

458

2015-2016 Regular Sessions

I N   S E N A T E

(PREFILED)

January 7, 2015

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Introduced by Sen. MARCELLINO -- read twice and ordered printed, and  
when printed to be committed 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 oper-  
ation in the first degree and aggravated unlicensed operation of a  
motor vehicle in the second degree

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

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

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

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1 (iii) commits the offense of aggravated unlicensed operation of a  
2 motor vehicle in the third degree as defined in subdivision one of this  
3 section; and is operating a motor vehicle while under permanent revoca-  
4 tion as set forth in subparagraph twelve of paragraph (b) of subdivision  
5 two of section eleven hundred ninety-three of this chapter; or  
6 (iv) operates a motor vehicle upon a public highway while holding a  
7 conditional license issued pursuant to paragraph (a) of subdivision  
8 seven of section eleven hundred ninety-six of this chapter while under  
9 the influence of alcohol or a drug in violation of subdivision one, two,  
10 two-a, three, four, four-a or five of section eleven hundred ninety-two  
11 of this chapter.

12 S 3. Subparagraph (iv) of paragraph (a) of subdivision 2 of section  
13 511 of the vehicle and traffic law, as amended by chapter 607 of the  
14 laws of 1993, is amended to read as follows:

15 (iv) such person has in effect [three] TWO or more suspensions,  
16 imposed on at least [three] TWO separate dates, for failure to answer,  
17 appear or pay a fine, pursuant to subdivision three of section two  
18 hundred twenty-six or subdivision four-a of section five hundred ten of  
19 this chapter.

20 S 4. This act shall take effect on the first of November next succeed-  
21 ing the date on which it shall have become a law.