



Legislation Details (With Text)

**File #:** Res 0551-2010      **Version:** \*      **Name:** Enhanced penalties for unlicensed operation of a motor vehicle and assist in identifying drivers whose licenses have been suspended or revoked. (A.4975)

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**Title:** Resolution calling upon the New York State Assembly to pass A.4975, the New York State Senate to introduce and pass a companion bill, and the Governor to sign such legislation into law, requiring enhanced penalties for unlicensed operation of a motor vehicle and assist in identifying drivers whose licenses have been suspended or revoked.

**Sponsors:**

**Indexes:**

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Res. No. 551

Resolution calling upon the New York State Assembly to pass A.4975, the New York State Senate to introduce and pass a companion bill, and the Governor to sign such legislation into law, requiring enhanced penalties for unlicensed operation of a motor vehicle and assist in identifying drivers whose licenses have been suspended or revoked.

By Council Members Vallone Jr., Fidler, Williams, Nelson, Halloran and Koo

Whereas, Dangerous drivers whose reckless behavior results in serious injuries and fatalities are a serious concern in the nation, the state and in New York City; and

Whereas, Of particular concern are repeat offenders who continue to put the public at risk by driving despite multiple license suspensions and/or revocations on their driving record; and

Whereas, According to the New York State Department of Motor Vehicles, a total of 76,486 motor vehicle accidents occurred in New York City during 2008; and

Whereas, According to the AAA Foundation for Traffic Safety, Driving While Suspended/Driving While Revoked drivers are 3.7 times more likely to be involved in a fatal crash than are validly licensed drivers, while unlicensed drivers are 4.9 times more likely to be involved in a fatal accident; and

Whereas, In July, 2007, in Albany, New York 17 year-old Harrison “Harry” Carnevale was killed by an unlicensed driver attempting to flee from the police while driving home from work; and

Whereas, The unlicensed motorist had a previous arrest record that included reckless driving and aggravated unlicensed operation of a motor vehicle, and had not had a valid driver’s license for nine years at the time of the fatal accident; and

Whereas, Current state law fails to sufficiently address the problem of unlicensed driving, or those who drive with suspended licenses due to inadequate penalties; and

Whereas, A.4975, currently pending in the New York State Assembly, seeks to help identify individuals who drive without a valid license and enhance the existing criminal sanctions for unlicensed operation of a motor vehicle; and

Whereas, A.4975 would amend the Vehicle and Traffic Law by including, within the offense of aggravated unlicensed operation of a motor vehicle in the first degree, those drivers who have been previously convicted of aggravated unlicensed operation of a motor vehicle in the second degree within the immediately preceding ten years; and

Whereas, A.4975 would establish the presumption that a person with three or more license suspensions imposed upon at least three or more separate dates knows that his or her license is suspended; and

Whereas, A.4975 would provide that certain offenses related to falsification of a document and the additional element of engaging in reckless driving are included as elements for which a person may be convicted of aggravated unlicensed operation of a motor vehicle in the second degree; and

Whereas, A.4975 would require those who have committed aggravated unlicensed operation of a motor vehicle in the first and second degree to be fingerprinted in order to properly identify them in the future; and

Whereas, The New York State Senate should introduce and pass a companion bill to A.4975, which would permit the Governor to sign such legislation into law; and

Whereas, It is imperative to help ensure the safety and well-being of those who use New York's roadways, now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Assembly to pass A.4975, the New York State Senate to introduce and pass a companion bill, and the Governor to sign such legislation into law, requiring enhanced penalties for unlicensed operation of a motor vehicle and assist in identifying drivers whose licenses have been suspended or revoked.

WJH  
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