



NEW YORK STATE SENATOR
David J. Valesky

Valesky Legislation to Increase Penalties for Drunk Driving Crimes Passes NYS Senate

DAVID J. VALESKY March 16, 2018

| ISSUE: **DRUNK DRIVING**

Legislation sponsored by Sen. David J. Valesky (D-Oneida) that would increase the penalties for drunk drivers who commit vehicular crimes that result in death passed the New York State Senate on March 5. Also known as Kane's Law, the bill would also enact stronger penalties against those who drive while their license is suspended or revoked.

The bill is named for Kane Buss, who was on his way home from a date with his girlfriend when his car was struck by a drunk driver. Buss, who was 19, died from his injuries and his girlfriend was critically injured. After Buss's tragic death, his family was informed that the driver who killed him had prior drunk driving offenses.

"I hope this legislation will encourage drivers to think about their actions before getting behind the wheel when under the influence of drugs or alcohol. Those who drive under the influence are choosing to engage in dangerous behavior that puts other drivers at risk for serious injury and death," Valesky said.

Assemblyman Anthony Brindisi, who sponsors the bill in the New York State Assembly, said: "All too often, as in the tragic accident that took Kane Buss's life, drunk driving accidents involve defendants with prior impaired driving convictions and suspended or revoked licenses. I am sponsoring this bill in the Assembly because it is my hope through increased penalties that more drivers will think about the possible consequences before they get behind the wheel under the influence of drugs or alcohol. There are still too many drivers who risk the lives of others getting behind the wheel while impaired, and this bill enacts strong penalties for vehicular manslaughter and driving with a revoked or suspended license."

The bill passed would increase the penalties for vehicular manslaughter in the second degree to a class C felony from class D, vehicular manslaughter in the first degree to a class B felony from class C, aggravated vehicular homicide to a class A-2 felony from class B, and aggravated unlicensed operation of a motor vehicle in the first degree to a class D felony from class E.