



NEW YORK STATE SENATOR

Joseph P. Addabbo Jr.

## Addabbo: Let's Address Deadly Driving and Save Lives

JOSEPH P. ADDABBO JR. January 11, 2024



Senator Addabbo at Deadly Driving press conference in Albany on January 9th.

### Urges Colleagues to Address Drugged Driving Loophole

Queens, NY (January 9, 2024): When it comes to driving while impaired by a substance other than alcohol, the consequences are not as clear in New York State as they are for alcohol DWI.

During a Deadly Driving press conference in Albany on January 9, NYS Senator Joseph P. Addabbo, Jr. urged his legislative colleagues to help prevent future tragedies by ensuring

these dangerous drivers are removed from our roadways, beginning with the passage of **S.3135/A.174**.

The bill, co-sponsored by Addabbo, fixes a critical drugged driving loophole in NYS Law. Several families directly impacted by drugged drivers shared their heartbreaking stories, as bipartisan legislators from the Senate and Assembly, district attorneys, treatment providers, and law enforcement gathered at the press conference to advocate for the passage of the bill.

“The fatalities and tragedies that occur with drugged driving know no boundaries,” Addabbo stated while standing side-by-side with both Democratic and Republican colleagues. “This isn’t a political matter. It’s about doing the right thing for people. It’s about passing Senate Bill 3135, to make sure that going forward, the fatalities, the incidents that could have been avoided, are avoided. Too often our government reacts to fatalities and tragedies when we have the power to prevent, and that is why we're here, to prevent, to actually save a life,” Addabbo concluded.

Currently under NYS law, a drug-impaired driver cannot be arrested and prosecuted without naming the specific drug used by the operator as one on the Public Health Law 3306 list. As a result, drug-impaired drivers refusing to name what substance they are using or agreeing to take an identifying test can avoid substance abuse screening, treatment, and drugged driving license repercussions. An arrest and prosecution is legally insufficient if the drug cannot be named no matter how impaired the driver is.

The same is true if the driver is using a substance or drug that is not on the list – like the constantly altered versions of K-2 and the growing use of "tranq" - which causes zombie-like effects. Regardless of how high a tranq impaired driver is, an arrest is not allowed because xylazine is not on the Public Health Law list.

“Rather than effectively stopping drugged drivers before a crash, current New York law leaves roadway travelers vulnerable,” added Addabbo. “The Deadly Driving Bill won’t expand law enforcement’s ability to stop vehicles or roll back cannabis legalization. New York will still require “actual impairment” using the best training and scientific tools available, not just the presence of a substance. However, one critical aspect this legislation will do is ensure our streets are safer for everybody,” Addabbo concluded.

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