

# STATE OF NEW YORK

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5101

2021-2022 Regular Sessions

## IN ASSEMBLY

February 11, 2021

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Introduced by M. of A. PAULIN, FAHY, SANTABARBARA, TAYLOR, GALEF, GOTTFRIED, McDONOUGH, WALCZYK, DeSTEFANO, GRIFFIN -- 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:

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

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

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

15 3. Subdivision two of this section shall not apply to (a) the use of a  
16 mobile telephone for the sole purpose of communicating with any of the  
17 following regarding an emergency situation: an emergency response opera-  
18 tor; a hospital, physician's office or health clinic; an ambulance  
19 company or corps; a fire department, district or company; or a police  
20 department, (b) any of the following persons while in the performance of  
21 their official duties: a police officer or peace officer; a member of a  
22 fire department, district or company; or the operator of an authorized  
23 emergency vehicle as defined in section one hundred one of this chapter,

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

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1 or (c) the use of a hands-free mobile telephone, except in the case of a  
2 driver operating a bus, taxi or livery.  
3 § 3. This act shall take effect on the sixtieth day after it shall  
4 have become a law.