor vehicle while the person's ability to operate such a motor vehicle is impaired by the use of a drug as defined in this chapter OR IMPAIRED BY THE VOLUNTARY INGESTION OF ANY CHEMICAL, PHARMACEUTICAL OR OTHER IMPAIRING SUBSTANCE OR COMBINATION OF SUBSTANCES TO THE EXTENT THE DRIVER IS INCAPABLE OF EMPLOYING THE PHYSICAL AND MENTAL ABILITIES WHICH HE OR SHE IS EXPECTED TO POSSESS IN ORDER TO OPERATE A VEHICLE IN A REASONABLE AND PRUDENT MANNER.

4-a. Driving while ability impaired by the combined influence of drugs or of alcohol and any drug or drugs. No person shall operate a motor vehicle while the person's ability to operate such motor vehicle is impaired by the combined influence of drugs or of alcohol and any drug or drugs OR BY THE COMBINED INFLUENCE OF ALCOHOL OR ANY DRUG OR DRUGS WITH ANY CHEMICAL, PHARMACEUTICAL OR OTHER IMPAIRING SUBSTANCE OR COMBINATION OF SUBSTANCES TO THE EXTENT THE DRIVER IS INCAPABLE OF EMPLOYING THE PHYSICAL AND MENTAL ABILITIES WHICH HE OR SHE IS EXPECTED TO POSSESS IN ORDER TO OPERATE A VEHICLE IN A REASONABLE AND PRUDENT MANNER.

S 2. This act shall take effect on the first of November next succeeding the date on which 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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