



NEW YORK STATE SENATOR

Patrick M. Gallivan

## Senator Gallivan Urges Governor to Sign Legislation to Expand Leandra's Law to Waterways

JIM RANNEY July 21, 2022

| ISSUE: **BOATING SAFETY**



Senator Patrick M. Gallivan (R-C, Elma) is urging Governor Hochul to sign legislation to increase the penalty for those convicted of operating a boat while intoxicated or under the influence of drugs when a child 15 years or younger is onboard. Senator Gallivan co-sponsored a bill (S.947A) to align New York State's navigation law with 'Leandra's Law,' which provides increased penalties for intoxicated persons who operate a motor vehicle when a child is a passenger.

The bill passed the Senate and Assembly in June. It is now up to the governor to decide whether to sign the legislation into law.

“Individuals who choose to operate a boat or other vessel while under the influence of drugs or alcohol when a child is onboard must be held accountable for putting that child at risk,” Senator Gallivan said. “The laws put in place to protect children riding in automobiles should also apply to our waterways and I urge the governor to act quickly to sign this legislation into law.”

“The Erie County Sheriff Marine Unit patrols 90 miles of coastline that include several rivers and canals, and with the popularity of boating increasing, so do the dangers of Boating While Intoxicated,” stated Sheriff John C. Garcia. “Boating is a great family activity, but when the vessel’s operator is impaired, then a great day on the water can turn tragic in a quick moment. That’s why I am joining Senator Gallivan in calling for the Governor to sign legislation expanding Leandra’s Law to boaters and operators of other motorized watercraft. There needs to be more accountability for those who endanger children when on the waterways of Erie County and New York.”

Under current law, a first BWI offense is a misdemeanor. This legislation would make it a felony to operate vessel while intoxicated or under the influence of drugs when a child 15 years or younger is on the vessel.

Leandra's Law, passed in 2009, amended the NYS Vehicle and Traffic Law and made it a Class E felony to drive while intoxicated with a child as a passenger.

## 2021-S947A

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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 operating a vessel while intoxicated when a child who is fifteen years of age or less is a passenger in such vessel

January 05, 2021

Senate Floor Calendar

Sponsored by **James Gaughran**

Do you support this bill?

NAY