



NEW YORK STATE SENATOR

Michael Gianaris

## Senator Gianaris Calls for Assembly Passage of His Bill to Stiffen Penalties for Reckless Drivers After Horrific LIC Crash

MICHAEL GIANARIS May 30, 2018

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



LONG ISLAND CITY, N.Y. – Senator Michael Gianaris expressed shock at the sudden death of a cyclist following yet another traffic crash involving a suspended driver. The crash occurred on Tuesday in Long Island City at the intersection of 21st Street and 46th Avenue.

“While we are still learning the details of this horrific crash, we know that not enough is being done to deliver justice to the victims of traffic crashes,” said Senator Michael Gianaris.

“Dangerous, suspended drivers pose a threat to public safety due to laws that do not treat these offenses seriously enough. If this driver’s suspension was due to reckless driving, we face another preventable tragedy. We must be serious about strengthening our laws to keep these menaces off the roads.”

Around 3 p.m. Tuesday, a cyclist, identified as Aaron Padwee, 45, was travelling on 21st Street at 46th Avenue when he fell off his bike and into traffic after striking an open car door. He was hit by a box truck driven by Agustin Osorio, 32, and later died of his injuries. Osorio was arrested by the New York Police Department and charged with aggravated unlicensed operation of a vehicle in the third degree, a misdemeanor, for allegedly driving his vehicle without a valid license.

Senator Gianaris introduced legislation that 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. 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. Over the last few years, there have been numerous deaths at the hands of reckless drivers in western Queens alone.

Senator Gianaris’ legislation unanimously passed the New York State Senate in April and is awaiting action in the Assembly.

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RELATED LEGISLATION

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**2017-S3299**

- 
- 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
  -

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?