



NEW YORK STATE SENATOR

Charles J. Fuschillo Jr.

## Fuschillo Bill Requiring Criminal Background Checks for Bus Drivers Approved by Commerce, Economic Development, & Small Business Committee

CHARLES J. FUSCHILLO JR. May 24, 2011

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### ***Bill Addresses Recent Incidents of "Terror" Bus Drivers Who Harmed Others***

In an effort to ensure bus safety and crack down on so-called “terror” bus drivers, the Senate’s Commerce Economic Development and Small Business Committee approved a bill (S.5171A) today, sponsored by Senator Charles J. Fuschillo, Jr. (R-Merrick), that would require bus drivers to submit to a criminal history check.

“When a bus driver gets behind the wheel, passengers trust that the driver is qualified and responsible; they are putting their lives in the driver’s hands,” said Senator Fuschillo, Chairman of the Senate’s Transportation Committee. “When a bus company decides to give someone that responsibility, they deserve to have all the relevant information about that person's background. Requiring background checks of all bus drivers will help improve safety for bus passengers and everyone else on our roads.”

Senator Fuschillo’s bill would address a recent rash of fatal bus accidents involving bus drivers who were later found to have obtained commercial licenses despite having suspended drivers’ licenses and long histories of criminal activity, including driving while intoxicated.

“The horrific bus crash near New York City two months ago shined a spotlight on bus safety and what we have found since then is truly shocking,” Senator Fuschillo said. “There have been additional accidents, more fatalities and a police crackdown has uncovered a widespread problem of people with criminal histories fraudulently obtaining commercial drivers licenses.”

The legislation would require all new bus drivers to submit to a criminal background check when they are hired. Drivers would be subjected to a 90 day conditional period while the background check is being undertaken. Current bus drivers would submit to a criminal background check the next time they renew their commercial driver's license. Currently, this requirement applies only to school bus drivers.

Earlier this month, a New York City tour bus driver who allegedly struck and killed a Philadelphia man in Manhattan was charged with vehicular manslaughter after police found a travel cup with vodka in his bus' cup holder. Timothy White was killed as he crossed Ninth Avenue with the walk signal. The driver, Steve Drappel, was arrested and charged with vehicular manslaughter, criminally negligent homicide, and driving while intoxicated. Drappel has a history of DWI arrests.

Also earlier this month an out-of-control tour bus driver almost ran over a New York City Police Officer at the Midtown Tunnel. The driver, Anthony Judd, was charged with reckless endangerment, fleeing a police officer, running a stop sign and driving with a revoked license. Judd's driver's license had

been revoked 14 times, most recently in December 2009.

On March 12<sup>th</sup>, 15 people were killed on a bus returning to New York City from a Connecticut casino. Subsequently, the state Department of Motor Vehicles, the Inspector General's office and the state Department of Transportation worked with local law enforcement to scrutinize the tour bus industry in New York.

The state Department of Transportation has made 1,960 surprise roadside inspections since March 17. State police issued 197 tickets and 173 bus drivers and 143 buses were sidelined. Last month, nearly 100 buses and more than 100 bus drivers were removed from the road in surprise inspections.

On May 9<sup>th</sup> a statewide investigation resulted in the arrest of 46 commercial drivers, including bus drivers, in and around New York City for fraudulently obtaining multiple driver licenses using an alias.

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