



NEW YORK STATE SENATOR

Charles J. Fuschillo Jr.

Senator Fuschillo Announces New Law to Strengthen State's Texting While Driving Ban

CHARLES J. FUSCHILLO JR. July 12, 2011

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Senator Charles J. Fuschillo, Jr. (R-Merrick) today announced that Governor Cuomo has signed legislation he supports to strengthen the state's ban on texting while driving and other illegal uses of handheld electronic devices while driving.

"Drivers should be focused on the road ahead, not the keypad of their phone, when they are behind the wheel. Distracted drivers are far more likely to cause car crashes and pose a danger to everyone on the road. Making it easier for police officers to enforce the state's law against using handheld electronic devices while driving will help make our roads safer for everyone," said Senator Fuschillo, Chairman of the Senate's Transportation Committee.

The law gives police officers greater power to enforce the state's ban on using handheld electronic devices while driving by making the offense a primary violation rather than a secondary violation. Prior to the new law, drivers could only be cited for this violation if another violation, such as speeding, was also being cited.

Illegal activity covered under the law includes holding an electronic device and:

- * Composing, sending, reading, accessing, browsing, transmitting, saving or retrieving electronic data such as email, text messages, or webpages
- * Viewing, taking, or transmitting images
- * Playing games

Research has shown that distracted driving greatly increases the likelihood of getting into a car crash. AAA says that any activity that takes a driver's attention off the road for more than two seconds can double the risk of a crash. Some research has shown that distracted drivers are more impaired than those who are drunk or under the influence of drugs.

In addition to the new law, state regulations will also be changed to raise the penalty for using a hand-held device or using cell phone without a hands-free device while driving from two to three points.

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