STATE OF NEW YORK

6467

2021-2022 Regular Sessions

IN SENATE

April 29, 2021

Introduced by Sen. BRISPORT -- 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 modifying what constitutes obstruction to a driver's view or driving mechanism

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

Section 1. Section 1213 of the vehicle and traffic law, as amended by chapter 621 of the laws of 1963, is amended to read as follows:

§ 1213. Obstruction to driver's view or driving mechanism. (a) No person shall drive a motor vehicle when it is so loaded, or when there are in the front seat such number of persons as to **substantially** obstruct the view of the driver to the front or sides of the vehicle or as to **substantially** interfere with the driver's control over the driving mechanism of the vehicle. In no event shall there be more than three persons in the front seat of any vehicle, except where such seat has been constructed to accommodate more than three persons and there is eighteen inches of seating capacity for each passenger or occupant in said front seat.

(b) No passenger in a vehicle shall ride in such a position as to **substantially** interfere with the driver's view ahead or to the sides, or to **substantially** interfere with his **or her** control over the driving mechanism of the vehicle.

(c) Notwithstanding any other provision of law to the contrary, the hanging of air fresheners and other devices from the rearview mirror is explicitly permitted and shall not provide a basis for a traffic stop, fine, fee or any penalty whatsoever.

§ 2. This act shall take effect immediately.

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

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