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Child Passenger Protection Act Fact Sheet

- Governor David A. Paterson last month signed into law the [Child Passenger Protection Act](#) known as Leandra's Law. Read the [press release](#) issued by the Governor's office.
- New York State joins 35 other states with special child endangerment laws that impose tougher sanctions on individuals who place a child passenger at risk by driving while drunk. The following provisions of the law take effect Friday, Dec. 18:
 - First-time offenders driving while intoxicated (.08 Blood Alcohol Content or more) or impaired by drugs while a child younger than 16 years old is in the vehicle may be charged with a Class E felony punishable by up to four years in state prison. Courts also must order those convicted of DWI to install and maintain an ignition interlock on any vehicle owned or operated by such driver for at least six months, in addition to any terms of imprisonment.
 - Individuals charged with driving with a blood alcohol level of .08 or greater and with a child under the age of 16 in the vehicle would automatically have their license suspended pending prosecution.
 - Drivers who drive while intoxicated or impaired by drugs and cause the death of a child younger than 16 in the car may be charged with a Class B felony, punishable by up to 25 years in state prison.
 - Drivers who drive while intoxicated or impaired by drugs and cause serious physical injury to a child in the vehicle may be charged with a Class C felony, punishable by up to 15 years in state prison.

- Individuals who are a parent, guardian, custodian or otherwise legally responsible for a child who are charged with a driving while intoxicated or impaired by drugs while that child is a passenger in the car would be reported to the Statewide Central Register of Child Abuse and Maltreatment by the arresting agency.
- This provision takes effect Aug. 15, 2010:
 - The law requires that courts must order *all* drivers convicted of a misdemeanor or felony DWI to install and maintain an ignition interlock on any vehicle owned or operated by such driver for at least six months, in addition to any terms of imprisonment. New York will join 12 other states with across-the-board mandatory interlock laws when this provision takes effect.

Alcohol-Related Motor Vehicle Accidents 2008

- According to the state Department of Motor Vehicles, police reported 9,202 alcohol-related crashes in 2008.
 - Although there were 3 percent fewer accidents than the prior year, the crashes were deadlier: 355 of them resulted in deaths in 2008, as compared to 344 the year before. In 2008:
 - 212 drivers were killed; 192 of them were drinking
 - 77 passengers were killed
 - 82 pedestrians were killed
 - 10 bicyclists were killed
 - 127 of those injured or killed were under the age of 10 (as compared to 111 in 2007); 199 were under the age of 14 (one more than in 2007); and 488 were 17 or younger (8 percent fewer).
- In 2008, there were 5,970 felony DWI arrests and 46,402 misdemeanor arrest in New York State.
 - The conviction rate on felony arrests was 95 percent, with 429 individuals sentenced to prison. The vast majority of offenders received a sentence of probation (1,676); a fine (1,308); or a combination of jail and probation (1,182).
 - The conviction rate on misdemeanor arrests was 94.1 percent. The vast majority of offenders – nearly 83 percent (32,148) – paid a fine. A total of 3,368 individuals were sentenced to probation, 1,423 jail, and 749, a combination of jail and probation.