



NEW YORK STATE SENATOR

Martin Malavé Dilan

Senator Dilan-Sponsored Measure “Elle’s Law” Signed Into Law

MARTIN MALAVÉ DILAN August 17, 2010

| ISSUE: **TRANSPORTATION, CHILDREN, NEW YORK CITY, HIGHWAYS, DMV (DEPARTMENT OF MOTOR VEHICLES)**

| COMMITTEE: **TRANSPORTATION**

Senator Martin Malavé Dilan

Increases Penalties on Reckless Drivers Who Injure Pedestrians

Legislation closing a long-time legal gap that allowed for reckless drivers who injure pedestrians to escape prosecution was signed into law last week.

Elle’s Law, sponsored by Senator Martin Malavé Dilan (D-Brooklyn), Chair of Senate Transportation Committee, amends New York State’s Vehicle and Traffic Law to enact tougher penalties on motorists who blatantly disregard the vehicle and traffic code’s “rules of the road,” and injure pedestrians as a result of dangerous and unlawful driving.

“A parking spot nearly cost then-three-year-old Elle her life. Now that Governor David Paterson has signed Elle’s Law, the message has been sent that anyone disobeying traffic laws and jeopardizing the safety of pedestrians in the process will have to face the consequences,” said Senator Dilan.

Under **Elle’s Law**, a first-time violation results in license suspension for 6 months. A second

violation within five years of the first, will result in a one-year suspension of driving privileges.

In 2009, 3-year-old Elle Vandenberghe was crossing a New York City street when a motorist looking for a parking spot backed up a one-way street, through an intersection, and struck her while she was in the crosswalk. Elle suffered permanent brain damage and has limited use of the right side of her body.

At the time, the driver was cited for a traffic infraction and paid a minimal fine.

“The reality is, roads are used by automobiles, cyclists and pedestrians. Traffic laws aren’t recommendations. They exist to protect drivers and pedestrians alike. Drivers need to know that any infraction, whether it be speeding or driving the wrong way down the street, can forever change someone’s life; now that includes their own,” Senator Dilan concluded.

The bill was sponsored in the Assembly by [Assemblymember Micah Kellner \(D-Manhattan\)](#).