



State:

New York

Statute/Law:

Section 1192: *Driving while ability impaired.*

Per Se Law?:

No

Statute/Law Language:

No person shall operate a motor vehicle while the person's ability to operate such a motor vehicle is impaired by the use of a drug as defined in this chapter.

Penalties Following Conviction:

For first offense: Up to 1 year imprisonment, and \$500 - \$1000 fine; for second offense within 10 years (class E felony) not more than 4 years imprisonment, and a fine of \$1000 - \$5000; for third offense within 10 years (class D felony) up to 7 years imprisonment, and a fine of \$2000 - \$10,000.

Discretionary Court-Ordered Penalties:

The court may order community service as a condition of probation, restitution to a victim, and may require the defendant to attend a victim impact program.

For more information:

<http://www.nycourts.gov/judges/cji/3-VTL/ocind.shtml>

Current as of August 1016