



NEW YORK STATE SENATOR

Michael F. Nozzolio

Senate Passes Bills to Strengthen Laws for Reckless and Irresponsible Driving

MICHAEL F. NOZZOLIO May 12, 2015

The New York State Senate today passed four measures that would keep our roads safe by holding drivers accountable for reckless and irresponsible actions. The legislation would increase and create new penalties for repeat DWI offenders, those who drive at high speeds, and individuals who cause a death while driving without a valid license.

“These measures we enacted today would deter drivers from engaging in dangerous situations that put lives at risk. Whether you’re driving drunk, without a valid license, or at high speeds, you’re taking an irresponsible action that has the potential to cause harm to yourself and others,” said Senator Nozzolio.

Three years ago this month, my constituent, Stephen Hilyer, son of Donna and Stephen Sr. of Waterloo, was tragically killed in a hit and run accident by a drunk driver as he walked home along Routes 5 and 20. Compounding this tragedy, were the incredible facts that the drunk driver who took Stephen's life had seven previous alcohol related arrests, and was convicted of felony driving while intoxicated four separate times.

On New York State highways an incredible 17,500 licensed drivers, who already have been convicted of numerous multiple alcohol-related offenses, have somehow continued to drive and have been involved in at least one crash that seriously injured or killed someone. These repeat offenders have been

involved in over 22,000 crashes, resulting in over 500 deaths.

The measures we enacted today create new penalties for repeat DWI offenders, and are important steps toward ensuring that the penalties match the gravity of these crimes.

Senate Bill 4220: Requires mandatory jail sentences for repeat DWI offenders. Current law does not require drivers previously convicted of a DWI to spend any time in jail. Individuals convicted of two or more DWI offenses within a five or 10 year period face jail time or a fine. However, since jail time is not mandatory, judges have the discretion to sentence these offenders to only a fine or a fine and community service.

Under the proposed measure, drunk drivers would be required to serve a minimum of 30 days in jail for their second DWI conviction in 10 years, and a minimum of 90 days in jail if they are convicted of three or more DWI offenses within 10 years. In addition, drivers convicted of their second aggravated DWI in 10 years would face a mandatory 180-day sentence, and drivers convicted of three or more aggravated DWIs would be sentenced to jail for a minimum of one year. These sentences would be in addition to any other penalties imposed by the courts.

Senate Bill 1600: Strengthens penalties against unlicensed drivers involved in car accidents resulting in someone's death. The measure would give prosecutors broader discretion to seek a prison term by making it a class E felony to negligently cause the death of another person while operating a vehicle with a suspended or revoked license.

Senate Bill 3732: Reduces high-speed vehicle fatalities in New York. Under this measure, a second conviction for engaging in an unlawful speed contest or race within 12 months would result in a class E felony, punishable by up to one year in prison.

Senate Bill 2976: Closes a legal loophole that lets intoxicated supervising drivers escape punishment. This measure increases the penalties against individuals who are under the influence of drugs or alcohol while also

supervising drivers with junior licenses or learner's permits.

“The tragic death of Stephen Hilyer serves as a vivid reminder for us in the Finger Lakes region of the permanent damage drunk and reckless drivers inflict on our families and communities. As Chairman of the Senate Codes Committee, I have supported and continue to fight for numerous measures designed to keep repeat drunk drivers off the road,” said Senator Nozzolio.

The bills have been sent to the Assembly.