

# STATE OF NEW YORK

130--A

2023-2024 Regular Sessions

## IN ASSEMBLY

(Prefiled)

January 4, 2023

Introduced by M. of A. PAULIN, LUPARDO, ZEBROWSKI, SEAWRIGHT, BURDICK -- Multi-Sponsored by -- M. of A. SIMON -- read once and referred to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to drivers of school buses that are carrying students 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 that is carrying students except in the case of  
6 an emergency pursuant to paragraph (a) of subdivision three of this  
7 section or if the school bus is parked, for purposes other than dropping  
8 off or picking up students, at the side of, or off, a public highway in  
9 a location where such vehicle is not otherwise prohibited from stopping  
10 by law, rule, regulation or any lawful order or direction of a police  
11 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

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

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1 department, (b) any of the following persons while in the performance of  
2 their official duties: a police officer or peace officer; a member of a  
3 fire department, district or company; or the operator of an authorized  
4 emergency vehicle as defined in section one hundred one of this chapter,  
5 or (c) the use of a hands-free mobile telephone, except in the case of a  
6 driver operating a school bus pursuant to paragraph (e) of subdivision  
7 two of this section.

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