STATE OF NEW YORK

3201

2021-2022 Regular Sessions

IN SENATE

January 28, 2021

Introduced by Sen. ORTT -- 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 acting as a supervising driver while under the influence of alcohol and/or drugs

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

Section 1. This act shall be known and may be cited as "Abbagail's Law".

§ 2. The vehicle and traffic law is amended by adding a new section 1192-b to read as follows:

§ 1192-b. Supervising a driver while under the influence of alcohol and/or drugs. 1. No person shall act as a supervising driver pursuant to section five hundred one or five hundred one-b of this chapter if such person would be in violation of subdivision one, two, three, four or four-a of section eleven hundred ninety-two of this article if he or she were operating the vehicle.

Supervising a driver while under the influence of alcohol and/or drugs shall be a class A misdemeanor.

2. Aggravated supervising a driver while under the influence of alcohol and/or drugs. No person shall act as a supervising driver pursuant to section five hundred one or five hundred one-b of this chapter if such person would be in violation of subdivision two-a of section eleven hundred ninety-two of this article if he or she were operating the vehicle.

Aggravated supervising a driver while under the influence of alcohol and/or drugs shall be a class E felony.

§ 3. This act shall take effect on the ninetieth day after it shall have become a law.

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

LBD02535-01-1