STATE OF NEW YORK

348--A

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. PAULIN, LUPARDO, SEAWRIGHT, BURDICK, WEPRIN -- Multi-Sponsored by -- M. of A. SIMON -- read once and referred to the Committee on Transportation -- 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:

Section 1. Subdivision 2 of section 1225-c of the vehicle and traffic law is amended by adding a new paragraph (e) to read as follows:

(e) No driver of a school bus as defined in section one hundred forty-two of this chapter shall use a hands-free mobile telephone while operating a school bus that is carrying students except in the case of an emergency pursuant to paragraph (a) of subdivision three of this section or if the school bus is parked, for purposes other than dropping off or picking up students, at the side of, or off, a public highway in a location where such vehicle is not otherwise prohibited from stopping by law, rule, regulation or any lawful order or direction of a police officer. This paragraph shall not apply to the lawful use of devices designated for communication between a driver and the dispatch or school district, such as two-way radios or any other device exempted by the commissioner of education, in consultation with the commissioner. The commissioner of education, in consultation with the commissioner, shall be authorized to reevaluate such exempted devices as new technologies emerge.

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

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

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3. Subdivision two of this section shall not apply to (a) the use of a mobile telephone for the sole purpose of communicating with any of the following regarding an emergency situation: an emergency response operator; a hospital, physician's office or health clinic; an ambulance company or corps; a fire department, district or company; or a police department, (b) any of the following persons while in the performance of their official duties: a police officer or peace officer; a member of a fire department, district or company; or the operator of an authorized emergency vehicle as defined in section one hundred one of this chapter, or (c) the use of a hands-free mobile telephone**, except in the case of a driver operating a school bus pursuant to paragraph (e) of subdivision two of this section**.

§ 3. This act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the state education department and the department of motor vehicles are authorized to promulgate, amend, or repeal any rule or regulation necessary for the implementation of this act on or before such effective date.