



NEW YORK STATE SENATOR

Michael Gianaris

Sen. Gianaris Legislation to Stiffen Penalties on Suspended Drivers Advances Through Committee, Moves to Senate Floor

SENATOR MICHAEL GIANARIS February 13, 2018

| ISSUE: **DRIVING WITH A SUSPENDED LICENSE**

ALBANY, N.Y. – Senator Michael Gianaris announced that his legislation to create stiffer penalties for drivers who hurt or kill people while driving with suspended or otherwise invalid licenses passed the Senate Codes Committee unanimously. Senator Gianaris has led a renewed push to enact this bill following the death of Kevin Flores, a Ridgewood teenager struck down in January by a trucker driving with a suspended license.

“These dangerous drivers continue to kill because the current punishment for taking a life while driving without a valid license does not match the crime,” said **Senator Michael Gianaris**. “We need to get serious about improving our laws before another life is lost at the hands of drivers we know should not be behind the wheel.”

Currently, the most severe penalty a District Attorney can seek in such instances is a misdemeanor. Rarely are convicted drivers sentenced to any jail time at all and are free to commit additional offenses. Phillip Monfoletto, the driver who killed Kevin Flores, had nine license suspensions on his record and continued to drive with a suspended license, even mocking the leniency of our laws in a Facebook post.

Senator Gianaris’ legislation would increase the penalty to a class E felony for seriously injuring a person and a class D felony if the accident resulted in a death, with a maximum

penalty of seven years in prison. The Senator introduced his bill, [S.3299](#), after a similar incident killed 8-year old Noshat Nahian while he walked to school on Northern Boulevard in December 2013. The driver, in that case, was also operating with a suspended license. There have since been multiple additional deaths at the hands of improper drivers in western Queens alone.

RELATED LEGISLATION

2017-S3299

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate
- - Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

[Includes in the class E felony of vehicular assault in the second degree, the causing of serious physical injury while operating a vehicle with suspended, revoked or no license](#)

January 20, 2017

In Assembly Committee

Sponsored by **Michael Gianaris**

Do you support this bill?