

STATE OF NEW YORK

8021

IN SENATE

January 20, 2022

Introduced by Sen. HOYLMAN -- 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 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,
24 or (c) the use of a hands-free mobile telephone, except in the case of a
25 driver operating a bus, taxi or livery.

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

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

LBD01968-01-1