



Legislation Text

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Res. No. 139

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, S.2503/A.1533, legislation which would increase the penalties for leaving the scene of a motor vehicle incident without reporting.

By Council Members Mendez, Chin, Constantinides, Levine, Vallone, Koslowitz, Menchaca and Rodriguez

Whereas, Instances of drivers leaving the scene of a motor vehicle collision without reporting (“hit-and-run”) are a serious problem in New York City; and

Whereas, The New York City Police Department’s Collision Investigation Squad, which until 2013 responded to vehicle crashes involving a victim who died or was deemed “likely to die,” investigated 58 hit-and-run cases in 2012, resulting in 15 arrests; and

Whereas, The many tragic cases of hit-and-run drivers killing innocent New Yorkers include the death of a five-year-old boy in Staten Island in August 2013, the death of a teenager in Woodside, Queens in September 2013, and the death of a five-year-old boy in Crown Heights, Brooklyn in March 2014; and

Whereas, Under the New York State Vehicle and Traffic Law, the first offense of leaving the scene of a motor vehicle incident without reporting where a personal injury occurs is a class A misdemeanor with a maximum penalty of one year of imprisonment; and

Whereas, A driver faces charges of a class E felony only for a subsequent offense, or if a victim suffers "serious physical injury" as defined by the Penal Law; and

Whereas, If a driver remains at the scene of an incident where serious physical injury occurs and is intoxicated or impaired by drugs or a combination of drugs and alcohol, he or she can be charged with a class E felony with a maximum penalty of four years of imprisonment; and

Whereas, S.2503, sponsored by Senator Martin J. Golden, and A.1533, sponsored by Assembly Member Steven Cymbrowitz, would increase all penalties for leaving the scene of an incident without reporting; and

Whereas, Specifically, the legislation would result in a first-time hit-and-run offender who causes personal injury to face a charge of a class E felony, which would be commensurate with the charge faced by a drunk driver who causes serious physical injury and remains at the scene; and

Whereas, Penalties should not be less severe for a driver who injures others and leaves the scene than for a drunk driver who causes serious physical injury and remains at the scene; and

Whereas, Increasing the penalties for leaving the scene will deter drivers from leaving injured victims on the road, facilitate police investigation, and permit chemical testing of drivers by the police in cases where such testing is warranted; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, S.2503/A.1533, legislation which would increase the penalties for leaving the scene of a motor vehicle incident without reporting.

LS# 1008  
3/18/2014  
JM