STATE OF NEW YORK

3498

2019-2020 Regular Sessions

IN ASSEMBLY

January 29, 2019

Introduced by M. of A. PAULIN, FAHY, SANTABARBARA -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to drivers of buses, taxis and livery vehicles using hands-free mobile telephones

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 2 of section 1225-c of the vehicle and traffic law is amended by adding a new paragraph (e) to read as follows:

(e) No driver of a bus, livery or taxi shall use a hands-free mobile telephone while operating a moving bus or motor vehicle except in the case of an emergency pursuant to paragraph (a) of subdivision three of this section or if such hands-free mobile telephone is used for dispatch or if the bus or motor vehicle is parked, for purposes other than dropping off or picking up passengers, at the side of, or off, a public highway in a location where such vehicle is not otherwise prohibited from stopping by law, rule, regulation or any lawful order or direction of a police officer.

§ 2. Subdivision 3 of section 1225-c of the vehicle and traffic law, as added by chapter 69 of the laws of 2001, is amended to read as follows:

3. Subdivision two of this section shall not apply to (a) the use of a mobile telephone for the sole purpose of communicating with any of the following regarding an emergency situation: an emergency response operator; a hospital, physician's office or health clinic; an ambulance company or corps; a fire department, district or company; or a police department, (b) any of the following persons while in the performance of their official duties: a police officer or peace officer; a member of a fire department, district or company; or the operator of an authorized emergency vehicle as defined in section one hundred one of this chapter, or (c) the use of a hands-free mobile telephone**, except in the case of a driver operating a bus, taxi or livery**.

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

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

LBD06623-01-9