



**Senator Jeffrey D. Klein &
Independent Democratic Conference**

Vehicle Ramming Prevention



November 2017

Introduction

On October 31, 2017, Sayfullo Habibullaevic Saipov committed an act of terror against innocent individuals in New York City. He used a rental truck from Home Depot to deliberately and maliciously plow down pedestrians; killing at least eight and injuring 11 others. The use of vehicles as weapons has been a rising trend in terrorist attacks. According to a report from the United State Transportation Security Administration, from 2014 through April 2017, terrorists carried out 17 known vehicle-ramming attacks worldwide. These attacks have resulted in 173 fatalities and 667 injuries, and the number continues to grow.

With attacks like what occurred in New York City becoming too common, Senator Jeff Klein and the members of the Independent Democratic Conference prioritized a review of a TSA-issued, which focused on warning truck owners and truck rental agencies to be vigilant of these attacks and offered recommendations and guidance on how to prevent these attacks from occurring. After reviewing the guidance offered by the report, we realized the legislature could implement certain recommended measures here in New York. It is time to take action to make sure another attack like this does not occur in our great state again.

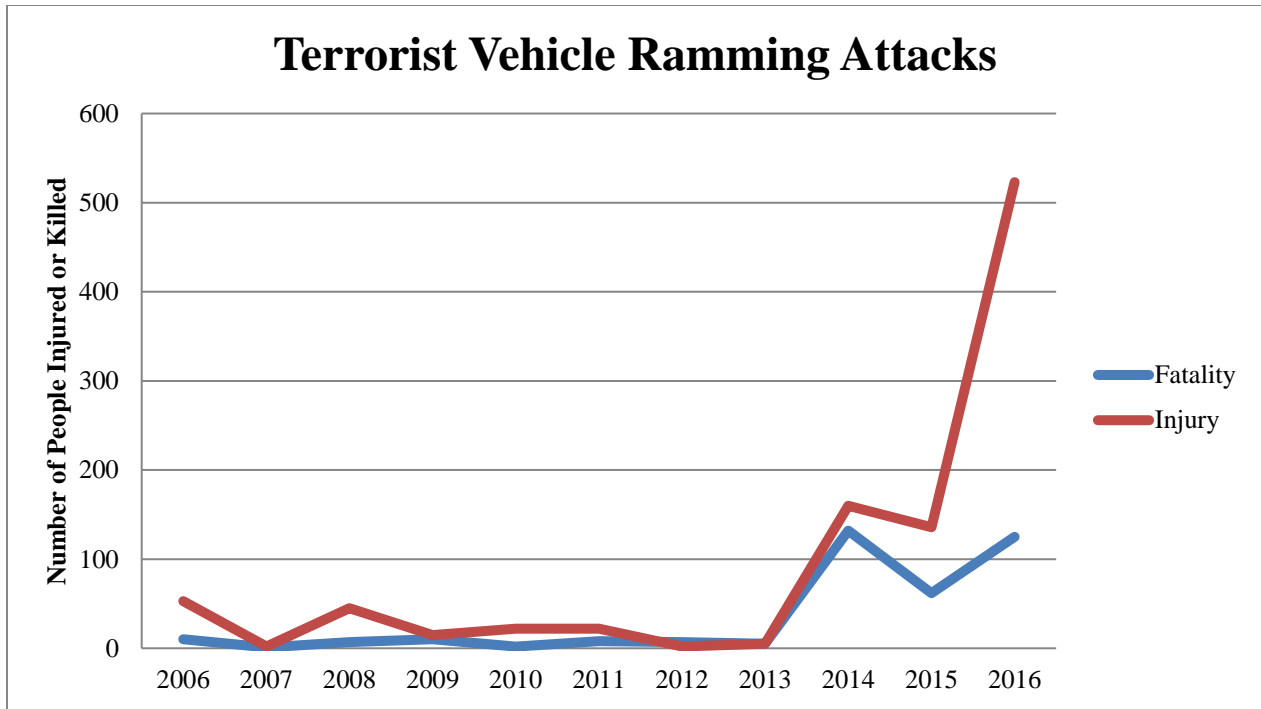
Increase in Vehicle Ramming Attacks

Despite what seems like a recent spike in ISIS related vehicle attacks, these types of attacks are not entirely new. Terrorists have used vehicles as weapons for years across the world to carry out their attacks. Even though these attacks are not different or unique, they are growing in regularity. The growth of these attacks can be pinpointed to the time when ISIS specifically called for the use of cars as weapons.

In 2010, “Inspire Magazine” – the English language publication issued by al-Qaeda in the Arabian Peninsula (AQAP) – published an article titled, “The Ultimate Mowing Machine.” This article detailed using one’s vehicle as a weapon in order to “mow down the enemies of Allah.” It went even further stating “[i]f you have access to firearms, carry them with you so that you may use them to finish off your work if your vehicle gets grounded during the attack.” ISIS continued to promote this type of attack in 2014; specifically, a video circulated that contained then ISIS spokesman Abu Mohammed Al Adnan directing followers to kill “in any manner or way, however it may be...run him over with your car.”

Below is a chart showing the global rise in terrorist attacks that involved the use of a vehicle as a weapon.¹ Specifically, the chart shows the increase in fatalities and injuries related to these attacks from 2014 forward, which is right after the spokesman for ISIS urged followers to use vehicles as weapons. The data also shows that this appears to be a continued trend for terrorists across the world.

