

4719

2015-2016 Regular Sessions

I N A S S E M B L Y

February 5, 2015

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:

1 Section 1. Subdivisions 4 and 4-a of section 1192 of the vehicle and
2 traffic law, subdivision 4 as added by chapter 47 of the laws of 1988
3 and subdivision 4-a as added by chapter 732 of the laws of 2006, are
4 amended to read as follows:
5 4. Driving while ability impaired by drugs. No person shall operate a
6 motor vehicle while the person's ability to operate such a motor vehicle
7 is impaired by the use of a drug as defined in this chapter OR IMPAIRED
8 BY THE VOLUNTARY INGESTION OF ANY CHEMICAL, PHARMACEUTICAL OR OTHER
9 IMPAIRING SUBSTANCE OR COMBINATION OF SUBSTANCES TO THE EXTENT THE DRIV-
10 ER IS INCAPABLE OF EMPLOYING THE PHYSICAL AND MENTAL ABILITIES WHICH HE
11 OR SHE IS EXPECTED TO POSSESS IN ORDER TO OPERATE A VEHICLE IN A REASON-
12 ABLE AND PRUDENT MANNER.
13 4-a. Driving while ability impaired by the combined influence of drugs
14 or of alcohol and any drug or drugs. No person shall operate a motor
15 vehicle while the person's ability to operate such motor vehicle is
16 impaired by the combined influence of drugs or of alcohol and any drug
17 or drugs OR BY THE COMBINED INFLUENCE OF ALCOHOL OR ANY DRUG OR DRUGS
18 WITH ANY CHEMICAL, PHARMACEUTICAL OR OTHER IMPAIRING SUBSTANCE OR COMBI-
19 NATION OF SUBSTANCES TO THE EXTENT THE DRIVER IS INCAPABLE OF EMPLOYING
20 THE PHYSICAL AND MENTAL ABILITIES WHICH HE OR SHE IS EXPECTED TO POSSESS
21 IN ORDER TO OPERATE A VEHICLE IN A REASONABLE AND PRUDENT MANNER.
22 S 2. This act shall take effect on the first of November next succeed-
23 ing 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.

LBD07364-01-5