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Young drivers' records at issue - Cyclist's death prompts call for safety bill

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The death of bicyclist David Ryan in a crash with an allegedly speeding young driver last June caused area district attorneys to tighten up how they handle cases involving young drivers.

Now, several bicycling advocates want to go a step further. They are proposing legislation that would be named after Ryan to keep the most dangerous drivers off the roads, and make sure district attorneys know when a young driver has a history of speeding tickets.

The intent is to keep people safe, including young drivers themselves, said Walter Cicha, a friend of Ryan and fellow cyclist.

"Some young drivers are going to take it as an affront," Cicha said. "It's intended to help them. It's intended to save their life, and to minimize the problems they could have in their life."

Most of the proposal called "Ryan's Law" is aimed at drivers under 21. They would automatically have to take six months of classes after their first driving infraction. Their driving record would include the original charge for any moving violation that was pleaded down to a lesser charge. And, police would have to notify the parent or guardian of a young driver charged with a moving violation. Finally, police would have the ability to immediately suspend the license of a driver of any age who is involved in an accident that kills or seriously injures a pedestrian or bicyclist.

Cicha, along with fellow cyclists Jesse Day and Richard Evans, have been working on the proposal for months. They are trying to line up sponsors in the Legislature, as well as build support among prosecutors and the public.

Cicha plans to present the proposal at a conference on urban and transportation planning in March at the University at Albany. He hopes legislative action could prevent future accidents like the one that killed Ryan, a 32-year-old physicist and competitive bicyclist from Niskayuna. Ryan was riding along Riverview Road in Clifton

Park when he was struck by a vehicle driven by an 18-year-old, who was allegedly speeding and driving recklessly at the time. The driver, Joshua Paniccia of Niskayuna, had been ticketed at least three times before for speeding, but pleaded the charges down to lesser violations. His record showed only one of those pleas: "disobeying a traffic device."

"Different laws could have prevented what happened to David Ryan, or different adherence to laws," Cicha said. Paniccia has pleaded innocent to charges of second-degree manslaughter and criminally negligent homicide.

Day, the executive director of the New York Bicycling Coalition, said young drivers who break the law repeatedly need to be re-educated on how to drive safely. The coalition is acting on other fronts as well, including running seminars for drivers' education teachers on how drivers can share the road safely with bicyclists. District attorneys in Saratoga and Schenectady counties have begun taking steps to curb speeding by young drivers since Ryan's death.

Saratoga County District Attorney James Murphy III has begun asking law enforcement officials around the county to notify his office of speeding cases involving young drivers. He said that in these cases, his office would generally recommend that judges impose a moving violation conviction worth at least two points on the driver's license and require a defensive driving course.

Speeding cases often are reduced to a non-moving violation, which does not impose points on a driver's license. Schenectady County District Attorney Robert Carney said last year his office has made it more difficult for young drivers caught speeding to plead to a lesser charge that won't show up on their driving record.

Two area legislators have sponsored another bill aimed at young drivers who violate traffic laws, but it has been stuck in committee for several years. The bill, sponsored by Sen. Hugh Farley, R-Niskayuna, and Assemblyman James Tedisco, R-Schenectady, would require young drivers to appear in court rather than sending their attorney. It also would require judges to explain on the record why they allowed a plea bargain.

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