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

6728--A

I N S E N A T E

March 4, 2014

Introduced by Sens. RANZENHOFER, AVELLA, LARKIN -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to increased fines for the use of mobile telephones or the use of portable electronic devices while in a work area or school zone

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

Section 1. Section 1225-c of the vehicle and traffic law is amended by adding a new subdivision 5 to read as follows:

5. (A) A VIOLATION OF SUBDIVISION TWO OF THIS SECTION WHILE IN A WORK AREA OR SCHOOL ZONE SHALL BE A TRAFFIC INFRACTION AND SHALL BE PUNISHABLE BY A FINE OF ONE HUNDRED DOLLARS WHICH SHALL BE IN ADDITION TO THE AMOUNTS PRESCRIBED IN SUBDIVISION FOUR OF THIS SECTION.

(B) FOR PURPOSES OF THIS SUBDIVISION:

I. "WORK AREA" SHALL MEAN THAT PART OF A HIGHWAY BEING USED OR OCCUPIED FOR THE CONDUCT OF HIGHWAY WORK, WITHIN WHICH WORKERS, VEHICLES, EQUIPMENT, MATERIALS, SUPPLIES, EXCAVATIONS, OR OTHER OBSTRUCTIONS ARE PRESENT.

II. "SCHOOL ZONE" SHALL MEAN THE DISTANCE ALONG A HIGHWAY PASSING A SCHOOL BUILDING, ENTRANCE OR EXIT OF A SCHOOL ABUTTING ON THE HIGHWAY FOR WHICH A SCHOOL SIGN (S1-1) HAS BEEN POSTED PURSUANT TO THIS CHAPTER AND IN COMPLIANCE WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES MAINTAINED PURSUANT TO SECTION SIXTEEN HUNDRED EIGHTY OF THIS CHAPTER.

S 2. Section 1225-d of the vehicle and traffic law is amended by adding a new subdivision 7 to read as follows:

7. (A) A VIOLATION OF THIS SECTION WHILE IN A WORK AREA OR SCHOOL ZONE SHALL BE A TRAFFIC INFRACTION AND SHALL BE PUNISHABLE BY A FINE OF ONE HUNDRED DOLLARS WHICH SHALL BE IN ADDITION TO THE AMOUNTS PRESCRIBED IN SUBDIVISION SIX OF THIS SECTION.

(B) FOR PURPOSES OF THIS SUBDIVISION:

I. "WORK AREA" SHALL MEAN THAT PART OF A HIGHWAY BEING USED OR OCCUPIED FOR THE CONDUCT OF HIGHWAY WORK, WITHIN WHICH WORKERS, VEHICLES,

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

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EQUIPMENT, MATERIALS, SUPPLIES, EXCAVATIONS, OR OTHER OBSTRUCTIONS ARE PRESENT.

II. "SCHOOL ZONE" SHALL MEAN THE DISTANCE ALONG A HIGHWAY PASSING A SCHOOL BUILDING, ENTRANCE OR EXIT OF A SCHOOL ABUTTING ON THE HIGHWAY FOR WHICH A SCHOOL SIGN (S1-1) HAS BEEN POSTED PURSUANT TO THIS CHAPTER AND IN COMPLIANCE WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES MAINTAINED PURSUANT TO SECTION SIXTEEN HUNDRED EIGHTY OF THIS CHAPTER.

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