



NEW YORK STATE SENATOR

Joseph P. Addabbo Jr.

Addabbo Supports Cracking Down on Irresponsible & Under-Age Drivers

JOSEPH P. ADDABBO JR May 24, 2011

| ISSUE: **DRUNK DRIVING, THRUWAY AUTHORITY**

Queens, NY, May 24, 2011 – In order to make New York State roads safer and to protect the safety of law-abiding drivers, **NYS Senator Joseph P. Addabbo, Jr.** (D-Queens) introduced a bill, S.1271/A.4190, to the Senate that amends the vehicle and traffic law, in relation to increasing the penalties for driving with a suspended or revoked license. The bill is now in the Senate's Committee on Transportation; if passed, it will take effect immediately.

This bill changes the penalties for driving with a suspended license as follows:

For aggravated unlicensed operation of a motor vehicle in the third degree (a misdemeanor), the penalty will be changed to a fine no less than \$500 to no more than \$1,000 and/or no more than 30 days in jail.

For aggravated unlicensed operation of a motor vehicle in the second degree (a misdemeanor), the penalty will change to a fine of no less than \$1,000, to no more than \$5,000, and/or up to 180 days (6 months) in jail. For aggravated unlicensed operation of a motor vehicle in the first degree (a class E felony), the penalty will be one to four years in prison, or one year in prison under special circumstances.

According to Addabbo, "Irresponsible drivers in our state whose licenses have been suspended or revoked are a danger to others when they operate a vehicle. However, accidents resulting in the injury and death of innocent people are repeatedly caused by those who do not obey the law. Violators are not deterred by the consequences of driving without a license. There have been several accidents across the state in the past few years where dangerous drivers who have had their licenses suspended have gotten behind the wheel of a car and caused injuries and fatalities. The Legislature needs to send a clear and persuasive message by increasing the penalties for driving with a suspended license, which will help deter those individuals. This legislation seeks to protect the public from not only those who drive irresponsibly, but who are not supposed to be allowed on the road in the first place."

Senator Addabbo also supported a related Senate bill, S.3225, which would amend the vehicle and traffic law to provide increased penalties for certain traffic infractions by drivers with certain under-age license classifications. The bill provides for suspension of license penalties for licensed drivers under age 18, for violations of certain restrictions: drivers with junior licenses convicted of driving outside of the permissible time range; driving with more than one passenger under the age of 21; or those who violate the 6-months probation period for new licensees will have his or her license suspended for a period of 90 days for a first conviction, and for a period of one year for a second or subsequent conviction. This bill is now in the Senate's Committee on Transportation; if passed, it will take effect the first of November after the date on which it becomes a law.

"Young drivers with restricted DJ and MJ licenses, are far more likely to be involved in accidents. Recognizing this danger for inexperienced drivers, our state has limitations on the hours such new drivers can operate a car without adult supervision, as well as the number of passengers that can be carried. Since our current penalties for these rule violations don't seem to be enough to deter young people who continue to drive after hours and with too

many friends as passengers, this bill required mandatory license suspensions as meaningful deterrents," noted Addabbo.

Another bill he supported, S.945, now in the Senate's Committee on Transportation, would amend the vehicle and traffic law relating to the number of prior suspensions needed to qualify for aggravated unlicensed operation in the first degree, from 10 prior suspensions to five prior suspensions, and repeals the provision in second degree aggravated unlicensed operation when an individual has three or more suspensions on a separate date. Section 511 (3) (a) of the vehicle and traffic law, which is an element of aggravated unlicensed operation in the first degree, is also amended to require five or more suspensions for failure to answer, appear, or pay a fine, rather than 10 or more separate suspensions. If passed, the bill will take effect on the first day of November after the date on which it becomes a law.

"Under this bill, a person may be prosecuted for aggravated unlicensed operation in the first degree when such person has five or more suspensions for failure to answer, appear, or pay a fine. Under current law, the person must have had 10 such suspensions to be prosecuted for aggravated unlicensed operation of a motor vehicle in the first degree. The dangers posed by unlicensed drivers to pedestrians and other motorists in New York State are well documented. Numerous deaths have been caused by these drivers," said the Senator.

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