



NEW YORK STATE SENATOR

Charles J. Fuschillo Jr.

Senator Fuschillo's Legislation Raising Penalties for Wrong-Way and Reckless Drivers Passed by Senate

CHARLES J. FUSCHILLO JR. March 13, 2013

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Senator Charles J. Fuschillo, Jr. (R-Merrick) announced today that the New York State Senate has passed legislation he sponsors to strengthen penalties for wrong-way and reckless drivers.

"Wrong-way and reckless drivers continue to jeopardize safety and endanger lives on our roadways, but the penalties they face under current law do not appropriately reflect that. Law enforcement needs stronger tools to prosecute these drivers for their reckless actions and get them off our roads. With this legislation, that is exactly what they would get," said Senator Fuschillo, Chairman of the Senate's Transportation Committee.

"The incredible devastation and violence caused by wrong-way and reckless drivers demand stronger legislation so prosecutors can sufficiently hold accountable those who endanger our roadways," said Nassau County District Attorney Kathleen Rice. "I want to thank Senator Fuschillo and the Senate for their commitment to making our roads safer, and I strongly urge the Assembly to approve this legislation."

Senator Fuschillo's legislation (S752) would establish a new crime of aggravated reckless driving, which would apply to:

- Drivers who drive the wrong way, against the flow of traffic, either knowingly or because they are intoxicated;
- Drivers who drive more than 30 miles an hour over the speed limit while intoxicated or impaired;

- Drivers who drive more than 30 miles an hour over the speed limit while racing, pursuing other vehicles, or excessively weaving in and out of traffic.

Aggravated reckless driving would be a class E felony, punishable by a prison sentence of up to four years.

There have been a number of arrests and car crashes which involved individuals who drove the wrong way while under the influence. At least 33 wrong way driving crashes and arrests occurred on Long Island alone since November 15, 2010 when off-duty NYPD Officer Andre Menzies was killed by a drunk driver who drove the wrong-way on the Northern State Parkway. Wrong-way driving crashes have also occurred in New Rochelle and Westchester County.

In addition, the legislation would raise the penalty for reckless driving to a class A misdemeanor, punishable by a prison sentence of up to one year. Reckless driving is currently an unclassified misdemeanor and carries a maximum prison sentence of up to 30 days.

“Reckless drivers endanger a large number of citizens on the highways of New York State. They also endanger the lives of the police officers, creating unsafe traffic situations when attempting to make a traffic stop,” said Nassau County PBA President James Carver. “We thank Senator Fuschillo for recognizing this dangerous situation by introducing legislation that would take these laws more seriously.”

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