



NEW YORK STATE SENATOR

Charles J. Fuschillo Jr.

Senate Passes Fuschillo Legislation to Require Background Checks for All Bus Drivers

CHARLES J. FUSCHILLO JR. January 23, 2012

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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 require all bus drivers to submit to a criminal history check. The legislation would help prevent bus drivers from using aliases to hide from their criminal histories when applying for a driver's license.

"Bus passengers entrust their lives and safety to the person behind the wheel; we need to be sure that these drivers' are qualified to handle that responsibility. Background checks are a proactive and common sense step to improve safety and remove drivers who are unfit and unqualified to safeguard their passengers' well being. I'm pleased that the Senate has passed this legislation and I urge the Assembly to act on it as well," said Senator Fuschillo, Chairman of the Senate's Transportation Committee.

Senator Fuschillo's legislation (S5171B) would require all new bus drivers to submit to a criminal background check when they are hired. This would help prevent drivers from using aliases or false names to hide convictions of criminal offenses which would disqualify them from holding a license. Drivers would be subjected to a 90 day conditional period while the background check is being undertaken. All current bus drivers would submit to a criminal background check the next time they renew their commercial driver's license. Currently, this

requirement applies only to school bus drivers.

There have been numerous incidents which highlight the growing need to improve safety in the bus industry. The most notable occurred on March 12th, when a tour bus returning to New York City from a Connecticut casino crashed in the Bronx, killing 15 people. According to reports, the driver of the bus, Ophadell Williams, had prior convictions for manslaughter, grand larceny, and driving without a license. His driver's license was suspended following the crash after evidence surfaced that he made false statements on his application form.

DMV investigations last year led to the arrest of at least 13 commercial bus drivers for using fraudulent documents to obtain a valid commercial driver license under an alias. Enacting Senator Fuschillo's legislation would aid the state's efforts to improve bus industry safety by creating a new tool to help prevent dangerous bus drivers from getting behind the wheel in the first place.

The New York State Inspector General recommended requiring criminal background checks for all bus drivers in a September 2011 report investigating licensing and oversight of commercial bus drivers following the March 12, 2011 Bronx bus crash.

The legislation has been sent to the Assembly.