

2009-2010 Regular Sessions

I N S E N A T E

January 9, 2009

Introduced by Sen. MARCELLINO -- read twice and ordered printed, and
when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to prohibiting
the use of mobile telephones by operators of motor vehicles who hold
learner's permits

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 3 of section 1225-c of the vehicle and traffic
2 law, as added by chapter 69 of the laws of 2001, is amended to read as
3 follows:
4 3. Subdivision two of this section shall not apply to (a) the use of a
5 mobile telephone for the sole purpose of communicating with any of the
6 following regarding an emergency situation: an emergency response opera-
7 tor; a hospital, physician's office or health clinic; an ambulance
8 company or corps; a fire department, district or company; or a police
9 department, (b) any of the following persons while in the performance of
10 their official duties: a police officer or peace officer; a member of a
11 fire department, district or company; or the operator of an authorized
12 emergency vehicle as defined in section one hundred one of this chapter,
13 or (c) the use of a hands-free mobile telephone, PROVIDED, HOWEVER, THAT
14 THE USE OF A HANDS-FREE MOBILE TELEPHONE SHALL BE PROHIBITED FOR AN
15 OPERATOR OF A MOTOR VEHICLE WHO IS A HOLDER OF A LEARNER'S PERMIT.
16 S 2. This act shall take effect on the sixtieth day after it shall
17 have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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