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

948--A

Cal. No. 70

2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sen. MARCELLINO -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

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:

Section 1. Subdivisions 3 and 4 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:

3. Subdivision two of this section shall not apply to (a) the use of a mobile telephone for the sole purpose of communicating with any of the following regarding an emergency situation: an emergency response operator; a hospital, physician's office or health clinic; an ambulance company or corps; a fire department, district or company; or a police department, (b) any of the following persons while in the performance of their official duties: a police officer or peace officer; a member of a fire department, district or company; or the operator of an authorized emergency vehicle as defined in section one hundred one of this chapter, or (c) the use of a hands-free mobile telephone, PROVIDED, HOWEVER, THAT THE USE OF A HANDS-FREE MOBILE TELEPHONE SHALL BE PROHIBITED FOR AN OPERATOR OF A MOTOR VEHICLE WHO IS A HOLDER OF A LEARNER'S PERMIT.

4. A violation of subdivision two OR PARAGRAPH (C) OF SUBDIVISION THREE of this section shall be a traffic infraction and shall be punishable by a fine of not more than one hundred dollars.

S 2. This act shall take effect on the sixtieth 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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