S T A T E O F N E W Y O R K

2018

2009-2010 Regular Sessions

I N A S S E M B L Y

January 15, 2009

Introduced by M. of A. JOHN -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to prohibiting the writing, sending or reading of text messages on a mobile telephone while driving by a person age twenty-four years or younger

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

Section 1. Paragraph (d) of subdivision 1 of section 1225-c of the vehicle and traffic law, as added by chapter 69 of the laws of 2001, is amended and a new paragraph (h) is added to read as follows:

(d) "Hand-held mobile telephone" shall mean a mobile telephone with which a user engages in a call OR WRITES, SENDS OR READS A TEXT-BASED COMMUNICATION using at least one hand.

(H) "WRITE, SEND OR READ A TEXT-BASED COMMUNICATION" SHALL MEAN USING A HAND-HELD MOBILE TELEPHONE TO COMMUNICATE WITH ANY PERSON OR DEVICE BY USING A TEXT-BASED COMMUNICATION COMMONLY REFERRED TO AS A TEXT MESSAGE, INSTANT MESSAGE, ELECTRONIC MAIL OR EMAIL.

S 2. Paragraph (a) of subdivision 2 of section 1225-c of the vehicle and traffic law, as added by chapter 69 of the laws of 2001, is amended to read as follows:

(a) Except as otherwise provided in this section, no person shall operate a motor vehicle upon a public highway while using a mobile telephone to engage in a call; PROVIDED, FURTHER, THAT NO PERSON AGE TWENTY-FOUR OR YOUNGER SHALL WRITE, SEND OR READ A TEXT-BASED COMMUNICATION while such vehicle is in motion.

S 3. This act shall take effect on the one hundred eightieth day after it shall have become a law.

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

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