



NEW YORK STATE SENATOR

Charles J. Fuschillo Jr.

Senate Transportation Committee Approves Legislation to Protect Students From Intoxicated School Bus Drivers

CHARLES J. FUSCHILLO JR. May 30, 2013

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Senator Charles J. Fuschillo, Jr. (R-Merrick), Chairman of the Senate's Transportation Committee, today announced that the Committee has approved legislation to protect students from intoxicated school bus drivers. The legislation would greatly expand random drug and alcohol testing for school bus drivers, as well as impose stronger penalties on intoxicated school bus drivers.

"Parents have every right to expect and demand that their child's school bus driver is sober each and every time they get behind the wheel. They also have a right to expect that anyone convicted of jeopardizing children's safety by driving a school bus while intoxicated will never, ever be allowed to drive a school bus again. Expanding random alcohol and drug testing of school bus drivers, along with stronger consequences for intoxicated school bus drivers, are steps in the right direction which will help keep children safe," said Senator Fuschillo.

Under current law, only ten percent of the drivers of a school bus company are subject to random alcohol and drug tests. Drivers who operate school buses which carry less than 16 students are completely exempt from random testing.

The legislation (S5503), sponsored by Senator Fuschillo, would significantly enhance existing oversight by expanding the random testing pool from ten percent to 100 percent of a school bus company's drivers. This would ensure that all school bus drivers are subject to random drug and alcohol testing. If a driver fails one of these random alcohol or drug tests, the school bus company would be required to report the failure to DMV so that it can be recorded on a driver's abstract.

In addition, any driver who operates a school bus while intoxicated would be permanently disqualified from holding a school bus driver's license. This would be in addition to any other court imposed penalties.

The legislation also increases the prohibited time for a driver to consume alcohol prior to operating a school bus from six hours to eight hours.

There have been at least four incidents on Long Island alone since last October in which school bus drivers were arrested for operating a school bus while intoxicated. In one instance, an intoxicated bus driver crashed his bus into a Syosset home with five young students onboard.

The New York Association for Pupil Transportation "strongly supports" the legislation. In a memo of support, the Association noted that the legislation would "strengthen our state's requirements related to drug and alcohol testing of school bus drivers as well as impose rigorous implications for bus drivers who test positive for drugs or alcohol."