

736

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 restora-  
tion of a driver's license in certain cases

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, 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  
23    THIS SUBDIVISION AND PARAGRAPH (G) OF SUBDIVISION TWO OF SECTION ELEVEN  
24    HUNDRED NINETY-THREE OF THIS CHAPTER.

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

LBD02538-01-5

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

3 (G) LICENSE RESTORATION. (1) 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-A 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 FIVE HUNDRED TEN OF THIS  
13 CHAPTER, THE COMMISSIONER SHALL NOT RESTORE SUCH LICENSE OR PRIVILEGE  
14 UNLESS SUCH PERSON HAS DEMONSTRATED, ON FORMS PRESCRIBED BY THE COMMIS-  
15 SIONER, THAT HE OR SHE HAS COMPLETELY SATISFIED ALL OF THE APPLICABLE  
16 REQUIREMENTS IMPOSED PURSUANT TO ARTICLE THIRTY-ONE OF THIS CHAPTER AND  
17 ANY OTHER APPLICABLE PROVISION OF THIS CHAPTER, AND HAS COMPLIED IN FULL  
18 WITH ANY OTHER CONDITIONS OF SENTENCING IMPOSED BY THE COURT, INCLUDING,  
19 BUT NOT LIMITED TO, THE PAYMENT IN FULL OF ALL FINES AND MANDATORY  
20 SURCHARGES.

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

25 S 3. This act shall take effect immediately.