

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 ASSEMBLY, 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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