

# STATE OF NEW YORK

777

2023-2024 Regular Sessions

## IN SENATE

January 6, 2023

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:

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

3 § 2. The vehicle and traffic law is amended by adding a new section  
4 1192-b to read as follows:

5 § 1192-b. Supervising a driver while under the influence of alcohol  
6 and/or drugs. 1. No person shall act as a supervising driver pursuant to  
7 section five hundred one or five hundred one-b of this chapter if such  
8 person would be in violation of subdivision one, two, three, four or  
9 four-a of section eleven hundred ninety-two of this article if he or she  
10 were operating the vehicle.

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

13 2. Aggravated supervising a driver while under the influence of alco-  
14 hol and/or drugs. No person shall act as a supervising driver pursuant  
15 to section five hundred one or five hundred one-b of this chapter if  
16 such person would be in violation of subdivision two-a of section eleven  
17 hundred ninety-two of this article if he or she were operating the vehi-  
18 cle.

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

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

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

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