



NEW YORK STATE SENATOR

Jack M. Martins

Senate Passes Bill Strengthening Leandra's Law

JACK M. MARTINS April 24, 2013

| ISSUE: **DRUNK DRIVING**

Bill would increase the use of ignition interlocks

The New York State Senate passed legislation to strengthen Leandra's Law. The bill (S.1941) would ensure that offenders comply with the provision of the law requiring them to use ignition interlocks.

"This bill strengthens Leandra's Law, making roads safer for our families by helping to stop a convicted DWI offender from getting behind the wheel intoxicated again," said Senator Jack M. Martins.

Leandra's Law was enacted in 2009 following the tragic death of 11 year-old Leandra Rosado, who was killed while riding in a car driven by her friend's intoxicated mother. As part of Leandra's Law, all convicted DWI offenders must install and use an ignition interlock in all vehicles they own or operate for a period of at least six months after their DWI conviction. Ignition interlocks are breath test devices linked to a vehicle's ignition system which prevent the car from starting if alcohol is detected in the driver's breath.

According to the most recent statistics from the New York State Department of Criminal Justice Services, more than 70 percent of the over 37,000 DWI offenders statewide required

to install an ignition interlock in their vehicles have failed to do so.

This bill closes loopholes and strengthens the law by requiring that offenders must install ignition interlocks on any car they own or the car they used to commit the DWI offense. Offenders would be required to install and maintain an interlock and could not drive without one. Additionally, offenders who do not own a car, or show cause for not installing an interlock would be required to instead wear an alcohol monitoring device, such as an ankle bracelet, which would detect whether or not the offender has been drinking alcohol. Offenders would also be prohibited from getting a driver's license if they do not fulfill either the interlock or the alcohol monitoring device.

The Senate also passed a bill to require each drunk driving offender's case be reviewed individually before being issued a conditional driver's license.

In February 2009, a police officer in Suffolk County was killed after being hit by a vehicle driven by a man who, earlier in the year was charged with a DWI. The offender's driving privileges were reinstated just 30 days following those charges, allowing him back on the roads, which resulted in the police officer's death.

This legislation requires each offender's case be reviewed individually to ensure that those who are a threat to others do not receive temporary licenses.

The bills will be sent to the Assembly.