



NEW YORK STATE SENATOR

William Larkin

Larkin Announces Passage of Leandra's Law

WILLIAM J. LARKIN JR. November 18, 2009

| ISSUE: **DRUNK DRIVING**

Today, the Senate passed landmark legislation drastically increasing the penalty for any person who drives intoxicated with a child passenger. Two recent fatal incidents involving intoxicated drivers with child passengers have highlighted the need for stronger measures to prevent or punish persons who drive intoxicated with children as passengers.

"I am pleased that the Senate, Assembly and the Governor were able to come to an agreement on this important legislation," said Senator Bill Larkin (R-C, Cornwall-on-Hudson). "It shows just how much we can accomplish when we put our differences aside and do what's best for the people of New York."

The legislation provides for the harshest penalties and most significant expansion of preventative measures to date for any offender convicted of driving while intoxicated with a child passenger.

Any DWI with a child passenger:

- Increases offense from misdemeanor to E felony
- Increases maximum penalties from 1 year in jail to 4 years in state prison

DWI and causing serious injury to a child passenger:

- Increases offense from E felony to D felony
- Increases maximum penalties from 4 years to 7 years in state prison

Driving recklessly while intoxicated and causing serious injury to a child passenger:

- Increases offense from E felony to C felony
- Increases maximum penalties from 4 years to 15 years in state prison

Driving recklessly while intoxicated and causing the death of a child passenger:

- Increases offense from D felony to B felony
- Increases maximum penalties from 7 years to 25 years in state prison

Mandates ignition interlock devices for all DWI convictions:

- All offenders will be required to install a ignition interlock device in their vehicle upon conviction of any DWI offense, which may only be waived upon a judicial finding that the offender has no history of alcohol abuse or dependence.