



NEW YORK STATE SENATOR

Martin J. Golden

Senate Fights to Protect Children From Drunk Drivers

MARTIN J. GOLDEN November 18, 2009

New York- The State Senate passed landmark legislation drastically increasing the penalty for any person who drives intoxicated with a child passenger. Two recent fatal incidents involving intoxicated drivers with child passengers have highlighted the need for stronger measures to prevent or punish persons who drive intoxicated with children as passengers.

The legislation provides for the harshest penalties and most significant expansion of preventative measures to date for any offender convicted of driving while intoxicated with a child passenger.

Any DWI with a child passenger:

- - Increases offense from misdemeanor to E felony
 - Increases maximum penalties from 1 year in jail to 4 years in state prison

DWI and causing serious injury to a child passenger:

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- Increases offense from E felony to D felony
- Increases maximum penalties from 4 years to 7 years in state prison

Driving recklessly while intoxicated and causing serious injury to a child passenger:

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- Increases offense from E felony to C felony
- Increases maximum penalties from 4 years to 15 years in state prison

Driving recklessly while intoxicated and causing the death of a child passenger:

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- Increases offense from D felony to B felony
- Increases maximum penalties from 7 years to 25 years in state prison

Mandates ignition interlock devices for all DWI convictions:

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- All offenders will be required to install a ignition interlock device in their vehicle upon conviction of any DWI offense, which may only be waived upon a judicial finding that the offender has no history of alcohol abuse or dependence.

Senator Golden said, "Holding a child's life hostage by putting them in a car and driving drunk should be a felony, and that's exactly what this bill would do. In addition, it would help prevent future drunk driving crashes by requiring all

convicted drunk drivers to use ignition interlocks. I'm pleased that we were able to work together to pass this legislation, which will further strengthen New York's DWI laws and prevent drunk driving crashes on our roadways.”

Senate Minority Leader Dean G. Skelos said, “I want to thank Leandra’ father, Lenny Rosado, for his perseverance in convincing the Assembly that this legislation was the right thing to do to make our roads safer for our children and grandchildren. If this measure stops just one person from getting behind the wheel drunk and threatening innocent lives then we will have done our jobs.”