

Brooklyn woman advocates for new law to address loophole in unlicensed driver case

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Posted: Jul 9, 2024 / 10:14 PM EDT

Updated: Jul 10, 2024 / 08:24 AM EDT

SUNSET PARK, Brooklyn (PIX11) — A Brooklyn woman's outcry about unregulated scooters has grabbed the attention of New York lawmakers.

There is a new effort to close a legal loophole after an unlicensed driver allegedly struck and killed a man steps from his home.

"My dad was buried here a month ago today," Vivian Barreto told PIX11 News in tears on Tuesday.

Barreto, 53, is on a personal crusade against scooter scofflaws.

In Sunset Park, 60th Street and 5th Avenue is a moped hotspot. Residents said two-wheeled vehicles zip around the busy Brooklyn streets now more than ever. And one of them killed Barreto's father.

"I just want a law that changes so no one experiences the tragedy that I have," she said.

That tragedy happened on the afternoon of June 3, according to police. Efrain Barreto, 82, was crossing the road when a moped driver struck him, police said. Abed Abed was allegedly unlicensed, uninsured, and unregistered, police said. But despite killing Barreto, he will likely serve no time behind bars — charged only with misdemeanors, according to prosecutors.

"It's equivalent to an unregistered gun killing someone. Would that be a misdemeanor?" Barreto scoffed.

The Brooklyn District Attorney's Office said since the driver had the light, skidded to avoid the victim and stayed on the scene, the current laws prevent them from filing manslaughter charges. Law enforcement sources said they do not believe the driver was intoxicated.

"I would like to correct this through my capacity," state Sen. Iwen Chu said.

Chu heard from Barreto's daughter and began addressing this legal loophole right away, she said.

"This individual should face a more serious charge," said Chu. "It's something we have to address through legislation. That's why I'm drafting Efrain's Bill."

Local officials say mopeds have gained popularity since the pandemic. A recent review by State Rep. Alex Bores found that mopeds have caused over 1,000 collision injuries since 2020 and 11 deaths last year.

Barreto hopes her father's story saves lives — soon.

"I can't get my father back, but I would like peace of mind knowing a law is passed so we can all be safe," she said.

Any bill would not be voted on until the 2025 legislative session.