



NEW YORK STATE SENATOR

Suzi Oppenheimer

Governor Signs "Leandra's Law" Strengthening Penalties on Drunk Drivers Carrying Child Passengers

SUZI OPPENHEIMER December 4, 2009

| ISSUE: [CRIME](#), [ALCOHOL](#), [CORRECTIONAL](#), [DRUNK DRIVING](#)



Senator Suzi Oppenheimer (D-Mamaroneck) is pleased to announce that legislation she co-sponsored, making it a felony to drive intoxicated with a child in the car, has been signed into law.

The Child Passenger Protection Act, S. 66008, also known as “Leandra’s Law,” imposes the nation’s toughest criminal penalties for driving under the influence of alcohol or drugs while children are in the vehicle. The new law makes it a Class E felony to drive impaired or with a blood alcohol level of .08 while a child age 15 or younger is a passenger. The offense carries a sentence of one to four years in prison, a fine of up to \$5,000 and requires even first time offenders to install mandatory ignition interlock devices in their cars. The penalties dramatically increase in the event of a serious physical injury or death of a child.

“Leandra’s Law” is named for Leandra Rosada, an eleven year old girl who lost her life tragically when an allegedly intoxicated driver crashed her vehicle carrying Leandra and six other young children. This tragedy followed another alcohol-related accident in July, which took the lives of four children.

“Adults can make judgments about whether to ride in a vehicle driven by someone who appears to be under the influence of drugs or alcohol,” observed Senator Oppenheimer. “But children lack that same ability to protect themselves, leaving them vulnerable to the impaired judgment of an intoxicated driver.”

The new law further requires a person convicted of any DWI offense to install an ignition interlock device in his or her vehicle. The device measures the alcohol content of a driver’s breath and prevents the engine from starting if the driver is intoxicated.

“I am pleased to have co-sponsored this measure and to have worked towards its enactment,” concluded Senator Oppenheimer. “The recent deaths of innocent children in alcohol-related accidents made it clear that stiffer penalties were needed to protect child passengers. This law sends an important message to all New Yorkers that driving drunk with a child in the car is a serious offense for which there will be serious consequences.”