



NEW YORK STATE SENATOR

Charles J. Fuschillo Jr.

Senator Fuschillo: Yet Another Wrong Way Crash Shows Why Assembly Should Approve Felony Charges for Wrong-Way and Reckless Drivers

CHARLES J. FUSCHILLO JR. July 27, 2011

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After yet another death caused by an alleged wrong-way driver, Senator Charles J. Fuschillo, Jr. (R-Merrick) again called on the State Assembly to pass legislation he sponsors to create felony charges for wrong-way and other reckless drivers.

The latest wrong-way driving crash occurred Sunday morning in New Rochelle, where the defendant allegedly drove drunk more than 6 miles the wrong-way on I-95 before causing a crash which killed one person and seriously injured another. The crash occurred almost two years to the day of the wrong-way driving crash on the Taconic Parkway which killed eight people.

“Once again, we’ve seen an alleged wrong-way driver cause tragedy on the roads. It’s time to treat wrong-way driving as a serious crime that deserves a serious punishment. This legislation would give law enforcement stronger tools to get wrong-way drivers and other reckless drivers off the roads. The Assembly should join the Senate in approving it,” said Senator Fuschillo, Chairman of the Senate’s Transportation Committee.

Sunday’s wrong-way driving crash occurred only days after an alleged wrong-way drunk driver injured a Westchester County Police Officer after crashing into his patrol car on the Bronx River Parkway. At least 22 other wrong way driving crashes and arrests occurred on Long Island alone since November 15, 2010 when off-duty NYPD Officer Andre Menzies was killed by an accused wrong-way drunk driver on the Northern State Parkway.

Senator Fuschillo’s legislation (S3452) would establish a new crime of aggravated reckless driving, which would apply to:

- * Drivers who drive the wrong way, against the flow of traffic, either knowingly or because they are intoxicated;
- * Drivers who drive more than 30 miles an hour over the speed limit while intoxicated or impaired;
- * Drivers who drive more than 30 miles an hour over the speed limit while racing, pursuing other vehicles, or excessively weaving in and out of traffic.

Aggravated reckless driving would be a class E felony, punishable by a prison sentence of up to four years.

In addition, the legislation would raise the penalty for reckless driving to a class A misdemeanor, punishable by a prison sentence of up to one year. Reckless driving is currently an unclassified misdemeanor and carries a maximum prison sentence of up to 30 days.

"This is common sense legislation that needs to be passed immediately," said Nassau County District Attorney Kathleen Rice. "Wrong-way drivers endanger us all and the inevitable crashes they cause are incredibly violent. Too many lives have been lost and too many families have been irrevocably damaged to wait any longer."

The legislation was approved by the State Senate on March 29th.

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