

9623

I N   A S S E M B L Y

May 13, 2014

---

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

AN ACT to amend the vehicle and traffic law, in relation to the number of prior suspensions needed to qualify for aggravated unlicensed operation in the first degree and repealing subparagraph (iv) of paragraph (a) of subdivision 2 of section 511 of such law relating thereto

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

1     Section 1. Paragraph (a) of subdivision 3 of section 511 of the vehi-  
2     cle and traffic law, as amended by chapter 732 of the laws of 2006,  
3     subparagraph (iii) as amended and subparagraph (iv) as added by chapter  
4     169 of the laws of 2013, is amended to read as follows:  
5     (a) A person is guilty of the offense of aggravated unlicensed opera-  
6     tion of a motor vehicle in the first degree when such person: (i)  
7     commits the offense of aggravated unlicensed operation of a motor vehi-  
8     cle in the second degree as provided in subparagraph (ii)[,] OR (iii)  
9     [or (iv)] of paragraph (a) of subdivision two of this section and is  
10    operating a motor vehicle while under the influence of alcohol or a drug  
11    in violation of subdivision one, two, two-a, three, four, four-a or five  
12    of section eleven hundred ninety-two of this chapter; or  
13    (ii) commits the offense of aggravated unlicensed operation of a motor  
14    vehicle in the third degree as defined in subdivision one of this  
15    section; and is operating a motor vehicle while such person has in  
16    effect [ten] FIVE or more suspensions, imposed on at least [ten] FIVE  
17    separate dates for failure to answer, appear or pay a fine, pursuant to  
18    subdivision three of section two hundred twenty-six of this chapter or  
19    subdivision four-a of section five hundred ten of this article; or  
20    (iii) commits the offense of aggravated unlicensed operation of a  
21    motor vehicle in the third degree as defined in subdivision one of this  
22    section; and is operating a motor vehicle while under permanent revoca-  
23    tion as set forth in subparagraph twelve of paragraph (b) of subdivision  
24    two of section eleven hundred ninety-three of this chapter; or  
25    (iv) operates a motor vehicle upon a public highway while holding a  
26    conditional license issued pursuant to paragraph (a) of subdivision

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

LBD03262-03-4

1 seven of section eleven hundred ninety-six of this chapter while under  
2 the influence of alcohol or a drug in violation of subdivision one, two,  
3 two-a, three, four, four-a or five of section eleven hundred ninety-two  
4 of this chapter.

5 S 2. Subparagraph (iv) of paragraph (a) of subdivision 2 of section  
6 511 of the vehicle and traffic law is REPEALED.

7 S 3. This act shall take effect on the first of November next succeed-  
8 ing the date on which it shall have become a law.