

PROGRAM BILL # 13

S.

Senate

IN SENATE--Introduced by Sen

--read twice and ordered printed,
and when printed to be committed
to the Committee on

----- A.
Assembly

IN ASSEMBLY--Introduced by M. of A.

with M. of A. as co-sponsors

--read once and referred to the
Committee on

VEHITRLA

(Establishes the safe drivers act of
2011 relating to the use of portable
electronic devices while operating a
motor vehicle)

V & T L. electronic devices

AN ACT

to amend the vehicle and traffic law
and the insurance law, in relation
to establishing the safe drivers act
of 2011 relating to the use of port-
able electronic devices

The People of the State of New
York, represented in Senate and
Assembly, do enact as follows:

IN SENATE

Senate introducer's signature

The senators whose names are circled below wish to join me in the sponsorship
of this proposal

s20 Adams	s44 Farley	s58 Kennedy	s18 Montgomery	s23 Savino
s15 Addabbo	s02 Flanagan	s34 Klein	s54 Nozzolio	s28 Serrano
s58 Alesi	s08 Fuschillo	s26 Krueger	s51 O'Mara	s51 Seward
s11 Avella	s59 Gallivan	s27 Kruger	s37 Oppenheimer	s09 Skalos
s40 Ball	s12 Gianaris	s24 Lanza	s21 Parker	s14 Smith
s42 Bonacic	s22 Golden	s39 Larkin	s13 Peralta	s25 Squadron
s46 Breslin	s47 Griffo	s01 LaValle	s30 Perkins	s16 Stavisky
s38 Carlucci	s60 Grisanti	s52 Libous	s61 Ranszenhofer	s35 Stewart- Cousins
s50 DeFrancisco	s06 Hannon	s45 Little	s48 Ritchie	
s32 Diaz	s36 Hassell-	s05 Marcellino	s33 Rivera	s49 Valesky
s17 Dilan	Thompson	s07 Martins	s56 Robach	s57 Young
s29 Duane	s10 Huntley	s62 Maziarz	s41 Saland	s03 Zeldin
s31 Espallat	s04 Johnson	s43 McDonald	s19 Sampson	

IN ASSEMBLY

Assembly introducer's signature

The Members of the Assembly whose names are circled below wish to join me in the
multi-sponsorship of this proposal:

a049 Abbate	a107 Crouch	a095 Jaffee	a038 Miller, M.	a012 Saladino
a092 Abinanti	a014 Curran	a057 Jeffries	a052 Millman	a113 Sayward
a105 Amedore	a063 Cusick	a135 Johns	a103 Molinaro	a029 Scarborough
a084 Arroyo	a045 Cymbrowitz	a112 Jordan	a015 Montesano	a016 Schimel
a035 Aubry	a034 DenDekker	a099 Katz	a132 Morelle	a140 Schimminger
a124 Barclay	a081 Dinowitz	a074 Kavanagh	a039 Moya	a145 Schroeder
a040 Barron	a114 Duprey	a065 Kellner	a003 Murray	a064 Silver
a082 Benedetto	a004 Englebright	a100 Kirwan	a037 Nolan	a036 Simotas
a073 Bing	a071 Farrell	a129 Kolb	a128 Oaks	a146 Smardz
a122 Blankenbush	a123 Finch	a025 Lancman	a069 O'Donnell	a093 Spano
a055 Boyland	a007 Fitzpatrick	a091 Latimer	a051 Ortiz	a079 Stevenson
a008 Boyle	a137 Friend	a013 Lavine	a136 Palmesano	a011 Sweeney
a026 Braunstein	a143 Gabryszak	a050 Lentol	a088 Paulin	a110 Tedisco
a044 Brennan	a090 Galef	a125 Lifton	a141 Peoples-	a115 Tenney
a131 Bronson	a133 Gantt	a072 Linares	Stokes	a002 Thiele
a046 Brook-Krasny	a077 Gibson	a127 Lopez, P.	a058 Perry	a061 Titone
a147 Burling	a149 Giglio	a053 Lopez, V.	a087 Pretlow	a031 Titus
a117 Butler	a066 Glick	a001 Losquadro	a021 Ra	a062 Tobacco
a101 Cahill	a150 Goodell	a126 Lupardo	a097 Rabbitt	a041 Weinstein
a096 Calhoun	a075 Gottfried	a111 Magee	a009 Raia	a020 Weisenberg
a043 Camara	a005 Graf	a120 Magnarelli	a006 Ramos	a024 Weprin
a106 Canestrari	a098 Gunther	a059 Maisel	a134 Reilich	a070 Wright
a089 Castelli	a130 Hanna	a060 Malliotakis	a109 Reilly	a094 Zebrowski
a086 Castro	a139 Hawley	a030 Markey	a078 Rivera, J.	a023
a138 Ceretto	a148 Hayes	a019 McDonough	a080 Rivera, N.	a027
a033 Clark	a083 Heastie	a104 McEneny	a076 Rivera, P.	a054
a047 Colton	a028 Hevesi	a017 McKeivitt	a119 Roberts	a116
a010 Conte	a048 Hikind	a108 McLaughlin	a056 Robinson	
a032 Cook	a018 Hooper	a022 Meng	a068 Rodriguez	
a142 Corwin	a144 Hoyt	a121 Miller, D.	a067 Rosenthal	
a085 Crespo	a042 Jacobs	a102 Miller, J.	a118 Russell	

1) Single House Bill (introduced and printed separately in either or both
houses). Uni-Bill (introduced simultaneously in both houses and printed as one
bill. Senate and Assembly introducer sign the same copy of the bill).

