



NEW YORK STATE SENATOR

Daniel L. Squadron

Elected Officials, Advocates, Families of Children Killed by Delivery Van Join to Urge Governor to Sign Bill Increasing Penalties Against Careless Drivers

DANIEL L. SQUADRON July 22, 2010

| ISSUE: **TRANSPORTATION**



New York, NY—Today, State Senator Daniel Squadron, Manhattan Borough President Scott Stringer, Council Member Margaret Chin, and Transportation Alternatives stood with May Ng, mother of Hayley Ng and Wana Wu, mother of Diego Martinez, to urge Governor Paterson to sign into law S5292C/A7917D, which increases the penalties for careless drivers who injure pedestrians, bicyclists and other road users. The legislation was introduced after

the tragic deaths of Hayley Ng, 4, and Diego Martinez, 3, who were killed last year in Chinatown when a delivery van that had been left in reverse climbed the curb and hit the children. The driver in question was not charged with any infraction resulting from the children's death. The Senate and Assembly passed the bill last month.

The legislation imposes the following penalties on drivers whose failure to exercise due care results in injury to pedestrians or bicyclists: • For the first offense, a fine of \$750 or 15 days of jail time or participation in a driving training course; and • For the second offense, a misdemeanor charge.

Senator Squadron said, "New York is a great town for walking and biking, but the deaths of Hayley Ng and Diego Martinez serve as a tragic reminder that careless driving is dangerous and should have consequences. Hayley and Diego's Law will send a message to be careful and make our streets safer for millions of walkers and bikers, and I urge Governor Paterson to sign it into law."

"It's never easy to get people to change bad habits, but this law will help make drivers throughout the state more conscious of their obligation to drive safely. And it will finally bring a measure of justice when their failure to do so has tragic consequences," said Assemblymember Brian Kavanagh, who sponsored the bill in the Assembly. "Our legislation offers a significant, practical tool to make streets safer for millions of New Yorkers, and I urge Governor Paterson to sign it into law."

Manhattan Borough President Scott Stringer said, "This legislation sends a message that the right to drive a car in our city does not include a license for recklessness. After the tragic incident last summer that took the lives of Hayley Ng and Diego Martinez, it was essential for the State Legislature to act. I was proud to work with Assemblymember Kavanagh, State Senator Squadron and Transportation Alternatives to develop this commonsense measure

to protect New York's pedestrians and cyclists."

Assembly Speaker Sheldon Silver said, "It is vital that drivers in New York City - where there are so many pedestrians and bicyclists – take every possible precaution to avoid the horrible incident we saw in Chinatown last year, when young Hayley and Diego were tragically killed. We must create real penalties for those who drive recklessly and endanger innocent lives. Our vibrant streets and sidewalks are what make our city great, and we must ensure that cars, pedestrians and bicyclists can share them safely."

Council Member Chin said, "The deaths of Hayley Ng and Diego Martinez were a tragedy for their families, and for the community as a whole. They provided us with a sad reminder of just how dangerous it is to be a pedestrian in New York City. Worse, the law was shamefully lax, meaning these families couldn't even hold the driver accountable. Now, the Governor has a chance to make sure these crimes are adequately punished in the future – and less likely to happen in the first place. I want to congratulate Senator Squadron, Assemblymember Kavanagh, Assembly Speaker Silver, Borough President Stringer, and Transportation Alternatives for their hard work on this bill and I urge Governor Paterson to immediately sign it into law."

"To reduce the number of pedestrians and cyclists killed on New York State's roadways, we've got to take dangerous driving seriously," said Paul Steely White, Executive Director of Transportation Alternatives. "Hayley and Diego's Law signals a new culture of respect." May Ng, Hayley's mother, said, "Nothing that can undo the crash that took Hayley away from us, but we can prevent tragedies like this from happening to other families. And we can hold someone who breaks the law and takes a life responsible for their actions. We hold each other's lives in our hands whenever we get behind the wheel--we all need to live up to that responsibility."

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