



News Release

Assembly Speaker Sheldon Silver

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Silver, Assembly Members Join Lenny Rosado, MADD, District Attorneys To Announce Introduction Of Toughest DWI Law In Nation

***Blood Alcohol content .08 with child passenger is a felony,
interlock devices mandated for all DWI offenses***

Assembly Speaker Sheldon Silver and the Assembly Majority announced today the introduction of the strongest DWI law in the country. Joined by Lenny Rosado, father of 11-year-old Leandra, who was killed in a drunk driving accident last month, Mothers Against Drunk Driving CEO Chuck Hurley and District Attorneys Association of the State of New York President Kate Hogan, Silver outlined the measure, which will make driving while intoxicated with a child passenger a felony, and mandate that every person convicted of a DWI in New York State have an ignition interlock installed as a condition of sentence.

"We have heard from the family of Leandra Rosado, Mothers Against Drunk Driving, and law enforcement, district attorneys and concerned citizens from across New York State, who demand the comprehensive protections and punishments that this bill offers," said Silver. "If enacted, this legislation would create the toughest sentence for any first time DWI offense in the nation: drive intoxicated with a child, get charged with a felony."

The proposed legislation makes it a felony to operate a vehicle with a blood alcohol content of .08, or impaired by drugs, with a child passenger who is 15 or under, punishable by a prison sentence of up to 1-1/3-to-4 years. It also mandates that every person sentenced for a misdemeanor DWI, or DWI-related penal law felony, install an interlock device. Such devices prevent intoxicated drivers from starting vehicles. If a convicted driver tries to bypass or tamper with the interlock, he or she would commit a crime.

"This bill is a reminder that too many children have been injured or killed because those who are responsible for protecting them sometimes ignore that commitment. Today, we send a message of deterrence, and if that message is not heeded, the punishment will now fit the crime," said Assemblyman Harvey Weisenberg (D-Long Beach), who co-sponsored the measure.

"It is important that we protect our children from anyone who would do them harm - even if it's their parents or guardian," said Codes Committee Chair Joseph Lentol (D-Brooklyn).

"By creating the felony of driving while intoxicated with a child, and mandating interlocks for all those convicted of DWI and DWI related crimes, this law will make the roads, and communities, safer for all New Yorkers," said Transportation Committee Chair David Gantt (D-Rochester).

"This is the right decision, not just for my daughter, but to prevent something like this from happening again," said Rosado. "We needed to send a strong message out there that it is not okay to have one, two, three drinks and get behind the wheel and take somebody's life and if you do, you will serve time," said Rosado.

"MADD is pleased to support the leadership of Speaker Silver. Without his leadership and that of the conference, this legislation would not become law. MADD is hopeful that these two laws together will save 100 lives a year," said Hurley.

"Today, New York is taking a giant step forward to protect the public from drunk drivers. We have preached that drinking and driving is dangerous and deadly, and yet we still see case after case where there is needless tragedy, most recently involving children. This legislation is not just more preaching. It provides a harsher sanction, an E felony, if a person chooses to drink and drive with a child in the car. It is a fitting punishment for that reprehensible conduct. Equally important, the legislation provides for across the board ignition interlock for anyone who is convicted of DWI. We know where this is implemented, DWIs decrease by 35 percent. This bill is delivering real, needed solutions to a problem that has cost too many innocent lives," said Hogan.