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I N   S E N A T E

February 6, 2012

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Introduced by Sens. RIVERA, DIAZ -- read twice and ordered printed, and  
when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law and the executive law, in  
relation to enabling veterans to receive benefit information upon  
applying for or renewing a driver's license

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. Subdivision 1 of section 502 of the vehicle and traffic  
2 law, as amended by section 2 of part CC of chapter 58 of the laws of  
3 2011, is amended to read as follows:  
4     1. Application for license. Application for a driver's license shall  
5 be made to the commissioner. The fee prescribed by law may be submitted  
6 with such application. The applicant shall furnish such proof of identi-  
7 ty, age, and fitness as may be required by the commissioner. The commis-  
8 sioner may also provide that the application procedure shall include the  
9 taking of a photo image or images of the applicant in accordance with  
10 rules and regulations prescribed by the commissioner. In addition, the  
11 commissioner also shall require that the applicant provide his or her  
12 social security number and provide space on the application so that the  
13 applicant may register in the New York state organ and tissue donor  
14 registry under section forty-three hundred ten of the public health law.  
15 IN ADDITION, THE COMMISSIONER SHALL ENSURE THAT SPACE IS PROVIDED ON THE  
16 APPLICATION TO ENABLE ANY APPLICANT WHO IS A VETERAN OF THE MILITARY OR  
17 NAVAL SERVICE OF THE UNITED STATES TO REGISTER TO RECEIVE INFORMATION  
18 FROM THE DIVISION OF VETERANS' AFFAIRS BY EMAIL OR TELEPHONE REGARDING  
19 BENEFITS TO WHICH SUCH APPLICANT MAY BE ENTITLED AND THAT THE FOLLOWING  
20 IS STATED ON THE APPLICATION: "BY CHECKING THIS BOX, YOU CERTIFY THAT  
21 YOU ARE A VETERAN OF THE MILITARY OR NAVAL SERVICE OF THE UNITED STATES  
22 AND YOU GIVE PERMISSION TO THE DEPARTMENT OF MOTOR VEHICLES TO SHARE  
23 YOUR NAME AND CONTACT INFORMATION WITH THE DIVISION OF VETERANS' AFFAIRS  
24 TO ENABLE THE DIVISION OF VETERANS' AFFAIRS TO CONTACT YOU VIA EMAIL OR  
25 TELEPHONE REGARDING BENEFITS TO WHICH YOU MAY BE ENTITLED". In addition,  
26 an applicant for a commercial driver's license who will operate a  
27 commercial motor vehicle in interstate commerce shall certify that such

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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1 applicant meets the requirements to operate a commercial motor vehicle,  
2 as set forth in public law 99-570, title XII, and title 49 of the code  
3 of federal regulations, and all regulations promulgated by the United  
4 States secretary of transportation under the hazardous materials trans-  
5 portation act. In addition, an applicant for a commercial driver's  
6 license shall submit a medical certificate at such intervals as required  
7 by the federal motor carrier safety improvement act of 1999 and Part  
8 383.71(h) of title 49 of the code of federal regulations relating to  
9 medical certification and in a manner prescribed by the commissioner.  
10 For purposes of this section and sections five hundred three and five  
11 hundred ten-a of this title, the term "medical certificate" shall mean a  
12 form substantially in compliance with the form set forth in Part  
13 391.43(h) of title 49 of the code of federal regulations. Upon a deter-  
14 mination that the holder of a commercial driver's license has made any  
15 false statement, with respect to the application for such license, the  
16 commissioner shall revoke such license.

