



01/18/2022

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 is shocked to learn the Grieving Families Act (S74A) has been sent to your desk for signature and it remains unsigned. On behalf of grieving families across the State, we urge you to sign it into law immediately. Failure to do so throws proverbial salt in the wound of the families of wrongful death victims who have been forced to pay the ultimate price for someone else's mistake and wholeheartedly fails to protect the needs of future victims. Please ask yourself what rights you would like available to you if a preventable horrific incident claimed the life of someone you hold dear and act accordingly.

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.

The Truck Safety Coalition has many victim volunteers from New York 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, and 14-year-old family friend in a horrific work zone crash in Antwerp, NY. These are just three stories of hundreds that occur annually in New York. Preventable truck crashes alone cause over 100 fatalities every year in New York.

Truck crash victim Julie Huntington pleads for an immediate 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 urge you to sign S74A into law today. Our truck crash victims know all too well the exorbitant cost paid when loved ones are stolen in a preventable crash. This bill recognizes that fact and takes substantial measures to best support victims as they navigate their post-crash emotional trauma and crash recovery journey.

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