



NEW YORK STATE SENATOR

Patrick M. Gallivan

Alix's Law Passes Through Senate Transportation Committee

PATRICK M. GALLIVAN March 19, 2013

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Bill Named After Amherst Teen Would Close Dangerous Loophole In Hit-And-Run Accidents

ALBANY - The New York State Senate Transportation Committee passed "Alix's Law" ([S.1698A](#)) today, sponsored by Senator Patrick M. Gallivan (R-C-I, Elma). The bill would close a legal loophole and hold intoxicated drivers accountable for leaving the scene of an accident.

The legislation responds to a drunk driving accident in Amherst that killed a teenage girl. On July 8, 2011, 18-year-old Alix Rice was killed by a drunk driver as she road home on her longboard. The driver argued that he was not aware he had hit a person and he was acquitted on the felony charge of leaving the scene of an accident.

"Intoxicated drivers are arguably the most likely to flee the scene of an accident to avoid being caught driving under the influence, and due to their intoxication and diminished awareness, they are also the least likely to know if they have struck an object or a person," said Senator Gallivan. "This bill will close a dangerous loophole in the state's vehicle and traffic law, and give prosecutors the tools necessary to ensure that intoxicated drivers are held accountable for the tragic outcomes of their actions."

The current law only requires drivers to report an accident when they know or have reason to know the accident resulted in an injury or property damage. Under this loophole, drunk

drivers are able to flee the scene of an accident they caused and later claim they did not know any injury or damage occurred.

“Alix’s Law” would close that loophole by establishing a rebuttable presumption that intoxicated drivers know or have reason to know that they have been in an accident.

In the wake of Alix Rice's death, organizations like Rockin’ For Rice and the Alix Rice Peace Park Foundation have formed to increase awareness about the issue of drunk driving and to raise funds towards the establishment of a community skate park in recognition of Alix’s love of longboarding.

“This and other heartbreaking stories of drunk driving fatalities have really shined a light on a major problem we are facing in Western New York and across the State -- but it has also lit a spark,” said Senator Gallivan. “The outpouring of activism in Alix’s name has been remarkable and I hope this law will be enacted this year as fitting tribute to a young woman who’s story has inspired so many.”

Alix’s Law passed the New York State Senate in 2012 before being held up in the Assembly.

Senator Gallivan continues to conduct a petition drive to urge the Assembly to take up the measure during the 2013 legislative session. An electronic version of the petition is available on Senator Gallivan’s website at www.nysenate.gov/webform/tell-assembly-pass-alixs-law-now.

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