17 S 2. Paragraph (a) of subdivision 6 of section 502 of the vehicle and  
18 traffic law, as amended by section 3 of part K of chapter 59 of the laws  
19 of 2009, is amended to read as follows:

20 (a) A license issued pursuant to subdivision five of this section  
21 shall be valid until the expiration date contained thereon, unless such  
22 license is suspended, revoked or cancelled. Such license may be renewed  
23 by submission of an application for renewal, the fee prescribed by law,  
24 proofs of prior licensing, fitness and acceptable vision prescribed by  
25 the commissioner, the applicant's social security number, and if  
26 required by the commissioner a photo image of the applicant in such  
27 numbers and form as the commissioner shall prescribe. IN ADDITION, THE  
28 COMMISSIONER SHALL ENSURE THAT SPACE IS PROVIDED ON THE APPLICATION FOR  
29 RENEWAL TO ENABLE ANY APPLICANT WHO IS A VETERAN OF THE MILITARY OR  
30 NAVAL SERVICE OF THE UNITED STATES TO REGISTER TO RECEIVE INFORMATION  
31 FROM THE DIVISION OF VETERANS' AFFAIRS BY EMAIL OR TELEPHONE REGARDING  
32 BENEFITS TO WHICH SUCH APPLICANT MAY BE ENTITLED AND THAT THE FOLLOWING  
33 IS STATED ON THE APPLICATION FOR RENEWAL: "BY CHECKING THIS BOX, YOU  
34 CERTIFY THAT YOU ARE A VETERAN OF THE MILITARY OR NAVAL SERVICE OF THE  
35 UNITED STATES AND YOU GIVE PERMISSION TO THE DEPARTMENT OF MOTOR VEHI-  
36 CLES TO SHARE YOUR NAME AND CONTACT INFORMATION WITH THE DIVISION OF  
37 VETERANS' AFFAIRS TO ENABLE THE DIVISION OF VETERANS' AFFAIRS TO CONTACT  
38 YOU VIA EMAIL OR TELEPHONE REGARDING BENEFITS TO WHICH YOU MAY BE ENTI-  
39 TLED". In addition, an applicant for renewal of a license containing a  
40 hazardous material endorsement shall pass an examination to retain such  
41 endorsement. The commissioner shall, with respect to the renewal of a  
42 hazardous materials endorsement, comply with the requirements imposed  
43 upon states by sections 383.141 and 1572.13 of title 49 of the code of  
44 federal regulations. A renewal of such license shall be issued by the  
45 commissioner upon approval of such application, except that no such  
46 license shall be issued if its issuance would be inconsistent with the  
47 provisions of section five hundred sixteen of this title, and except  
48 that the commissioner may refuse to renew such license if the applicant  
49 is the holder of a currently valid or renewable license to drive issued  
50 by another state or foreign country unless the applicant surrenders such  
51 license.

52 S 3. Section 508 of the vehicle and traffic law is amended by adding a  
53 new subdivision 6 to read as follows:

54 6. THE COMMISSIONER SHALL APPOINT AGENTS TO ACT ON HIS OR HER BEHALF  
55 TO COLLECT, STORE AND MAKE AVAILABLE TO THE DIVISION OF VETERANS'  
56 AFFAIRS THE NAME AND CONTACT INFORMATION OF A VETERAN APPLICANT WHO

1 REQUESTS TO RECEIVE BENEFIT INFORMATION FROM THE DIVISION OF VETERANS'  
2 AFFAIRS PURSUANT TO SUBDIVISION ONE OR PARAGRAPH (A) OF SUBDIVISION SIX  
3 OF SECTION FIVE HUNDRED TWO OF THIS ARTICLE.

4 S 4. Section 353 of the executive law is amended by adding a new  
5 subdivision 21 to read as follows:

6 21. TO COORDINATE WITH THE DEPARTMENT OF MOTOR VEHICLES PURSUANT TO  
7 SUBDIVISION ONE OR PARAGRAPH (A) OF SUBDIVISION SIX OF SECTION FIVE  
8 HUNDRED TWO OF THE VEHICLE AND TRAFFIC LAW TO RETRIEVE NAME AND CONTACT  
9 INFORMATION OF VETERANS WHO ARE APPLYING FOR OR RENEWING THEIR DRIVER'S  
10 LICENSES AND WHO REQUEST TO BE CONTACTED BY THE DIVISION VIA EMAIL OR  
11 TELEPHONE REGARDING BENEFITS TO WHICH THEY MAY BE ENTITLED.

12 S 5. This act shall take effect immediately.