



NEW YORK STATE SENATOR

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Drunken boaters have no place on Long Island Waters

SEN. JAMES GAUGHRAN July 26, 2019

| ISSUE: **BOATING SAFETY, BOAT SAFETY**

It's late July and summer is in full swing, and so too is the boating season, from the North Shore to the South Shore. In recent years we have witnessed a number of serious boating accidents, including senseless tragedies in which the operator of a boat was intoxicated. This reckless behavior is not only unacceptable but also illegal, and poses an imminent threat to everyone else out on the water hoping to enjoy a summer day.

Long Islanders flock to the water in the summer months. There are fishing trips, day outings, educational boat tours and more. We have whale-viewing excursions, weddings on boats and water sports activities. But an intoxicated boater can destroy a perfect day — and innocent lives — in just an instant, and there is no place for them on our waters.

The U.S. Department of Homeland Security cited alcohol as the leading cause of fatal boating accidents in 2014. That is horrifying — and unnecessary. New York state can and must do more to protect our neighbors and children out on our waters.

That's why I'm sponsoring a bill to link charges of boating under the Influence, or BUI, to people's driver's licenses. Drunken boaters — especially repeat offenders who also threaten our roadways — should be held accountable for their reckless actions that threaten innocent lives. By linking BUI charges to driver's licenses, we would raise the penalties for reckless

behavior, help hold these bad actors accountable and remove dangerous people from our waters and roadways.

Currently, most people who are arrested for boating while intoxicated receive a suspension of boating operator privileges. The penalty serves as little more than an inconvenience, and not a deterrent. Our legislation would change that, and would ensure that reckless operators who drive a boat while intoxicated would not be able to get behind the wheel once they get back to land. It would hold reckless boaters fully accountable, and deter future dangerous behavior.

But that's not enough.

Years ago, driving under the influence, or DUI, became recognized as the epidemic that it is. In response, public awareness campaigns were launched and tougher regulations were written, and these new laws were strictly enforced, so that our society could hold negligent drivers accountable. Similarly, when driving while intoxicated with children in the car hit its tipping point, New York state passed Leandra's Law, to impose harsher penalties on drunken drivers who put children at risk by drinking and driving with them in the car.

The combination of increased public awareness of the dangers of driving under the influence, our universal condemnation of those who do drive drunk, and stronger penalties for those who put children in danger has led to a decrease in drunken driving incidents over the years.

Now we need to impose these same standards for those who put themselves and others in danger when they drink and boat — especially those who jeopardize the safety of young boaters.

Next year I will introduce a bill, similar to Leandra's Law, that would make sure that people who put children at risk by drinking and operating boats with children on board are held to the toughest standards.

If someone operates a boat drunk, with children on board, he or she is putting those kids in imminent danger. It's an unforgivable act, and there must be tough, uncompromising penalties for those guilty of it. Their actions are perilous, and must result in real penalties that have real-life consequences beyond a summer inconvenience for one season. Anything short of the toughest standards for those who jeopardize the safety of our children is unacceptable.

When the legislative session begins, we must pass both of these laws immediately. Reckless boating must have consequences beyond the recreational world, and additional penalties for risking the lives of children must be an available deterrent.

There is no justifiable opposition to either of these common-sense measures. Indeed, the most ardent supporters of stronger boating safety laws are those who spend time on the water regularly.

Boating is a treasured Long Island pastime. Whether it is recreational or educational, boating allows us to enjoy our beautiful waterways. That's why it's so important that we ensure that it is also safe. Boaters under the influence have no place on our waters.