



NEW YORK STATE SENATOR

Malcolm Smith

Senate Passes Ban on Texting While Driving

MALCOLM A. SMITH July 15, 2009

Prohibits the use of portable electronic devices while driving

(Albany, NY)- Today, the New York State Senate passed S3619A/Dilan, legislation that will make New York's roads and highways safer by, among other provisions, banning the practice of texting and using other electronic devices while driving.

In addition to the texting ban, the legislation includes a number of important provisions that will make the roadways safer by implementing sensible requirements for young drivers, including:

- Requiring that new drivers over the age of 16 and under the age of 18 must wait six months after obtaining a learner's permit to apply for a driver's license.
- Reducing from 2 to 1 the number of non-family passengers in a motor vehicle operated by a young driver with only a learner's permit when not accompanied by a licensed parent or guardian.
- Reducing from 2 to 1 the number of non-family passengers under the age of 21 in a motor vehicle operated by a holder of only a junior license.

- Increasing the number of hours, from 20 to 50, required driving hours as determined by a parent or guardian before a driver's license can be applied for.

The penalty for texting while driving is not to exceed \$150 for the first offense.

In 2007, AAA conducted a study that showed 46 percent of teens regularly texted while driving. As cell phone become more accessible, it is expected that number has risen. These numbers are startling considering the results of a study presented at the Pediatric Academic Societies earlier this year which proved that, when texting or operating another electronic device while driving, teens are very likely to increase or decrease their speed dramatically in a short period of time, waver in and out of lanes, and be do distracted they were unable to respond to sudden roadway dangers.

The correlation between young drivers and vehicular accidents is clear. According to a 2008 publication by the National Highway Transportation Safety Administration (NHTSA), sixteen-year old drivers have crash rates that are about 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.

“Too many people, in particular young people, are dying or being seriously injured on our roadways because of carelessness or a simple lack of preparation for the responsibility of operating a motor vehicle,” said Senate President Malcolm A. Smith. “It is important that we teach young adults how to practice smart, defensive driving techniques to keep themselves and all New Yorkers, safe on our roadways.”

Senator Martin Malave Dilan (D-Brooklyn), lead sponsor of this legislation and Chair of the Senate Transportation Committee said, “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.”

“It is good that not only are precautionary safety steps being taken, but that in this process, the public awareness is being raised that this is a very real problem,” said Senator Neil Breslin (D-Albany).

“A simple careless distraction can have great consequences,” said Senator Andrea Stewart-Cousins (D-Yonkers). “I feel so strongly about this bill, because we are in a new era of technology, and we have to adapt in order to keep our communities safe. I am very pleased that after years of trying, we have finally been able to get this important legislation passed by both houses and I hope it will become law before one more young driver is hurt or lost.”