Senate Passes Fuschillo Bill to Help Safeguard New York's Railways

CHARLES J. FUSCHILLO JR.   June 1, 2011

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Senator Charles J. Fuschillo, Jr. (R-Merrick) today announced that the New York State Senate has passed legislation he sponsors to help safeguard the state's railway system and its passengers.

"Our railways, which are used by millions of people every day, remain a coveted target for terrorists. We need to do everything we can to keep passengers safe. Law enforcement does an outstanding job protecting our mass transit system; now we need to give them stronger tools to prosecute saboteurs who seek to cause serious damage. That's exactly what this legislation will do," said Senator Fuschillo, Chairman of the Senate's Transportation Committee.

Under Senator Fuschillo's legislation (S3451A), anyone who attempts to sabotage railroad property or rights of way with the intent of causing a substantial interruption or impairment in service would face class E felony charges punishable by up to four years in prison. Charges would be elevated to a class D felony, punishable by up to seven years in prison, if the saboteur's actions result in a substantial interruption or impairment in service. Current law contains no specific charges for tampering with railroad property or rights of way.

Railways remain potential targets for terrorists. Documents found in Osama Bin Laden's compound shortly after his death revealed a potential plot to attack railways in the United States. While the plans were not specific in nature, they illustrated that terrorists are still seeking to attack our railways. Terrorists previously attacked public railway systems in London (2005) and Madrid (2004) during the morning rush hour.

Amtrak, in a memo supporting the bill, stated that the legislation would "help provide law enforcement with enhanced penalties in their efforts to deter criminal activity and promote safety."

The legislation has been sent to the Assembly for consideration.

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