



NEW YORK STATE SENATOR

Patrick M. Gallivan

## Senator Gallivan Leads Fight for Alix's Law...Again

JIM RANNEY May 23, 2016

| ISSUE: **CRIMINAL JUSTICE, DRUNK DRIVING**



Senator Patrick M. Gallivan (R-C-I, Elma) announces the New York State Senate has once again approved Alix's Law, which makes it illegal to leave the scene of an accident while intoxicated. This is the fifth consecutive year that the Senate has approved the bill and sent it to the Assembly, where it has stalled in the past. The final vote in the Senate was 58-0.

The legislation (S.405) is named for Alix Rice, a Western New York teenager who was killed in 2011. Rice was struck by a drunk driver as she rode home on her long board in the Town of Amherst. 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. The defendant was convicted on a lesser charge of operating a vehicle while under the influence of alcohol.

“For the fifth time since 2012, the Senate has unanimously supported this important legislation that closes a dangerous loophole in the law and holds drunk drivers accountable for their actions,” Senator Gallivan said.

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

The legislation modifies the current statute so that drivers illegally operating their vehicle under the influence of drugs or alcohol are held responsible when they leave the scene of an accident. It also presumes that an intoxicated driver knew, or has reason to know, that damage or injury has occurred and should have stopped to investigate.

“We must ensure that those who engage in reckless behavior that results in the death or injury of an innocent person are held responsible,” Gallivan said. “I urge the Assembly to do the right thing by bringing this bill to the floor for a vote.”

Alix's Law" previously passed the Senate in 2012, 2013, 2014 and 2015 with bipartisan support, but stalled in the Assembly. The measure is once again being sponsored by Assemblywoman Crystal Peoples-Stokes (D-Buffalo).

## 2015-S405

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
- - Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Relates to leaving the scene of an incident without reporting

December 24, 2014

In Assembly Committee

Sponsored by [Patrick M. Gullivan](#)

Do you support this bill?

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