



NEW YORK STATE SENATOR

Michael Gianaris

## Senate Unanimously Passes Gianaris Bill Establishing Felony for Suspended Drivers Who Injure, Kill

MICHAEL GIANARIS April 16, 2018

| ISSUE: **TRAFFIC SAFETY, DRIVING WITH A SUSPENDED LICENSE, PENALTIES FOR UNLICENSED DRIVERS, S3299**

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ALBANY, N.Y. – Senator Michael Gianaris announced that his proposal stiffening penalties on drivers without valid licenses who kill or injure passed the State Senate today. The legislation ([S.3299](#)) passed the Senate unanimously. Senator Gianaris first introduced the bill following the 2013 death of eight-year-old Noshat Nahian and redoubled his efforts following the tragic death of Ridgewood teen Kevin Flores this past January. The bill now awaits

action in the State Assembly, where it sits in the Codes committee.

"I am pleased the Senate passed this important proposal, which is the first step towards delivering justice for families victimized by reckless motorists. These dangerous drivers continue to kill because the current punishment does not fit the crime," said **Senator Michael Gianaris**. "We must get serious about strengthening our laws before another life is lost at the hands of drivers who should not be behind the wheel."

"My dearest friend Kevin Flores was killed and had an amazing future ahead of him. It is really an honor that this bill was passed to honor not only him but the children that have been killed in car crashes. This shows a lot of love. We loved Kevin and miss him, so thank you once again," said **Neyfa Philogene**, a seventh-grade classmate of Kevin Flores' at Launch Expeditionary Learning Charter School.

Currently, the most severe penalty a District Attorney can seek in such instances is a misdemeanor. Convicted drivers are rarely sentenced to any jail time at all and they are free to commit additional offenses. Phillip Monfoletto, the driver who killed Kevin Flores, had nine license suspensions on his record and continued to drive with a suspended license, even mocking the leniency of our laws in a Facebook post.

Senator Gianaris' legislation would increase the penalty to a class E felony for seriously injuring a person and a class D felony if the accident resulted in a death, with a maximum penalty of seven years in prison. Over the last few years, there have been numerous deaths at the hands of improper drivers in western Queens alone.

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RELATED LEGISLATION

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## 2017-S3299

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
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- - Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
- 

Includes in the class E felony of vehicular assault in the second degree, the causing of serious physical injury while operating a vehicle with suspended, revoked or no license

January 20, 2017

In Assembly Committee

Sponsored by **Michael Gianaris**

Do you support this bill?

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