



NEW YORK STATE SENATOR

John A. DeFrancisco

Senate Passes Senator DeFrancisco's Bill Named After the Late Tiffany Heitkamp

JOHN A. DEFRANCISCO February 14, 2012

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Senator John A. DeFrancisco announced that his bill (S2860-A), which would create a link between all of a person's driving under the influence of alcohol or drug offenses, passed the New York State Senate.

Named after the late Tiffany Heitkamp, who was killed during an alcohol related boating accident in July of 2006, the bill would link Boating While Intoxicated (BWI), with Snowmobiling While Intoxicated (SWI), Driving While Intoxicated (DWI), as well as driving an ATV while intoxicated. Under current law, there is no linkage between these offenses, making it possible to be convicted in two or more separate cases and still be treated as a first time offender.

"Several cases have occurred where a BWI offense has been committed by an individual who has also committed a DWI offense.

Tiffany Heitkamp was one of these cases," said Senator DeFrancisco. "Tiffany lost her life because the operator of the boat in which she was a passenger was operating the vessel while intoxicated. This individual had a record of alcohol related driving convictions, but he was only charged as a first time offender."

"If an individual has a history of operating any kind of vehicle or vessel while under the influence of alcohol or drugs that should be taken into account when the individual is charged and sentenced," continued Senator DeFrancisco. "Operating a car, snowmobile or boat while drunk are all reckless behaviors, which can have serious consequences. Providing a link between these offenses would hold violators accountable for a history of irresponsible behavior while operating a powerful and potentially deadly vehicle."

"The Senate has passed this bill for several years, and I'm hoping that the Assembly will bring this important bill to the floor and pass it this year," concluded Senator DeFrancisco. The bill has been delivered to the Assembly.