

842

2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sen. STAVISKY -- 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 requiring accident reports to indicate whether a mobile phone was in use at the time of the accident

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

1 Section 1. Subdivision 1 of section 603 of the vehicle and traffic
2 law, as amended by chapter 432 of the laws of 1997, is amended to read
3 as follows:
4 1. Every police or judicial officer to whom an accident resulting in
5 injury to a person shall have been reported, pursuant to the foregoing
6 provisions of this chapter, shall immediately investigate the facts, or
7 cause the same to be investigated, and report the matter to the commis-
8 sioner forthwith; provided, however, that the report of the accident is
9 made to the police officer or judicial officer within five days after
10 such accident. Every coroner, or other official performing like func-
11 tions, shall likewise make a report to the commissioner with respect to
12 all deaths found to have been the result of motor vehicle or motorcycle
13 accidents. Such report shall include information on the width and
14 length of trucks, tractors, trailers and semitrailers, which are in
15 excess of ninety-five inches in width or thirty-four feet in length and
16 which are involved in such accidents, whether such accident took place
17 in a work area and whether it was being operated with an overweight or
18 overdimension permit. Such report shall distinctly indicate and include
19 information as to whether the inflatable restraint system inflated and
20 deployed. SUCH REPORT SHALL DISTINCTLY INDICATE AND INCLUDE INFORMATION
21 AS TO WHETHER A MOBILE TELEPHONE, AS SUCH TERM IS DEFINED IN PARAGRAPH
22 (A) OF SUBDIVISION ONE OF SECTION TWELVE HUNDRED TWENTY-FIVE-C OF THIS
23 CHAPTER, WAS IN USE AT THE TIME OF SAID ACCIDENT. Nothing contained in

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

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1 this subdivision shall be deemed to preclude a police officer from
2 reporting any other accident which, in the judgment of such police offi-
3 cer, would be required to be reported to the commissioner by the opera-
4 tor of a vehicle pursuant to section six hundred five of this article.
5 S 2. This act shall take effect on the one hundred eightieth day from
6 the date it shall have become a law, provided, however, any rules or
7 regulations necessary for the implementation of the provisions of this
8 act on its effective date shall be promulgated on or before such date.