

# STATE OF NEW YORK

76

2023-2024 Regular Sessions

## IN SENATE

(Prefiled)

January 4, 2023

Introduced by Sen. GALLIVAN -- 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 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.