



NEW YORK STATE SENATOR

John J. Flanagan

Senator Flanagan Announces Road Safety Legislation Passes Senate

JOHN J. FLANAGAN March 20, 2013

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Senator John Flanagan (2nd Senate District) announced that the New York State Senate has passed legislation to impose felony charges on wrong-way and other reckless drivers. The bill (S752), which Senator Flanagan co-sponsored, is an effort to protect law abiding drivers from those who make the decision to drive in a dangerous manner.

The bill would establish the new crime of “aggravated reckless driving” and make it a class E felony, punishable by a prison sentence of up to four years. The charge would apply to:

- Drivers who drive the wrong way or against the flow of traffic; either knowingly or because they are intoxicated or impaired;
- Drivers who drive more than 30 miles-an-hour over the speed limit while intoxicated or impaired; or
- 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.

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.

On Long Island alone, at least 33 wrong-way driving crashes and arrests have occurred since November 15, 2010, when off-duty NYPD Officer Andre Menzies was killed by a drunk driver who drove the wrong-way on the Northern State Parkway. A recent crash caused by a wrong-way driver in Greene County on the New York State Thruway resulted in that driver, as well as a passenger in an oncoming vehicle being killed. The other driver and a four-month-old infant suffered serious injuries.

While the roads are being carefully monitored by police in a concerted effort to stop unlawful racing or speeding, there have been numerous incidents in the recent past that demonstrate that law enforcement needs stronger deterrents to help stop this type of criminal behavior. In March of 2011, two drivers racing each other reached speeds of 145 miles per hour on the Long Island Expressway before one of the drivers lost control and crashed into gas pumps in Islandia. And in July of 2012, a 10-month old child was killed when the intoxicated driver of the car she was traveling in lost control of his speeding vehicle while trying to exit the Long Island Expressway and crashed into the roof of a nearby convenience store in Brentwood.

“Those who disregard the laws of our roads needlessly put others at risk and jeopardize lives. This legislation will ensure that those who choose to drive in a reckless manner will be held accountable. This will provide our law enforcement personnel with the ability to get these drivers off the roads and help make our roads safer,” stated Senator Flanagan.

The bill has been sent to the Assembly for further action.