Legislation Details (With Text)

File #:	Res 0549-2010	**Version:**	*	**Name:**	Amend the definition of drug, as used in the sections of the NYS Vehicle and Traffic Law. (S.4673/A.5386)
Type:	Resolution			**Status:**	Filed
				In control:	Committee on Public Safety
On agenda:	11/17/2010				
Enactment date:				**Enactment #:**	

Title: Resolution calling upon the New York State Assembly to pass A.5386, the New York State Senate to pass companion bill S.4673, and the Governor to sign such legislation into law, which would amend the definition of drug, as used in the sections of the New York State Vehicle and Traffic Law.

Sponsors:

Indexes:

Attachments:

Date	Ver.	Action By	Action	Result
11/17/2010	*	City Council	Introduced by Council	
11/17/2010	*	City Council	Referred to Comm by Council	
12/31/2013	*	City Council	Filed (End of Session)	

Res. No. 549

Resolution calling upon the New York State Assembly to pass A.5386, the New York State Senate to pass companion bill S.4673, and the Governor to sign such legislation into law, which would amend the definition of drug, as used in the sections of the New York State Vehicle and Traffic Law.

By Council Members Vallone Jr. and Halloran

Whereas, Inhalant abuse, commonly called “huffing”, is the purposeful inhalation of chemical vapors to achieve an altered mental or physical state; and

Whereas, According to a National Institute on Drug Abuse report, nearly 23 million Americans have abused inhalants at least once in their life; and

Whereas, Abusers of inhalants inhale vapors emitted from a wide range of substances, many of which are common household products; and

Whereas, Chemical vapors used as inhalants can be found in numerous ordinary household products, such as felt-tip markers, hair products, cooking products, butane lighters, paints, and glues; and

Whereas, For the majority of users, inhalant abuse results in a rapid euphoric effect that is similar to alcoholic intoxication; users experience initial excitation, followed by drowsiness, lightheadedness, and agitation; and

Whereas, The chemicals found in volatile solvents, aerosols, and gases produce a variety of additional effects during or shortly after use that include, but are not limited to, dizziness, hallucinations, delusions, belligerence, and impaired judgment; and

Whereas, The effects produced by these inhalants cause severe impairment of the senses that result in the inability to safely operate a vehicle; and

Whereas, A.5386, currently pending in the New York State Assembly, and S.4673, currently pending in the New York State Senate, seek to expand the definition of "drug" in sections of the New York State Vehicle and Traffic Law ("VTL") to include both hazardous inhalants and glues that produce toxic vapors; and

Whereas, A.5386/S.4673 would broaden the scope of the VTL's driving while impaired by drugs offense to include impairment as a result of the use of inhalants; and

Whereas, In recent years there have been numerous high-profile fatal accidents across the United States that were attributed to the vehicle's driver using a toxic inhalant; and

Whereas, For example, in January 2004, then 20-year-old Vincent Litto drove into oncoming traffic in Gerritsen Beach, Brooklyn and frontally collided with another vehicle, resulting in the death of a 17-year-old girl; moments before the fatal accident, Litto allegedly sniffed a can of Dust-Off, a computer keyboard cleaner; and

Whereas, Because the particular chemical compounds in Dust-Off are not named in the definition of drug in the Public Health Law, which is the definition used in the sections of the VTL relating to offenses concerning the operation of a motor vehicle while under the influence of alcohol or drugs, the charges of driving while intoxicated and vehicular manslaughter were subsequently dismissed against Litto; and

Whereas, The injurious and potentially fatal consequences of inhalant abuse must be recognized, and it

is imperative that this existing loophole in New York State law regarding the definition of drug be addressed; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Assembly to pass A.5386, the New York State Senate to pass companion bill S.4673, and the Governor to sign such legislation into law, which would amend the definition of drug, as used in the sections of the New York State Vehicle and Traffic Law.

WJH
LS# 853
10/18/10