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I N   S E N A T E

March 22, 2012

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Introduced by Sen. BALL -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

AN ACT to amend the vehicle and traffic law, in relation to forms of identification cards and licenses of veterans

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

1     Section 1. Subparagraph (i) of paragraph (a) and paragraph (b) of  
2     subdivision 3 of section 490 of the vehicle and traffic law, subpara-  
3     graph (i) of paragraph (a) as amended by chapter 235 of the laws of  
4     2002, and paragraph (b) as amended by chapter 600 of the laws of 1989,  
5     are amended to read as follows:  
6     (i) The commissioner shall upon submission of an appropriate applica-  
7     tion, upon payment of the prescribed fee, and upon being satisfied that  
8     the person described is the applicant and that such applicant meets the  
9     requirements set forth in subdivision two of this section, issue to such  
10    applicant a nontransferable identification card. In addition, the  
11    commissioner also shall require that an applicant for an identification  
12    card or renewal thereof provide his or her social security number. THE  
13    COMMISSIONER SHALL PROVIDE SPACE SO THAT AN APPLICANT MAY REQUEST A  
14    NOTATION UPON SUCH IDENTIFICATION CARD THAT HE OR SHE IS A VETERAN OF  
15    THE UNITED STATES ARMED FORCES.  
16    (b) The identification card shall contain a distinguishing number or  
17    mark and adequate space upon which an anatomical gift, pursuant to arti-  
18    cle forty-three of the public health law, by the holder may be recorded  
19    and shall contain such other information and shall be issued in such  
20    form as the commissioner shall determine; provided, however, every iden-  
21    tification card or renewal thereof issued to a person under the age of  
22    twenty-one years shall have prominently imprinted thereon the statement  
23    "UNDER 21 YEARS OF AGE" in notably distinctive print or format.  
24    PROVIDED, FURTHER, HOWEVER, THAT EVERY IDENTIFICATION CARD ISSUED TO AN  
25    APPLICANT WHO WAS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES AND  
26    RECEIVED ON HONORABLE DISCHARGE OR WAS RELEASED THEREFROM UNDER HONOR-  
27    ABLE CONDITIONS SHALL, UPON HIS OR HER REQUEST AND SUBMISSION OF PROOF

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

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1 AS SET FORTH HEREIN, CONTAIN A DISTINGUISHING MARK, IN SUCH FORM AS THE  
2 COMMISSIONER SHALL DETERMINE, INDICATING THAT HE OR SHE IS A VETERAN.  
3 SUCH PROOF SHALL CONSIST OF A CERTIFICATE OF RELEASE OR DISCHARGE FROM  
4 ACTIVE DUTY INCLUDING BUT NOT LIMITED TO A DD FORM 214 OR OTHER PROOF  
5 SATISFACTORY TO THE COMMISSIONER. The commissioner shall not require  
6 fees for the issuance of such identification cards or renewals thereof  
7 to persons under twenty-one years of age which are different from the  
8 fees required for the issuance of identification cards or renewals ther-  
9 eof to persons twenty-one years of age or over, NOR FEES TO PERSONS  
10 REQUESTING A VETERAN NOTATION WHICH ARE DIFFERENT FROM FEES THAT WOULD  
11 OTHERWISE BE REQUIRED.

12 S 2. Subdivision 1 of section 502 of the vehicle and traffic law, as  
13 amended by section 2 of part CC of chapter 58 of the laws of 2011, is  
14 amended to read as follows:

15 1. Application for license. Application for a driver's license shall  
16 be made to the commissioner. The fee prescribed by law may be submitted  
17 with such application. The applicant shall furnish such proof of identi-  
18 ty, age, and fitness as may be required by the commissioner. The commis-  
19 sioner may also provide that the application procedure shall include the  
20 taking of a photo image or images of the applicant in accordance with  
21 rules and regulations prescribed by the commissioner. In addition, the  
22 commissioner also shall require that the applicant provide his or her  
23 social security number and provide space on the application so that the  
24 applicant may register in the New York state organ and tissue donor  
25 registry under section forty-three hundred ten of the public health law,  
26 AND SPACE SO THAT THE APPLICANT MAY REQUEST A NOTATION UPON SUCH LICENSE  
27 THAT HE OR SHE IS A VETERAN OF THE UNITED STATES ARMED FORCES. In addi-  
28 tion, an applicant for a commercial driver's license who will operate a  
29 commercial motor vehicle in interstate commerce shall certify that such  
30 applicant meets the requirements to operate a commercial motor vehicle,  
31 as set forth in public law 99-570, title XII, and title 49 of the code  
32 of federal regulations, and all regulations promulgated by the United  
33 States secretary of transportation under the hazardous materials trans-  
34 portation act. In addition, an applicant for a commercial driver's  
35 license shall submit a medical certificate at such intervals as required  
36 by the federal motor carrier safety improvement act of 1999 and Part  
37 383.71(h) of title 49 of the code of federal regulations relating to  
38 medical certification and in a manner prescribed by the commissioner.  
39 For purposes of this section and sections five hundred three and five  
40 hundred ten-a of this title, the term "medical certificate" shall mean a  
41 form substantially in compliance with the form set forth in Part  
42 391.43(h) of title 49 of the code of federal regulations. Upon a deter-  
43 mination that the holder of a commercial driver's license has made any  
44 false statement, with respect to the application for such license, the  
45 commissioner shall revoke such license.

46 S 3. Subdivision 1 of section 504 of the vehicle and traffic law is  
47 amended by adding a new paragraph (a-1) to read as follows:

48 (A-1) EVERY LICENSE OR RENEWAL THEREOF ISSUED TO AN APPLICANT WHO WAS  
49 A MEMBER OF THE ARMED FORCES OF THE UNITED STATES AND RECEIVED AN HONOR-  
50 ABLE DISCHARGE OR WAS RELEASED THEREFROM UNDER HONORABLE CONDITIONS  
51 SHALL, UPON HIS OR HER REQUEST AND SUBMISSION OF PROOF AS SET FORTH  
52 HEREIN, CONTAIN A DISTINGUISHING MARK, IN SUCH FORM AS THE COMMISSIONER  
53 SHALL DETERMINE, INDICATING THAT HE OR SHE IS A VETERAN. SUCH PROOF  
54 SHALL CONSIST OF A CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY  
55 INCLUDING BUT NOT LIMITED TO A DD FORM 214 OR OTHER PROOF SATISFACTORY  
56 TO THE COMMISSIONER. THE COMMISSIONER SHALL NOT REQUIRE FEES FOR THE

1 ISSUANCE OF SUCH LICENSES OR RENEWALS THEREOF TO PERSONS REQUESTING A  
2 VETERAN NOTATION WHICH IS DIFFERENT FROM FEES OTHERWISE REQUIRED.  
3 S 4. This act shall take effect one year after it shall have become a  
4 law.