



NEW YORK STATE SENATOR

William Larkin

Senate Calls On Assembly To Act On Legislation To Include "huffing" In The Charge Of Driving While Intoxicated

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Senator Bill Larkin (R-C, Cornwall-on-Hudson) and members of the Senate Majority Conference today called on the State Assembly to immediately join the Senate in passing legislation (S.391) to expand the definition of a drug to include glue sniffing or aerosol inhalation within the grounds for drug-impaired driving.

The urgent call comes in response to a State Court of Appeals ruling which stated that New York lawmakers must tackle the problem of inhaling, or "huffing" glue or aerosols when it comes to cases involving impaired drivers. The Court of Appeals dismissed a 2004 case concluding that the meaning of "intoxicated" within the law is "limited to a driver's impairment by the consumption of alcohol."

According to the court case, 19-year-old Vincent Litto was driving in Brooklyn with three passengers, all 13-year-old boys, when he allegedly inhaled the spray from an aerosol can of "Dust-Off" in January of 2004. Nearly a minute later, he veered across the center line and collided with an oncoming car, killing 17-year-old Kristina Roggio. Two passengers in Litto's car and two in the other vehicle were seriously injured.

"Frankly, I think it's ridiculous that this case had to go to the State Court of Appeals," said Senator Larkin. "We know that inhalants have the same physical effect on the body as alcohol. Let's change the law to recognize the fact that sniffing glue or other similar substances is going to impair your driving. It's common sense, plain and simple."

"Dust-Off," which is generally used to clean electronic equipment, contains a hydrocarbon propellant that has a depressive effect on the central nervous system, according to a toxicologist who testified before the grand jury.

The National Inhalant Prevention Coalition reports that inhalants can slow down the body's function. The user can experience feelings of less inhibition or loss of consciousness. The user can also suffer from Sudden Sniffing Death Syndrome, which could cause death the 1st, 10th or 100th time they use an inhalant. Other effects include damage to the heart, kidney, brain, liver, bone marrow and other organs. Inhalants are addicting and users suffer withdrawal symptoms.

The State Senate has passed the bill every year since 2002. However, the bill has failed to pass the Assembly every year since 2002.