

Despite Tougher Laws, Drunk Drivers Remain An Ongoing Threat To New York Motorists

NY personal injury lawyer Steven J. Schwartzapfel decries 'terrible loss of life' following deadly July 26 DWI collision on the Taconic State Parkway.

New York, NY ([PRWEB](#)) August 7, 2009 -- Alcohol-related accidents remain a threat to anyone on New York's highways, as the recent Taconic Parkway accident shows, a NY personal injury lawyer says.

Eight people were killed in a head-on collision on the Taconic State Parkway in Westchester County on July 26, and the driver was legally drunk, New York police say. Diane Schuler's blood alcohol level was the equivalent of 10 shots of 80-proof liquor, according to police reports. An autopsy also revealed high levels of a chemical found in marijuana in her blood.

"This is a terrible loss of life that was so unnecessary," said Steven J. Schwartzapfel, founding partner of [Schwartzapfel Truhowsky Marcus P.C.](#), a New York personal injury law firm. "The families' pain and suffering over losing loved ones is compounded by the fact that someone made a decision to drink and drive. Kids are dying everyday as a result of people drinking and driving, and families are forever destroyed."

The wreck, which occurred while Schuler was driving the wrong way on the parkway, was the worst traffic accident in Westchester County in 75 years, according to The New York Times. Killed were Ms. Schuler, her two-year-old daughter and three young nieces in a mini-van driven by Ms. Schuler and three men in a Chevrolet Trailblazer that was struck head-on.

While alcohol and other drug-impaired driving remain a threat, the number of such accidents in New York has declined in the last 15 years, due in part to stricter alcohol limits and more aggressive police enforcement against drunk drivers.

The number of alcohol-related fatal and personal injury crashes in New York has dropped by 40 percent -- from almost 9,000 crashes in 1992 to fewer than 5,400 in 2007, according to the 2008 New York Highway Safety report.

In 2007, 373 people died in [alcohol-related crashes](#) in New York State, compared to 397 in 2006 and 382 in each of the two prior years, the report said. In addition, 7,175 persons were injured in alcohol-related accidents.

Under New York law motorists can be charged with driving while impaired, a criminal offense, when they have a blood alcohol content of .08 percent or higher. Police can also charge a motorist with a lesser charge of driving while ability impaired if the driver's blood alcohol registers between .05 and .079 percent and the officer feels the driver's ability was impaired. Under New York's zero tolerance law, it is illegal for a driver under the age of 21 to have consumed any alcohol.

"Drive sober, or don't drive," Schwartzapfel said. "There's too much at stake. If you've had a drink, then have a friend or family member drive or call a cab."

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