STATE OF NEW YORK

913

2017-2018 Regular Sessions

IN SENATE

January 5, 2017

Introduced by Sen. CROCI -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law, in relation to lowering the blood alcohol level from .18 to .14 for the offenses of vehicular manslaughter in the first degree, vehicular assault in the first degree and aggravated vehicular assault

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 1 of section 125.13 of the penal law, as amended by chapter 496 of the laws of 2009, is amended to read as follows:

(1) commits such crime while operating a motor vehicle while such person has [~~.18~~] .14 of one per centum or more by weight of alcohol in such person's blood as shown by chemical analysis of such person's blood, breath, urine or saliva made pursuant to the provisions of section eleven hundred ninety-four of the vehicle and traffic law;

§ 2. Subdivision 1 of section 120.04 of the penal law, as amended by chapter 496 of the laws of 2009, is amended to read as follows:

(1) commits such crime while operating a motor vehicle while such person has [~~.18~~] .14 of one per centum or more by weight of alcohol in such person's blood as shown by chemical analysis of such person's blood, breath, urine or saliva made pursuant to the provisions of section eleven hundred ninety-four of the vehicle and traffic law;

§ 3. Subdivision 1 of section 120.04-a of the penal law, as amended by chapter 496 of the laws of 2009, is amended to read as follows:

(1) commits such crimes while operating a motor vehicle while such person has [~~.18~~] .14 of one per centum or more by weight of alcohol in such person's blood as shown by chemical analysis of such person's blood, breath, urine or saliva made pursuant to the provisions of section eleven hundred ninety-four of the vehicle and traffic law;

§ 4. This act shall take effect immediately.

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

LBD01740-01-7