



NEW YORK STATE SENATOR

Jack M. Martins

Governor Signs Senator Martins-Supported Bill Strengthening Leandra's Law

JACK M. MARTINS July 29, 2013

| ISSUE: **DRUNK DRIVING**

The Governor signed a bill introduced by Senator Charles Fuschillo and supported by Senator Jack M. Martins that strengthens Leandra's Law and provides new safeguards to keep drunken drivers off New York's roads.

The legislation updates Leandra's Law, named after 11-year-old Leandra Rosado, who was killed in a crash while a passenger in a car driven by a drunken driver, by making it a felony to drive drunk on a conditional license. Drivers who lose their license for drunk driving may be issued a conditional license when enrolled in an alcohol and drug rehabilitation program run by the Department of Motor Vehicles. A conditional license may be used only for driving to and from essential destinations such as work, school, and medical appointments.

Currently, driving drunk on a revoked license is a felony, but driving drunk on a conditional license is only a traffic infraction. This change makes the penalties equivalent.

The bill also limits the circumstances in which a court can waive the installation of an interlock device to only when a person under oath attests that he or she is not the owner of a motor vehicle and will not operate any vehicle during the period of the interlock restriction. Lying under oath would be considered perjury.

The legislation also expands the requirements for the use of ignition interlock devices by making youthful offenders subject to the same ignition interlock requirements that are now applicable to adults.