



NEW YORK STATE SENATOR

Carl L. Marcellino

Texting While Driving Finally a Primary Offense

CARL L. MARCELLINO May 3, 2011



State Senator Carl L. Marcellino (R-Syosset) today announced the passage of his legislation, S.998-B, would make the act of texting while driving a primary offense in New York State.

“Text messaging is the ultimate distraction, taking all focus and attention off the road. Most of the time you’re using two thumbs, plus you’re looking at the screen. If you’re driving, that fraction of a second that you take your eye off the road can be the difference between life and death. We simply could not afford to wait any longer to pass the primary ban,” Senator Marcellino said.

Current law prohibits a driver from texting while driving. However, a violation is subject to only secondary enforcement.

This meant a driver couldn’t be stopped and issued a ticket for the sole reason of texting. Instead, a driver can only be stopped if he or she has also committed another traffic violation. “Text messaging is second nature to young people. They do it all the time. Sadly, there are times when the consequences of texting can be deadly. Tragic and untimely deaths continue to be a shocking side effect of this dangerous habit,” added Senator Marcellino.

In 2001 New York State became the first state in the Nation to place a ban on hand-held cell phone use while driving with legislation sponsored by Senator Marcellino. Since that time, over a million tickets have been issued statewide in an effort to make our roads safer.

The bill is sponsored in the Assembly by Assemblyman Harvey Weisenberg. The bill is currently in the Assembly Transportation Committee.

“Studies have shown that texting while driving is as dangerous as drunk driving. The lethal nature of this epidemic mandates that the texting and driving law be a primary violation in New York State,” Senator Marcellino concluded.