



NEW YORK STATE SENATOR

Carl L. Marcellino

Senate Approves Bill to Strengthen Distracted Driving Penalties for New Drivers

CARL L. MARCELLINO June 5, 2013

| ISSUE: **DMV (DEPARTMENT OF MOTOR VEHICLES)**



The New York State Senate today passed legislation sponsored by Senators Carl L. Marcellino (R, Syosset) and Charles J. Fuschillo, Jr. (R, Merrick) to increase the safety of roads and drivers by strengthening penalties for teens and other new drivers who text or talk on a cell phone while driving. The bill (

[S5656](#)), which was submitted as a Governor's program bill, requires the suspension of licenses for newly licensed drivers if they commit distracted driving offenses.

"For a new driver, the dangerous habit of texting or calling while driving is lethal," said Senator Marcellino. "Young and inexperienced drivers need to stay focused on the task at hand, driving safely. This legislation is a common sense measure that will help protect lives and send a clear message that cell phone use and driving simply don't mix."

"Drivers who pay more attention to their cell phone than the road put everyone's safety at risk," said Senator Fuschillo, Chairman of the Senate's Transportation Committee.

"Teenagers are both the most likely to drive distracted and the least experienced drivers on the road; that is a dangerous combination. Suspending teens' driver's licenses for committing a distracted driving offense will reinforce how serious and dangerous distracted driving is and give teens another reason to focus on the road, not their cell phone, when behind the wheel."

Distracted driving is a widely prevalent problem among teenagers. A survey conducted by the Centers for Disease Control found that in 2011, 45 percent of all students ages 16 and older texted or emailed while driving in the past 30 days. According to the U.S. Department of Transportation, distracted drivers are 23 times more likely to be involved in a crash than a non-distracted driver. From 2005 to 2011, there has been an increase of approximately 143 percent in cell phone-related crashes in New York State.

In July 2011, New York strengthened enforcement of texting-while-driving violations by giving law enforcement the power to stop motorists solely for using a portable electronic device for activities such as texting while driving. Since this law was passed, there has been a 234 percent increase in the number of tickets issued from 2011 to 2012 for texting while

driving in New York State. Also, this year's state budget increased the fines for distracted driving to a maximum of \$400, and the Governor recently increased the penalties on an individual's driving record from 3 to 5 points.

This bill continues to build upon the State's efforts to improve highway safety by encouraging young and inexperienced drivers to keep their eyes on the road and their hands on the wheel.

Teens with a junior driver's license who commit a distracted driving offense would have their license suspended for 60 days per violation. Teens and other newly-licensed drivers who commit a distracted driving offense within the first six months of receiving their regular driver's license would face a 60 day license suspension for their first offense. Those who commit subsequent offenses within six months of having their license restored would face a six-month suspension. In each instance, the suspensions would be in addition to any other applicable penalties, including five license penalty points and monetary fines.