

# STATE OF NEW YORK

1088

2021-2022 Regular Sessions

## IN ASSEMBLY

January 7, 2021

Introduced by M. of A. PAULIN, LUPARDO, GOTTFRIED, GALEF, ZEBROWSKI, SEAWRIGHT -- Multi-Sponsored by -- M. of A. SIMON -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to drivers of school buses 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 school bus as defined in section one hundred  
4 forty-two of this chapter shall use a hands-free mobile telephone while  
5 operating a school bus except in the case of an emergency pursuant to  
6 paragraph (a) of subdivision three of this section or if the school bus  
7 is parked, for purposes other than dropping off or picking up students,  
8 at the side of, or off, a public highway in a location where such vehi-  
9 cle is not otherwise prohibited from stopping by law, rule, regulation  
10 or any lawful order or direction of a police officer.

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

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

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

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1 driver operating a school bus pursuant to paragraph (e) of subdivision  
2 two of this section.  
3 § 3. This act shall take effect on the sixtieth day after it shall  
4 have become a law.