



NEW YORK STATE SENATOR

Pamela Helming

## Senator Helming's Mandatory Testing Legislation Signed Into Law

[JONATHAN MONFILETTO - 315-568-9816](#) December 19, 2017

GENEVA – Senator Pam Helming today announced that legislation she sponsored to provide mandatory alcohol and drug testing in the event of a serious car accident was signed into law. This provides a mechanism for greater enforcement of driving while intoxicated and driving while ability impaired laws involving motor vehicle accidents.

“Individuals need to be held accountable for their choices, especially when it leads to the death or serious injury of someone else. Eliminating loopholes in the current law that allow drivers under the influence to escape prosecution at the expense of someone else’s life is a start. This legislation will provide law enforcement with more tools to hold those who drive under the influence of alcohol, or drugs, accountable so that they may bring justice to the families of those who have been seriously injured or killed. I thank the Governor for signing this critical legislation into law,” Senator Helming said.

Senator Helming initially learned about the issue from Philip Walker. Mr. Walker’s 26-year-old son, James, was struck and killed while crossing the street in 2011. Though a bag of Adderall was found in the driver’s vehicle, the driver was never tested for drugs or alcohol. Senator Helming has heard similar stories from other, including Stephen and Donna Hilyer, of Waterloo. Their son, Stephen, was killed in 2012 when he was struck by a driver with several prior DWI arrests.

The National Highway and Traffic Administration indicates that in 2014, more than 10,000 people died in drunk driving crashes – one every 51 minutes – and 290,000 were injured in drunk driving crashes. All too often, intoxicated or drugged drivers who are involved in a motor vehicle crashes escape prosecution.

“I will continue to advocate for laws that hold individuals accountable for their actions and help bring justice to families of victims. From advocates to family members to law enforcement and lawmakers, we are fulfilling our role, as a community, to crack down on tragedies like what happened to James Walker and Stephen Hilyer II. At this time of year, when many will be attending holiday parties, please make responsible decisions. If you are going to drink, use a designated driver or call a cab or ride-sharing service,” Senator Helming said.

This legislation would require that police officers present at and investigating a vehicle accident, where a person was seriously injured or killed, request that all operators of motor vehicles involved in the accident submit to a field test provided that there are reasonable grounds to believe that such motor vehicle operator committed a serious traffic violation in the same accident. Refusal of this test makes that operator subject to license suspension.

*Senator Helming represents the 54<sup>th</sup> Senate District, which consists of Seneca and Wayne Counties, parts of Cayuga and Ontario Counties, and the towns of Lansing and Webster. For more information, please visit Senator Helming's [website](#), or follow @SenatorHelming on Facebook or Twitter.*

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