

6864

2015-2016 Regular Sessions

I N A S S E M B L Y

April 6, 2015

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

AN ACT to amend the vehicle and traffic law, in relation to evaluating and ensuring the safety of driving with regard to wearing glasses or contacts capable of accessing the internet and mobile technology; in relation to prohibiting the use of such glasses or contacts while driving

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

1 Section 1. The vehicle and traffic law is amended by adding a new  
2 section 397-c to read as follows:

3 S 397-C. EVALUATING THE SAFETY OF DRIVING WHILE WEARING GLASSES OR  
4 CONTACT LENSES CAPABLE OF ACCESSING THE INTERNET AND MOBILE TECHNOLOGY.  
5 1. THE DEPARTMENT AND THE GOVERNOR'S TRAFFIC SAFETY COMMITTEE SHALL  
6 EVALUATE THE SAFETY OF DRIVING WHILE WEARING GLASSES OR CONTACTS CAPABLE  
7 OF ACCESSING THE INTERNET AND MOBILE TECHNOLOGY, INCLUDING BUT NOT  
8 LIMITED TO, TEXTING, VIDEO, CELL PHONE ADDRESS BOOKS AND DATABASES.

9 2. ENTITIES SHALL SUBMIT A REPORT AND RECOMMENDATIONS INCLUDING WHETH-  
10 ER SUCH TECHNOLOGY SHOULD BE BANNED FROM BEING WORN WHEN DRIVING; WHETH-  
11 ER THE STATE SHOULD BAN THE ISSUANCE OF AUTO INSURANCE TO A DRIVER WHO  
12 DOES NOT CERTIFY WITH HIS OR HER AUTOMOBILE INSURANCE CARRIER THAT SUCH  
13 GLASSES WILL NOT BE WORN WHEN DRIVING; WHETHER THE VIOLATION OF SUCH  
14 CERTIFICATION CAN BE USED TO PERMANENTLY DENY AUTO INSURANCE TO SUCH A  
15 DRIVER; WHAT PENALTIES AND FINES SHOULD BE IMPOSED ON THOSE DRIVING WITH  
16 SUCH A DISTRACTION FOR THE ROAD; AND WHAT LIMITS ON YOUNG AND NEW DRIV-  
17 ERS SHOULD BE PUT IN PLACE WITH REGARD TO SUCH TECHNOLOGY; AND ANY OTHER  
18 SUGGESTIONS THAT WILL IMPROVE TRAFFIC SAFETY IN THE STATE. THE REPORT IS  
19 DUE NO LATER THAN FEBRUARY FIRST, TWO THOUSAND SIXTEEN.

20 S 2. The vehicle and traffic law is amended by adding a new section  
21 397-d to read as follows:

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

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1 S 397-D. DRIVING WHILE WEARING GLASSES OR CONTACTS CAPABLE OF ACCESS-  
2 ING THE INTERNET AND MOBILE TECHNOLOGY PROHIBITED. 1. GLASSES OR  
3 CONTACTS CAPABLE OF ACCESSING THE INTERNET ARE PROHIBITED WHILE DRIVING  
4 A MOTOR VEHICLE UNTIL THE DEPARTMENT AND THE GOVERNOR'S TRAFFIC SAFETY  
5 COMMITTEE ISSUE THE REPORT REQUIRED BY SECTION THREE HUNDRED NINETY-SEV-  
6 EN-C OF THIS ARTICLE.

7 2. WEARING SUCH GLASSES OR CONTACTS WHILE PROHIBITED PURSUANT TO THIS  
8 SECTION SHALL RESULT IN AN AUTOMATIC SIX MONTH SUSPENSION OF A DRIVER'S  
9 LICENSE ISSUED PURSUANT TO THIS CHAPTER.

10 3. NO DRIVER UNDER THE AGE OF TWENTY-ONE SHALL WEAR SUCH GLASSES OR  
11 CONTACTS, REGARDLESS OF THE AFOREMENTIONED STUDY GROUP'S RECOMMENDA-  
12 TIONS.

13 4. ANY DRIVER ISSUED A LICENSE WITHIN THE PAST YEAR, PURSUANT TO THIS  
14 CHAPTER, SHALL BE PROHIBITED FROM THE USE OF SUCH TECHNOLOGY WHILE DRIV-  
15 ING; SUCH A VIOLATION SHALL RESULT IN THE AUTOMATIC SUSPENSION OF SUCH A  
16 LICENSE FOR ONE YEAR.

17 5. A PERSON WHO HAS BEEN INJURED BY REASON OF ANY VIOLATION OF THIS  
18 SECTION MAY BRING AN ACTION IN HIS OR HER OWN NAME AGAINST THE MANUFAC-  
19 Turer OF SUCH TECHNOLOGY.

20 S 3. This act shall take effect immediately; provided however, section  
21 two of this act shall take effect on the thirtieth day after it shall  
22 have become a law.