



NEW YORK STATE SENATOR

Andrew J. Lanza

Senator Lanza Announces New Regulations to Protect New Yorkers From Dangerous Drivers

ANDREW J LANZA September 26, 2012

Action Targets Drivers With Repeat Dangerous Driving Convictions

New DMV Rules Among Toughest Licensing Policies in the Nation

Senator Andrew Lanza announced today a multi-pronged initiative to keep drivers with a history of repeat alcohol- or drug-related driving convictions off the road.

The New York State Department of Motor Vehicles (DMV) has been directed to issue new regulations that will give New York among the toughest protections in the nation against drivers who persistently drive under the influence of alcohol or drugs.

Under current law, drivers who are convicted of multiple alcohol or drug related driving offenses cannot permanently lose their licenses. For example, if a driver is convicted of three alcohol or drug related driving offenses within a four year period, or four within an eight-year period, the driver will lose his or her license for as little as five years, and may then apply to be relicensed. Some drivers still have a license even after as many as six or seven alcohol or drug related driving convictions over longer periods of time. The only time a driver really faces losing a license permanently is when he or she has two alcohol or drug related convictions arising from separate crashes involving a physical injury.

These new regulations strengthen DMV's ability to keep dangerous drivers off the road for good.

The regulations call for:

- DMV will be able to review the lifetime record of all drivers who apply to have a license reinstated after a revocation.

- Lifetime Record Review by DMV

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- - - o Five or more alcohol or drug related driving convictions in his or her lifetime o Three or more alcohol or drug related driving convictions in the last 25 years plus at least one other serious driving offense during that period. A serious driving offense includes: a fatal crash, a driving-related penal law conviction, an accumulation of 20 or more points assessed for driving violations within the last 25 years, or having two or more driving convictions each worth five points or higher.

After conducting a lifetime record review, DMV will deny any application for reinstatement of a license after revocation if the applicant has:

- Truly Permanent License Revocation for Persistently Drunk & Dangerous Drivers

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- - - o Deny their applications for five years beyond their statutory revocation period if the applicant's license was revoked for an alcohol or drug related offense; or two additional years if the applicant's license was revoked for a reason other than an alcohol or drug related offense;

- o Restore the applicant's license after that additional period as a "restricted" license limiting the applicant's driving to, for example, travel to and from work or medical visits; **and**
- o For those drivers whose revocations stem from an alcohol-related offense, require an interlock on the vehicle driven by the applicant for five years.

For those drivers seeking reinstatement of a license after revocation who have three or four alcohol or drug related convictions but no serious driving offense in the last 25 years, DMV will:

- Delayed Re-Licensing, Driving Restrictions, & Interlocks for Other Drivers with Repeated Alcohol- or Drug-Related Driving Convictions

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Currently, repeat drunk drivers whose licenses have been revoked or suspended for six months or a year can nevertheless get their full driving privileges back in as little as seven weeks by completing DMV's Drinking Driver Program. DMV's new regulations will ensure that those drivers cannot obtain their driving privileges until their full term of suspension or revocation has ended.

- End the Reduction of Mandatory Suspension or Revocation Periods

Every year more than 300 people are killed and over 6,000 are injured on New York's highways as a direct result of alcohol-related crashes. In 2010, 29% of fatal crashes were alcohol-related.

Although the number of alcohol-related crashes involving physical injuries or fatalities has decreased during the last several years, there has been a disturbing increase in the number and percentage of crashes with an injury that involved a driver with three or more alcohol-related driving convictions. In 2010, 28% of the alcohol-related injurious crashes statewide involved someone with three or more alcohol-related convictions. This reflects a marked increase since 2005, when only 22% of the alcohol-related injurious crashes involved a driver with three or more alcohol-related convictions. In short, the problem of persistent repeat DWI offenders has grown.

Crashes involving alcohol are 10 times more likely to cause a fatality than crashes that do not involve alcohol.

Currently, more than 50,000 drivers *with valid or suspended licenses* have three or more alcohol-related convictions in their lifetimes, and 15,000 of those drivers had their 3 or more alcohol-related convictions in the last 20 years.

Approximately 17,500 licensed drivers who already have three or more alcohol-related convictions have been involved in at least one crash that injured or killed someone after those convictions. These drivers have been involved in over 22,000 crashes that injured or killed someone, resulting in over 500 fatalities.

As a result of the new DMV regulations, an estimated 20,000 drivers will have their licenses permanently revoked or delayed this year.

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