



NEW YORK STATE SENATOR

Jack M. Martins

Senate Approves Bill to Increase Penalties for Reckless Driving

JACK M. MARTINS March 30, 2011

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Proposal Gives New Tools to Prosecute Wrong-Way Driving, Other Dangerous Actions

With recent tragic accidents involving motorists driving the wrong way, the New York State Senate took up a measure to address the issue by passing a bill (S.3452) to help make roads safer by strengthening penalties for reckless driving and creating a new crime of aggravated reckless driving.

The legislation, sponsored by Senator Charles J. Fuschillo, Jr. and co-sponsored by Senator Jack M. Martins, enhances prosecution of individuals charged with dangerous driving behavior, especially when incidents involve people who are drunk or high and drive on roads in the wrong direction.

"It's incumbent on us to do anything we can to make our roads safer. If you choose to drink and drive or drive recklessly, you should face a stiffer penalty," said Senator Martins.

"Wrong-way drivers and other reckless drivers repeatedly put lives at risk, and in some cases have caused tragedies," Senator Fuschillo said. "Law enforcement needs stronger tools to prosecute wrong-way and reckless drivers and get them off the roads. I am pleased that the Senate has approved this legislation and am hopeful that the Assembly will soon join us in passing it."

This bill is in response to a significant number of recent arrests and car accidents involving individuals who were under the influence of alcohol and drugs and drove the wrong way. From late 2010 to earlier this year, there were 20 incidents of wrong-way driving on Long Island. In recent years, tragic accidents that involved wrong-way driving in Albany and the Hudson Valley, among others, claimed the lives of the drivers as well as other innocent victims.

This proposal creates a new section in the Vehicle and Traffic Law for aggravated reckless driving. A driver engaging in any of the following acts would be guilty of aggravated reckless driving: operating in a manner that creates a grave risk of death; knowingly or through intoxication driving against the flow of traffic; driving 30 or more miles per hour above the posted limit while intoxicated or impaired; driving 30 or more miles per hour above the posted limit while racing another vehicle; or driving 30 or more miles per hour above the posted limit and weaving in and out of traffic. Aggravated reckless driving would be a class E felony.

“Every driver has the responsibility to operate a vehicle in a safe and unimpaired manner for their own safety and the safety of others,” Senate Majority Leader Dean Skelos said. “This bill would help make sure law enforcement has the appropriate tools to prosecute and hold drivers accountable for reckless actions when they knowingly jeopardize public safety.”

The bill has been sent to the Assembly.