



9/12/2022

The Honorable Kathy Hochul
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

Re: Grieving Families Act (S74A)

Dear Governor Hochul,

This letter is sent by the Truck Safety Coalition (TSC), Citizens for Reliable and Safe Highways (CRASH), Parents Against Tired Truckers (P.A.T.T.), and our volunteers, who are the family and friends of truck crash victims and survivors who have paid the ultimate price for the failure to prioritize truck safety.

The Truck Safety Coalition strongly supports the recently passed Grieving Families Act (S74A) and encourages you to sign it into law immediately. Current laws prohibit overburdened, grieving families from recovering any losses for their emotional anguish suffered. S74A addresses this oversight and critically, extends the amount of time a wrongful death action can be filed by eighteen months. This additional time is of utmost importance to families who suffer the loss of a loved one in a sudden and unexpected violent truck crash. Professional grief counselors frequently describe a “fog of grief” that debilitates surviving family members from executing simple daily tasks. This extra time allows grieving family members to get the help they need to initiate a healing process and be able to take clear-headed actions as it relates to the loss of their loved one.

TSC, unfortunately, has multiple New York families in our Coalition who have lost loved ones in horrific truck crashes. In 2019, Julie Huntington lost her father, Kim Huntington, when an over-height commercial motor vehicle truck dislodged the underdressing of a bridge construction project, and the debris pierced through the windshield, mortally wounding him. In 2015, Peter and Monica Malarczyk survived a crash in which a semi crossed into their lane and struck them head-on. Tragically, their parents, Ryzard and Anita, and family friend, Jaroslaw Karczewski, did not survive. In 2012, Jeff Dana lost his wife, two daughters, mother-in-law, and 14-year-old family friend in a horrific work zone crash in Antwerp, NY. Due to the woefully inadequate state of existing NY wrongful death law, Jeff had to bring suit in Pennsylvania to hold the company fully accountable for his devastating losses. These are just three examples of hundreds, in fact, over 100 New York families lost loved ones in truck crashes in 2020, the most recent year for which data is available.

Truck crash victim Julie Huntington pleads for a timely signing of the Grieving Families Act, saying “In New York State, our wrongful death laws were enacted in 1847, before the invention of cars and trucks. It is way beyond time to update this legislation. Families like mine are often failed and further traumatized by a system that rarely holds those responsible for their actions. Nothing will ever take the

pain of losing my father away. All grieving families deserve the right to pursue compensation for the love, companionship and support stolen from them when their loved one is violently, suddenly, and senselessly killed in a crash.”

The Grieving Families Act will make an immeasurable difference in the lives of truck crash victims and their surviving families. We respectfully urge you to not delay in signing S74A into law. Our truck crash victims know all too well the exorbitant cost paid when loved ones are stolen in a preventable crash. This bill critically recognizes that fact and takes meaningful measures to support victims as they navigate their post-crash emotional trauma and crash recovery efforts.

Sincerely,



Zach Cahalan
Executive Director, Truck Safety Coalition

Julie Huntington, Queens, NY
Truck Crash Victim

Peter Malarczyk, Hastings on Hudson, NY
Truck Crash Victim

Monica Malarczyk, Hastings on Hudson, NY
Truck Crash Victim

Jeff and Alan Dana, Brushton, NY
Truck Crash Victims