



NEW YORK STATE SENATOR

Timothy M. Kennedy

Senator Kennedy Announces Texting While Driving Now a Primary Violation

TIMOTHY M. KENNEDY July 12, 2011

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Governor signs bill to strengthen state law against distracted driving

BUFFALO, N.Y. – Senator Timothy M. Kennedy (D-58th District) announced texting while driving is now a primary violation of state law, after Governor Andrew Cuomo signed a bill to crack down on distracted driving Tuesday.

For years, texting while driving was only a secondary offense. Law enforcement could only stop a driver distracted by a handheld electronic device if he or she were violating another traffic law (speeding, reckless driving, etc.). That changed today when the Governor signed the bill, which Senator Kennedy co-sponsored.

“Now that we have armed law enforcement with the tools they need to make our roads safer, we have reached a launching point for a much-needed crack down on distracted driving,” Senator Kennedy said. “By strengthening the law against texting behind the wheel, we are taking a significant step toward safer roads across New York State. This new law sends an important message to distracted drivers: keep your eyes on the road and off your phone.”

After Kelly Cline, a parent and roadway safety advocate from West Seneca, lost her son in a distracted driving accident in 2007, she made it her mission to end texting while driving. She joined forces with Senator Kennedy earlier this year to bring supporters together as one strong voice under the Families Against Texting While Driving banner.

“Kelly Cline and Families Against Texting While Driving have fueled this effort, constantly pushing forward in our fight to end distracted driving,” Senator Kennedy said. “Without Kelly’s relentless advocacy, this legislation would have never made it through the State Legislature. I thank Kelly Cline for being a close ally in this fight and my legislative colleagues for approving a tough texting ban on New York’s roads. I also thank Governor Cuomo for his leadership in strengthening penalties against texting drivers and for adding momentum to the effort to pass legislation that takes on the distracted driving epidemic.”

The new law carries a fine of \$150, and it goes into effect immediately. The Governor also announced Tuesday that he will amend state regulations to strengthen the penalty for using a handheld electronic device while driving from two to three points on a driver’s license.

When Albany failed to deliver in the past, Cline worked with then-County Legislator Kennedy to pass a ban on texting while driving through the Erie County Legislature. Taking the fight back to Albany this year, Cline and Kennedy have provided a critical boost to efforts to get a texting ban passed through both chambers of the State Legislature.