¹ This data includes terrorist attacks the included the use of a vehicle as a weapon but not used as an IED. It also includes fatalities combined in the attack such as use of firearms and melees/stabbings.



**These numbers are according to the Global Terrorism Database*

Year	Fatality	Injury
2006	10	53
2007	1	2
2008	7	45
2009	10	15
2010	2	22
2011	8	22
2012	7	2
2013	5	5
2014	132	160
2015	62	136
2016	125	523

Since ISIS has made these proclamations, there has been a significant increase in the use of vehicles as weapons, especially large vehicles, across the world, resulting in a rise of fatalities and injuries. Fatalities and injuries rose from 10 fatalities and 53 injuries in 2006, to 125 fatalities and 523 injuries in 2016. Seeing an increase in these particular attacks is especially frightening because vehicle attacks are particularly difficult, if not impossible, to prevent. Further, a vehicle ramming attack allows a terrorist to conduct an attack even though they cannot access explosives or guns nor do they need any training prior to carrying out the attack.

While experts acknowledge the difficulty in stopping these attacks, it does not mean we cannot take actions as a state to be preventative.

New York City Attack

Saipov maliciously killed eight innocent people and injured 11 more. He plotted for weeks, in the name of the Islamic State, to carry out this attack. Prior to this, Saipov was a legal resident of the United States. He had a valid driver's license and had no known criminal record. He only had a handful of traffic violations. According to the records, Saipov was stopped for several offenses in multiple states - in Maryland in 2011, in Pennsylvania in 2012 (vehicle did not meet service criteria) and 2015, and in Missouri in 2016. Pertaining to the Missouri case, he was arrested for not appearing in court, on a charge related to the failure to maintain his truck's brake system. Other than those incidents, no details have yet to arise showing that he had a reckless driving history.

Even without any criminal history, or being a part of any NYPD Intelligence Bureau investigation, he was radicalized and committed an attack on American soil. Saipov allegedly planned this attack for weeks on end – even going so far as to go to Home Depot prior to the attack to rent a truck in order to “practice making turns with the truck in advance of the attack.”

During the investigation, John Miller, the deputy New York police commissioner for intelligence and counterterrorism, recognized that the Islamic State urges their followers to commit attacks such as these. He even recognized that Saipov seemingly “followed almost exactly to a T the instructions that ISIS has put out in its social media channels before with instructions to their followers on how to carry out such an attack.” From the planning, to practicing using the truck, to the location in which was targeted; it was all in line with directions from ISIS.

This revelation is especially terrifying because it shows that an attack like this is not difficult to act on and sadly, it is possible that we will continue to see attacks like this carried out in the United States. Therefore, it is up to New York to recognize the threat of vehicle ramming attacks and take proactive and preventative measures in order to avert another one of these gruesome attacks from unfolding in our streets. In order to do so, we have looked to what experts have recommended, like the TSA – who are highly experienced in security measures – and have analyzed what we as a state can do through legislation to better protect our citizens.

Legislative Solutions

Senator Klein and the members of the IDC recognize that vehicle-ramming attacks are on the rise and that action must be taken to protect our communities. We evaluated the TSA’s unclassified report on vehicle ramming attacks, as well as other expert sources, in order to implement legislation in New York that could act as one more tool in the toolbox that could be used to combat terrorism. Therefore, the members of the IDC propose the “Vehicle Ramming Prevention Act,”

which is a multi-pronged legislative package that looks to the guidance's proposed by the TSA and acts to implement them here in New York.

First, we would require the Division of Homeland Security and Emergency Services to create a way for rental companies to contact them if they suspect any suspicious rental activity, including suspicious repeat renters, which is what Saipov was in this event. Properly educating our car rental companies, while also giving them a tool to contact the necessary authorities if they have suspicions of illegal activity, is a step forward to stopping another one of these attacks.

Second, the Division of Homeland Security and Emergency Services, in consultation with other necessary agencies, will develop a guidance document, which would include a list of countermeasures that can be taken by an employee of a rental vehicle company to prevent a vehicle-ramming attack. Those recommendations will also include what questions and statements an employee should keep an ear out for that may hint towards someone looking to use a rental vehicle in an attack. This guidance document will be posted in an employee break room, or somewhere similar, and will also be available for distribution.

Next, the legislation would require rental companies as well as commercial truck companies to create prevention plans for attacks like these. The plan would include evaluating technology that is already installed in many vehicles and how that technology could be best used to prevent these attacks. Further, it would look to put plans in place for companies to monitor their trucker's routes and create plans for when truckers make significant changes in routes at the last minute. It would also require these companies to create employee-training programs that the company would gear towards teaching employees to better spot suspicious activity. Lastly, the Division of Homeland Security and Emergency Services would be available to these companies to provide assistance and advice for the development of such plans.

Lastly, we will continue to advocate for the state to make available funding and resources for cities to make investments in their infrastructure to better prevent attacks like these from happening. From the installation of pedestrian barriers, to the increase in bollards near sidewalks and bike paths – we recognize that cities are doing what they can to better protect against these attacks, yet they need help. Therefore, it is up to the state to act as a resource for these cities in making these vital security changes to their landscape.

Conclusion

Terrorist driven vehicle-ramming attacks continue to occur and now they have reached New York. We cannot sit idly by while these attacks continue to transpire, instead we must be proactive as a state in order to deter further vehicle ramming attacks. By making sure our truck companies and rentals companies have plans in place, to providing a resource for these companies to use when they detect suspicious activity, and to advocating for funds to be made available to cities to install better security measures New York can stand up against terrorism.