

# Consequences of Texting While Driving



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# New York State Vehicle and Traffic Law

- S 1225-d. **Use of portable electronic devices.** 1. Except as otherwise provided in this section, **no person shall operate a motor vehicle while using any portable electronic device while such vehicle is in motion**; provided, however, that no person shall operate a commercial motor vehicle while using any portable electronic device on a public highway including while temporarily stationary because of traffic, a traffic control device, or other momentary delays. Provided further, however, that a person shall not be deemed to be a commercial motor vehicle while using a portable electronic device on a public highway when such vehicle is stopped at the side of, or off, a public highway in a location where such vehicle is not otherwise prohibited from stopping by law, rule, regulation or any lawful order or direction of a police officer.

# New York State Vehicle and Traffic Law

What is a **portable electronic device**?

Any hand-held mobile telephone, PDA, handheld device with mobile data access, laptop computer, pager, broadband personal communication device, two-way messaging device, electronic game, or portable computing device, or ANY OTHER electronic device when used to input, write, send, receive or read text for present or future communication.

# New York State Vehicle and Traffic Law

**True or False?**

**You have to be actively texting on your phone while driving to break the law.**

**1225-d 4-** A person who holds a portable electronic device in a conspicuous manner while operating a motor vehicle on a public highway including while temporarily stationary because of traffic, a traffic control device , or other momentary delays is presumed to be using such device.

# Penalties

- Negative Driving History
- Increase in insurance premiums
- Court Fines & Surcharges
  - Fines as of July 26, 2013
    - 1<sup>st</sup> offense \$50 - \$150
    - 2<sup>nd</sup> offense \$50 - \$200
    - 3<sup>rd</sup> offense \$50 - 400
  - Surcharge of up to \$93
  - Total Cost \$143 - \$493

# Penalties

- Points on your license (First offense you receive 5)
  - 11 points in an 18 month period may cause your license to be suspended
  - If operating with a Class DJ or MJ license
    - First conviction will result in suspension of license or permit for 60 days
    - Second conviction will result in revocation for at least 60 days

# Penalties

Texting while driving does not necessarily only lead to a texting ticket...

- VTL 1180, SPEEDING
  - VTL 1172, FAIL TO OBEY A STOP SIGN
  - VTL 1129A, FOLLOWING TOO CLOSELY
  - VTL 1110A, FAILURE TO OBEY A TRAFFIC CONTROL DEVICE
- ETC...

Additional driving infractions mean more money, more points, and a greater chance for suspension and revocation of your driving **privilege**.

# Penalties

Lastly, Let us not forget the Civil (lawsuits) and criminal penalties that may result...



# Take Initiative!

## Android

**AT&T DriveMode**  
**Verizon Safely Go**  
**Sprint Drive First**  
**Safe Driving Text**  
**Machine**  
**Text-Star**  
**Canary**

## Apple iOS

Canary  
TextLimit  
Safe Driving  
Stand  
Drive Alive