



NEW YORK STATE SENATOR

Patrick M. Gallivan

Senate Passes Bills to Make NY Roads Safer

JIM RANNEY May 15, 2018

| ISSUE: **TRAFFIC SAFETY, DISTRACTED DRIVING**



Senator Patrick M. Gallivan (R-C-I, Elma) says the New York State Senate has passed a package of bills designed to prevent motor vehicle accidents and acts of unlawful driving, and make New York's roads safer for motorists and their families. The measures increase penalties and enforcement for reckless drivers who endanger schoolchildren or construction workers, require a new study of distracted driving, prevents staged accidents and insurance fraud and cracks down on those who repeatedly drive unlicensed.

“As a former State Trooper and Sheriff of Erie County, I have seen firsthand what can happen when drivers break traffic laws or get distracted behind the wheel,” Gallivan said. “This legislation is aimed at making our roads as safe as possible by increasing penalties for those who violate the rules and raising awareness about the dangers of distracted driving, especially among teenagers.”

Legislation passed by the Senate includes:

Protecting Kids on School Buses and in School Zones

S.1064A, co-sponsored by Senator Gallivan, increases penalties for those who recklessly pass a stopped school bus on multiple occasions. The legislation would help protect children going to school by suspending a driver's license for a period of 60 days when the driver is convicted of passing a stopped school bus twice in 18 months – a similar punishment under current law for repeat speeders in construction zones.

S.6212A helps to deter dangerous drivers from committing traffic infractions and traffic misdemeanors in a school traffic control zone by doubling fines for these offenses. By creating harsher penalties for those who would put children at risk in a school zone, this measure will create incentives for drivers to abide by the laws and reduce the amount of vehicle and traffic incidents.

Preventing Distracted Driving by Teens and Adults

S.2632 creates the “Teen Driver Safety Commission” to examine and review the issue of teen driver safety. Recent findings suggest that motor vehicle crashes are higher among 16- to 19-year-olds than any other age group. This legislation creates a 12-member commission to study the availability and effectiveness of driver education and training programs in New

York, as well as a selection of driver education and training programs offered throughout the United States. The commission will also:

- Review the impact of distracting behaviors while driving;
- Survey & assess the problems of driving under the influence and aggressive driving among teens;
- Determine the type of motor vehicle violations that are most often associated with accidents involving teen drivers;
- Analyze and provide measures that may mitigate the risks associated with the operation of motor vehicles by teen drivers; and
- Report all findings and conclusions to both the governor and the legislature.

Increasing Safety on all New York Roads

S.421 creates new criminal penalties for those who engage in staged accidents – the intentional act of causing a vehicle collision to commit insurance fraud. Aside from the fact that this illicit activity poses a serious public safety risk, the economic cost of staged accidents is staggering, with no-fault insurance fraud estimated to cost insurance companies and their policyholders \$1 billion per year. This bill would impose tougher punishment on those who stage accidents, thereby deterring individuals from engaging in this dangerous crime.

S.258 establishes the crimes of vehicular assault and vehicular manslaughter in an active work zone. The legislation creates newer, tougher penalties for injuring or killing a construction worker and would help serve as a deterrent to driving carelessly in a construction zone. It also builds upon the “Work Zone Safety Act of 2005,” which increased penalties for speeding in work zones, allowed police presence and radar speed display signs in work zones, and created a system for reviewing safety and design in work zones.

S.1258 increases safety on New York's roadways by making it easier to prosecute those who repeatedly drive unlicensed. This legislation helps to ensure offenders of aggravated unlicensed operation of a motor vehicle may be charged in the second degree when they have two or more suspensions for failure to answer, appear, or pay a fine. Under current law, the offenders must have had three such suspensions to be prosecuted for aggravated unlicensed operation of a motor vehicle in the second degree.

S.1188 closes a serious loophole in traffic law by toughening penalties for those operating a motor vehicle with a suspended license in a parking lot. This legislation would ensure serious legal ramifications for these types of offenders by applying the "parking lot as a public highway" interpretation of traffic law, which currently only pertains to DWI-related offenses. Currently, if a driver with a suspended license causes a serious accident in a parking lot, they could face no serious legal ramifications.

The bills will be sent to the Assembly.

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RELATED LEGISLATION

2017-S1064A

- 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 increasing the penalties for passing a stopped school bus

January 06, 2017

In Assembly Committee

Sponsored by **John J. Bonacic**

Do you support this bill?