



NEW YORK STATE SENATOR

Patrick M. Gallivan

Senate Passes 'Alix's Law'

PATRICK M. GALLIVAN March 25, 2013

| ISSUE: **CRIME, CONTROLLED SUBSTANCES, ALCOHOL, DRUNK DRIVING, PRESCRIBED DRUGS OR PRESCRIPTIONS**

Bill Would Make it Illegal for Driver to Leave Scene After Vehicle Hits Any Object

The New York State Senate today passed "Alix's Law", sponsored by Senator Patrick M. Gallivan (R-C-I, Elma), to close a legal loophole and hold intoxicated drivers accountable for leaving the scene of an accident.

The legislation (S1698A) responds to a drunk driving accident that killed a teenage girl in Amherst, Erie County. 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."

“It is terrible enough that some individuals choose to drink and drive, but compounding that crime by leaving the scene of an accident is absolutely unacceptable,” Senate Republican Conference Leader Dean G. Skelos said. “Current law does not go far enough to address this issue, however, Alix’s Law would fix it and trigger appropriate penalties for violators.”

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 so that drunk drivers are held responsible for leaving the scene of 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.”

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.

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

The bill was sent to the Assembly.

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