



## Legislation Text

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### Res. No. 2257

Resolution calling on the New York State Legislature to pass tougher laws against drivers who drive under the influence of alcohol and drugs, especially those with child passengers.

By Council Members Comrie, The Speaker (Council Member Quinn), Barron, Brewer, Felder, Fidler, Foster, Gentile, Gonzalez, Jackson, James, Koppell, Liu, Recchia Vann, Weprin and Nelson.

Whereas, In the early morning hours of October 11, 2009, a drunk driver flipped her car filled with eight children on the Henry Hudson Parkway; and

Whereas, Tragically, Leandra Rosado, an eleven-year-old girl from Chelsea, was killed during the crash and the other children involved sustained serious injuries; and

Whereas, In another tragic case in July of 2009, a drunk driver crashed her minivan into an oncoming car after she drove the wrong way on the Taconic Parkway, killing eight people including four children; and

Whereas, These recent tragedies underscore the need for the New York State Legislature to pass tougher laws against drunk drivers, especially those who drive drunk with child passengers; and

Whereas, In August of 2009, Governor David Paterson submitted the Child Passenger Protection Act, which has become known as “Leandra’s Law,” for consideration by the State Assembly and Senate; and

Whereas, The bill would make it a felony to drive under the influence of alcohol or drugs with passengers under the age of 16; and

Whereas, In addition to elevating such an offense from a misdemeanor to a felony, the proposed legislation would also require an offender convicted of driving under the influence with a child passenger to install a device in his or her car that would make the car inoperable unless the individual demonstrates via breathalyzer that he or she is not under the influence of alcohol; and

Whereas, The installation of such a device for a drunk driving offense involving a child passenger is currently not mandated by law and is left to the court's discretion; and

Whereas, State figures show alcohol-related accidents killed 18 people aged 17 or younger in 2008, which constitutes roughly five percent of the 381 people who died in alcohol-related crashes in New York that year; and

Whereas, Another 6,886 people were injured in alcohol-related accidents in the State, including 470 under the age of 18; and

Whereas, Because the lives of New York's children are at stake, the Assembly and the Senate should, in memory of Leandra Rosado, strengthen these laws immediately upon convening in November to discuss the State's budget deficit and should not wait until the new legislative session begins in 2010 to take up the issue; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass tougher laws against drivers who drive under the influence of alcohol and drugs, especially those with child passengers.

JCG  
11/05/09  
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