

New York Pre-Licensing Course

Module Review: New York State Laws



In this module, you learned that violations involving operating a vehicle while under the influence of alcohol and drugs are addressed in both New York State's Vehicle & Traffic Laws (civil) and its Penal Law (criminal). You should now be able to differentiate between New York State's Vehicle & Traffic Laws and its Penal Laws and summarize the types of motor vehicle offenses covered by each. You should be able to describe the New York State Vehicle & Traffic Laws regarding implied consent, the Driver Responsibility Act, the zero tolerance law, and Leandra's Law. You should also be able to briefly describe the potential civil and criminal penalties for operating a vehicle while intoxicated or impaired by alcohol and/or drugs.

Some important takeaways from this module include:

- New York State's implied consent law specifies that anyone who drives in the state is considered to have agreed to chemical testing for alcohol and/or drugs.
- Refusing to submit to a chemical test when directed to do so by a police officer is treated as a separate offense from the violation for which the driver was stopped. A driver can be charged a fine for refusing to take a test and have their license revoked, even if they are not convicted of the original offense.
- A Driver Responsibility Assessment (DRA) is an additional fee imposed by the DMV when a driver is convicted of aggravated driving while intoxicated or driving while ability impaired, as well as when a driver refuses a chemical test.
- If the DRA is not paid as ordered over a period of 3 years, the driver's license will be suspended.
- New York's zero tolerance law prohibits drivers under 21 years old from driving with a BAC as low as .02%.
- Penalties for violating the zero tolerance law range from a 6-month license suspension for a first offense to a 1-year license revocation for second offense, plus civil penalties and fines. These consequences are in addition to, not in place of, any other sanctions and fines.
- Leandra's Law makes it a class E felony offense to have a passenger under 16 years old in the vehicle while driving intoxicated or impaired.

- Alcohol- and drug-related motor vehicle violations are covered in both New York State's Vehicle & Traffic Laws (civil) and its Penal Law (criminal).
- Felony vehicular offenses carry sentences up to 25 years of imprisonment.
- Drivers who are convicted of certain alcohol-related offenses will be ordered to install and maintain ignition interlock devices on any vehicles they own or operate for at least 1 year.