



NEW YORK STATE SENATOR

Daniel L. Squadron

“Hayley and Diego’s Law” to Crack Down on Careless Driving Goes Into Effect Today

DANIEL L. SQUADRON October 14, 2010

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Law Named for Children Killed in Chinatown Van Crash

Careless Drivers Will Now Face Jail Time for Injuring Pedestrians

New York, NY—A new law goes into effect today to crack down on careless drivers who injure pedestrians and bicyclists, announced the law’s sponsors, State Senator Daniel Squadron and Assemblymember Brian Kavanagh, as well as Transportation Alternatives and other elected officials and pedestrian safety advocates. The legislation, called “Hayley and Diego’s Law,” 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 deaths.

The new careless driving law, which is in effect today for the first time, 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, participation in a driving training course, suspension or revocation of the driver's license or registration, or any combination of these penalties; and
- For the second offense, any of the above penalties, plus a misdemeanor charge.

Senator Squadron, who sponsored the law in the State Senate, said, "New York is a great place for walking and biking, but the deaths of Hayley Ng and Diego Martinez serve as a tragic reminder that careless driving puts everyone at risk. Hayley and Diego's Law will make our streets safer for millions of walkers and bikers. I am proud that, working with Hayley and Diego's families and pedestrian safety advocates like Assembly Member Brian Kavanagh, Assembly Speaker Sheldon Silver, Borough President Scott Stringer and Transportation Alternatives, we were able to pass this important bill into law."

Assemblymember Kavanagh, who sponsored the law in the State Assembly, said, "For far too long, the bad habits of careless drivers have gone without penalty—sending a message to all concerned that carelessness behind the wheel is something we don't take seriously. With this new law, we now have a practical tool that will make our streets safer and bring a measure of justice when drivers' careless behavior leads to tragic consequences."

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. This new law creates 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."

Manhattan Borough President Scott Stringer said, "Today we have cause for celebration. The effects of Hayley and Diego's Law are far-reaching and long overdue. This critical legislation increases penalties for drivers involved in accidents with our most vulnerable daily travelers, including pedestrians and bicyclists. We can never bring Hayley and Diego back, but this new law will make city streets safer for New Yorkers of all ages."

Manhattan District Attorney Cyrus R. Vance, Jr., said: "While born out of a tragedy, Hayley and Diego's Law is one more tool that prosecutors will have to keep pedestrians and cyclists safe in New York. I would like to thank Senator Squadron, Assemblymember Kavanagh, and the families of Hayley Ng and Diego Martinez for making this legislation possible."

Council Member Margaret Chin said, "This law is a great step forward in protecting pedestrians in our City. We must make sure that we do everything we can to avoid tragedies like the deaths of Hayley and Diego, and I applaud the work of Assemblymember Kavanagh and Senator Squadron in getting this bill passed. Now that it is in effect, we have another tool to protect pedestrians and hold dangerous drivers accountable."

"The goal here is not to punish people," said Paul Steely White, executive director of Transportation Alternatives. "The goal of the Hayley Ng and Diego Martinez Law is to get people to pay attention and exercise the utmost care, always, when driving through densely-populated neighborhoods. Our end goal is to prevent tragedies like this from ever happening again."

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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