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

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I N S E N A T E

February 2, 2016

Introduced by Sen. MARTINS -- 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 penalties for the use of portable electronic devices while operating a motor vehicle

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

Section 1. Subdivision 6 of section 1225-d of the vehicle and traffic law, as amended by section 7 of part B of chapter 55 of the laws of 2014, is amended to read as follows:

6. (A) A violation of this section shall be a traffic infraction and shall be punishable by a fine of not less than fifty dollars nor more than two hundred dollars upon conviction of a first violation; upon conviction of a second violation, both of which were committed within a period of eighteen months, such violation shall be punished by a fine of not less than [fifty] TWO HUNDRED dollars nor more than [two] FOUR hundred [fifty] dollars; upon conviction of a third or subsequent violation, all of which were committed within a period of eighteen months, such violation shall be punished by a fine of not less than [fifty] ONE THOUSAND dollars [nor more than four hundred fifty dollars], AND THE DRIVER'S LICENSE SHALL BE SUSPENDED FOR A PERIOD OF SIX MONTHS.

(B) NOTWITHSTANDING ANY OTHER LAW, RULE OR REGULATION TO THE CONTRARY, ANY TRAFFIC VIOLATION INVOLVING THE USE OF A MOBILE TELEPHONE OR PORTABLE ELECTRONIC DEVICE SHALL BE ASSIGNED BY THE COMMISSIONER A POINT VALUE OF SIX POINTS.

S 2. This act shall take effect immediately and shall apply to all traffic violations for the use of a portable electronic device while operating a motor vehicle occurring on and after such date.

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

LBD13909-01-6