2) Circle names of co-sponsors and return to introduction clerk with 2 signed
copies of bill and 4 copies of memorandum in support (single house); or 4 signed
copies of bill and 8 copies of memorandum in support (uni-bill).

1 Section 1. This act shall be known and may be cited as the "Safe Driv-
2 ers Act of 2011".

3 § 2. Subdivision 6 of section 1225-d of the vehicle and traffic law,
4 as added by chapter 403 of the laws of 2009, is amended to read as
5 follows:

6 6. A violation of this section shall be a traffic infraction and shall
7 be punishable by a fine of not more than one hundred fifty dollars[.
8 Provided, however, that a summons for operating a motor vehicle in
9 violation of this section shall only be issued when there is reasonable
10 cause to believe that the person operating such motor vehicle has
11 committed a violation of the laws of this state other than a violation
12 of this section] and three points shall be added to the violator's driv-
13 ing record upon receipt by the commissioner of a certificate of
14 conviction or a certificate of bail forfeiture.

15 § 3. Subdivision 4 of section 1225-c of the vehicle and traffic law,
16 as added by chapter 69 of the laws of 2001, is amended to read as
17 follows:

18 4. A violation of subdivision two of this section shall be a traffic
19 infraction and shall be punishable by a fine of not more than one
20 hundred dollars and three points shall be added to the violator's driv-
21 ing record upon receipt by the commissioner of a certificate of
22 conviction or a certificate of bail forfeiture.

23 § 4. Subsection (a) of section 2336 of the insurance law, as amended
24 by chapter 751 of the laws of 2005, is amended to read as follows:

25 (a) Any schedule of rates or rating plan for motor vehicle liability
26 and collision insurance submitted to the superintendent shall provide
27 for an appropriate reduction in premium charges for any insured for a
28 three year period after successfully completing a motor vehicle accident

1 prevention course, known as the national safety council's defensive
2 driving course, or any driver improvement course approved by the depart-
3 ment of motor vehicles as being equivalent to the national safety coun-
4 cil's defensive driving course, provided that, except as provided in
5 article twelve-C of the vehicle and traffic law, there shall be no
6 reduction in premiums for a self instruction defensive driving course or
7 a course which does not provide for actual classroom instruction for a
8 minimum number of hours as determined by the department of motor vehi-
9 cles. Such reduction in premium charges shall be subsequently modified
10 to the extent appropriate, based upon analysis of loss experience
11 statistics and other relevant factors. All such accident prevention
12 courses shall be monitored by the department of motor vehicles and shall
13 include components of instruction in "Road Rage" awareness [and], in
14 "Work Zone Safety" awareness and "Distracted Driving" as defined by the
15 commissioner of motor vehicles. The provisions of this section shall not
16 apply to attendance at a program pursuant to article twenty-one of the
17 vehicle and traffic law as a result of any traffic infraction.

18 § 5. Subsection (a) of section 2336 of the insurance law, as amended
19 by chapter 585 of the laws of 2002, is amended to read as follows:

20 (a) Any schedule of rates or rating plan for motor vehicle liability
21 and collision insurance submitted to the superintendent shall provide
22 for an appropriate reduction in premium charges for any insured for a
23 three year period after successfully completing a motor vehicle accident
24 prevention course, known as the national safety council's defensive
25 driving course, or any driver improvement course approved by the depart-
26 ment of motor vehicles as being equivalent to the national safety coun-
27 cil's defensive driving course, provided that in either event there
28 shall be no reduction in premiums for a self instruction defensive driv-

1 ing course or a course which does not provide for actual classroom
2 instruction for a minimum number of hours as determined by the depart-
3 ment of motor vehicles. Such reduction in premium charges shall be
4 subsequently modified to the extent appropriate, based upon analysis of
5 loss experience statistics and other relevant factors. All such accident
6 prevention courses shall be monitored by the department of motor vehi-
7 cles and shall include components of instruction in "Road Rage" aware-
8 ness [and], in "Work Zone Safety" awareness and "Distracted Driving" as
9 defined by the commissioner of motor vehicles. The provisions of this
10 section shall not apply to attendance at a program pursuant to article
11 twenty-one of the vehicle and traffic law as a result of any traffic
12 infraction.

13 § 6. This act shall take effect immediately; provided that section
14 four of this act shall take effect on the thirtieth day after it shall
15 have become a law; further provided that the amendments to subsection
16 (a) of section 2336 of the insurance law made by section four of this
17 act shall be subject to the expiration and reversion of such subsection
18 as provided in section 5 of chapter 751 of the laws of 2005, as amended,
19 when upon such date section five of this act shall take effect.