

3387

2015-2016 Regular Sessions

I N   S E N A T E

February 6, 2015

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Introduced by Sen. RANZENHOFER -- 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 surcharges  
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 ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. Section 1225-c of the vehicle and traffic law is amended by  
2     adding a new subdivision 5 to read as follows:  
3     5. (A) A VIOLATION OF SUBDIVISION TWO OF THIS SECTION WHILE IN A WORK  
4     AREA OR SCHOOL ZONE SHALL BE A TRAFFIC INFRACTION AND SHALL BE PUNISHA-  
5     BLE BY A SURCHARGE OF ONE HUNDRED DOLLARS WHICH SHALL BE IN ADDITION TO  
6     THE AMOUNTS PRESCRIBED IN SUBDIVISION FOUR OF THIS SECTION.  
7     (B) FOR PURPOSES OF THIS SUBDIVISION:  
8     I. "WORK AREA" SHALL MEAN THAT PART OF A HIGHWAY BEING USED OR OCCU-  
9     PIED FOR THE CONDUCT OF HIGHWAY WORK, WITHIN WHICH WORKERS, VEHICLES,  
10    EQUIPMENT, MATERIALS, SUPPLIES, EXCAVATIONS, OR OTHER OBSTRUCTIONS ARE  
11    PRESENT.  
12    II. "SCHOOL ZONE" SHALL MEAN THE DISTANCE ALONG A HIGHWAY PASSING A  
13    SCHOOL BUILDING, ENTRANCE OR EXIT OF A SCHOOL ABUTTING ON THE HIGHWAY  
14    FOR WHICH A SCHOOL SIGN (S1-1) HAS BEEN POSTED PURSUANT TO THIS CHAPTER  
15    AND IN COMPLIANCE WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES  
16    MAINTAINED PURSUANT TO SECTION SIXTEEN HUNDRED EIGHTY OF THIS CHAPTER.  
17    S 2. Section 1225-d of the vehicle and traffic law is amended by  
18    adding a new subdivision 7 to read as follows:  
19    7. (A) A VIOLATION OF THIS SECTION WHILE IN A WORK AREA OR SCHOOL ZONE  
20    SHALL BE A TRAFFIC INFRACTION AND SHALL BE PUNISHABLE BY A SURCHARGE OF  
21    ONE HUNDRED DOLLARS WHICH SHALL BE IN ADDITION TO THE AMOUNTS PRESCRIBED  
22    IN SUBDIVISION SIX OF THIS SECTION.  
23    (B) FOR PURPOSES OF THIS SUBDIVISION:

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

LBD06729-01-5

1 I. "WORK AREA" SHALL MEAN THAT PART OF A HIGHWAY BEING USED OR OCCU-  
2 PIED FOR THE CONDUCT OF HIGHWAY WORK, WITHIN WHICH WORKERS, VEHICLES,  
3 EQUIPMENT, MATERIALS, SUPPLIES, EXCAVATIONS, OR OTHER OBSTRUCTIONS ARE  
4 PRESENT.

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

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