



NEW YORK STATE SENATOR

Charles J. Fuschillo Jr.

Senate Transportation Committee Approves Legislation to Permanently Revoke Driver's Licenses of Persistent Dui Offenders

CHARLES J. FUSCHILLO JR. February 29, 2012

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Senator Charles J. Fuschillo, Jr. (R-Merrick), Chairman of the Senate's Transportation Committee, today announced that the Committee has passed legislation to permanently revoke the driver's licenses of persistent drunk driving offenders.

"Driving is a privilege, not a right. No one with eight or nine DUI convictions should be handed a driver's license, but that's happening right now under current law. This legislation would change that and ensure that individuals who continually drive under the influence will lose their licenses for good," said Senator Fuschillo.

There is no truly permanent license revocation for persistent drunk driving offenders under current law. Under current law, offenders with any combination of three DUI convictions or chemical test refusals in a four year period or four in eight years have their licenses permanently revoked. However, the existing "permanent" revocation is not truly permanent; DMV has the authority to restore an offender's driving privileges after five years, no matter how many DUI convictions they have on their record.

The legislation (S6510A), which is sponsored by Senator Fuschillo, would create a truly permanent license revocation for persistent offenders. Under the proposed law, individuals with any combination of three DUI convictions or chemical test refusals would have their driver's licenses permanently revoked. Individuals with two DUI convictions that resulted in physical injury would also be subject to permanent license revocation. DMV would be prohibited from ever issuing a license again to these offenders.

"Those with multiple drunk driving convictions have shown their willingness to repeatedly endanger innocent drivers and pedestrians and their licenses should be suspended permanently. Today's vote is a critical step forward for this important public safety legislation, and I want to thank Senator Fuschillo and the members of the Transportation Committee for their leadership," said Nassau County District Attorney Kathleen Rice.

"Driver's licenses do not belong in the hands of individuals who repeatedly drink and drive. In Warren County, we recently had two individuals arrested for DWI with eight and nine prior drinking and driving convictions, both of whom held valid driver's licenses. That's far beyond just making a mistake and having a lapse in judgment. It's a total disregard for the law and other people's safety. These drunk drivers should be taken off the road and permanently lose their licenses. That's exactly what this legislation would do, and I thank Senator Fuschillo for sponsoring it," said Warren County District Attorney Kate Hogan.

In addition, the Committee also approved legislation which would:

* Prohibit drivers from possessing or using any device which changes the traffic signals from "red" to "green" unless they are authorized emergency personnel or driving an authorized public transportation vehicle (S1208, Sen. Johnson).

* Require drivers convicted of a DUI, found to have refused a chemical test, or who accrue six or more points on their driver's license within 18 months to participate in a mandatory motor vehicle accident prevention course. This would be in addition to any other applicable penalties (S4740C, Sen. Johnson).