



NEW YORK STATE SENATOR

Martin Malavé Dilan

Senate Legislation Sponsored by Senator Dilan Bans Use of All Portable Electronic Devices While Driving

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Legislation Will Protect New York's Junior Drivers

(Albany, NY)—Senator Martin Malavé Dilan (D-Brooklyn) today praised the passage of Senate legislation that will drastically reduce motor vehicle accidents in part caused by the use of portable electronic devices.

Senate bill, 3619A, bans the use of all portable electronic devices while operating a motor vehicle in motion. The measure also reduces from two to one, the number of non-family passengers under the age of 21 riding in a vehicle operated by a driver with a learner's permit.

"This is a long-overdue safety measure for New York. Early on, New York recognized the dangers of talking on a phone when driving. However, texting and burgeoning technologies continue to pose serious, and sometimes fatal, distractions to drivers of all ages," said Senator Dilan, Chair of the Senate Transportation Committee.

Although the legislation in part affects all classes of drivers, it specifically targets the state's inexperienced drivers. Beyond limiting the number of passengers under 21, the legislation

also increases the number of required driving hours an applicant's parent or guardian must certify in writing from 20 to 50 hours.

The legislation also requires that 15 of those practice driving hours be done after sunset. Both these provisions must be met before junior drivers may take their road test.

Annually, a significant percentage of junior drivers are involved in accidents and are twice as likely as adult drivers to be in a fatal crash. According to a 2008 publication by the National Highway Transportation Safety Administration (NHTSA), sixteen-year old drivers have crash rates that are nearly three times greater than 17-year old drivers, five times greater than 18-year-old drivers, and approximately twice the rate of 85-year old drivers.

Some of the factors contributing to these higher crash rates include lack of driving experience and inadequate driving skills; excessive driving during night-time; risk-taking behavior; poor driving judgment and decision making; and distractions from teenage passengers.

The legislation also directs the Commissioner of the state Department of Motor Vehicles, in consultation with the Superintendent of the State Police, to further study the relation between the use of portable electronic devices and accidents.

"The crash rates among 16, 17 and 18 year-old drivers are too high, and are inextricably linked to inexperience and distraction," said Senator Dilan. "I hope these measures give parents peace of mind knowing that their junior drivers will be better educated, and better equipped to get from point A to point B, safe and sound."

The bill has passed both houses and awaits the Governor's approval.