



NEW YORK STATE SENATOR

Charles J. Fuschillo Jr.

Senator Fuschillo: New Distracted Driving Law for Commercial Drivers Take Effect Monday

CHARLES J. FUSCHILLO JR. October 26, 2013

| ISSUE: **TRANSPORTATION**

Senator Charles J. Fuschillo, Jr. (R-Merrick), Chairman of the New York State Senate's Transportation Committee, is reminding residents that a stronger distracted driving law for commercial drivers take effect this Monday, October 28th.

“Distracted drivers jeopardize the safety of everyone on the road. It’s even more dangerous when the driver is operating a commercial vehicle that is significantly larger, heavier, and more powerful than most others on the road. This new law will help ensure that commercial drivers focus on the road, not their cell phone, when they are behind the wheel,” said Senator Fuschillo.

The new law closes a loophole which allowed commercial drivers to text, email or use a non-hands free cell phone while temporarily stopped in traffic or at an intersection. Under the new law, which was included as part of this year’s state budget, individuals with a commercial driver’s license are prohibited from using hand-held electronic devices and talking on a non-hands free cell phone while stopped at a traffic light or in a traffic jam. Additionally, motor carriers cannot require or allow their drivers to use cell phones or texting devices while driving.

Commercial drivers who violate this or any other state or local distracted driving law will have their commercial driver's license suspended, in addition to any other applicable penalties. The measure was needed to ensure that New York's distracted driving laws for commercial drivers conform to the rules set forth by the Federal Motor Carrier Safety Administration.

The measure is one of several steps New York State has taken this year to strengthen its distracted driving laws. The state also increased the number of driver license penalty points distracted drivers get on their license from three to five; implemented higher maximum fines for individuals who repeatedly drive while distracted; and created mandatory license suspensions for teenagers with a junior's license and other newly licensed drivers for commit a distracted driving offense.

Senator Fuschillo also called on the New York State Assembly to pass legislation which would close the same loophole for all drivers, not just commercial drivers. The legislation was passed by the New York State Senate earlier this year.