



Legislation Text

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Res. No. 124

Resolution in support of A.3536A/S.2483A, which would amend the New York State Penal Law by increasing the penalties for drivers who cause serious physical injury or death to another person while knowingly operating a motor vehicle without a license or with a revoked or suspended license.

By Council Members Vallone, Brannan and Koslowitz

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

Whereas, Of particular concern are those offenders who continue to put the public at risk by driving without obtaining a license, or who have had their license suspended or revoked; and

Whereas, According to the New York City Police Department's preliminary data, a total of 335,000 motor vehicle collisions occurred in New York City during 2016; and

Whereas, In 2016, 230 people, including 145 pedestrians and 18 cyclists, were killed in traffic crashes in New York City; and

Whereas, In New York City there were over 15,382 pedestrian and cyclist injuries in 2016 and more than 59,000 total traffic-related injuries; and

Whereas, According to the AAA Foundation for Traffic Safety, drivers who have a suspended or revoked license 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, The *New York Times* reported that Angela Hurtado was killed on January 18, 2014 when she was struck by a vehicle as she crossed Grand Avenue in Queens, and the driver of that vehicle, Abel Tinoco, 28,

was charged with a misdemeanor for driving with a suspended license; and

Whereas, In another reported motor vehicle accident that took place on December 31, 2013 in Flushing, Queens, a 24 year-old driver, whose license had been suspended nine times, crashed into a car, killing the driver, Annamarie Tromp; and

Whereas, Current State law fails to sufficiently punish those drivers who are unlicensed or who drive with suspended or revoked licenses and cause serious injury or death; and

Whereas, A.3536A, sponsored by Assembly Member Margaret Markey, and companion bill, S.2483A, sponsored by Senator Michael Gianaris, currently pending in the New York State Assembly and Senate, respectively, would protect New Yorkers from individuals who should not be on our roads; and

Whereas, A.3536A/S.2483A would amend the Penal Law by including, within the offense of vehicular assault in the second degree, those drivers who cause serious physical injury or death to another person while operating a motor vehicle, knowing or having reason to know that their privilege to drive was suspended or revoked, or that they are unlicensed; and

Whereas, A driver convicted of vehicular assault in the second degree, a class E felony, would face a prison sentence of up to four years; 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 supports A.3536A/S.2483A, which would amend the New York State Penal Law by increasing the penalties for drivers who cause serious physical injury or death to another person while knowingly operating a motor vehicle without a license or with a revoked or suspended license.

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