

5965

2013-2014 Regular Sessions

I N S E N A T E

October 23, 2013

Introduced by Sen. PERALTA -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the vehicle and traffic law, in relation to authorizing the department of motor vehicles to issue drivers' licenses to certain aliens

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

1 Section 1. The vehicle and traffic law is amended by adding a new
2 section 503-a to read as follows:
3 S 503-A. DRIVERS' LICENSES FOR FOREIGN NATIONALS. 1. THE DEPARTMENT
4 SHALL, SUBJECT TO THE REQUIREMENTS OF THIS SECTION, ISSUE A DRIVER'S
5 LICENSE TO A FOREIGN NATIONAL WHO IS AN APPLICANT FOR A DRIVER'S LICENSE
6 AND WHO MEETS THE APPLICABLE REQUIREMENTS OF THIS CHAPTER BUT WHO IS
7 UNABLE TO SATISFY THE FORMS FOR PROOF OF IDENTITY PRESCRIBED IN SECTION
8 FIVE HUNDRED TWO OF THIS ARTICLE.
9 2. TO BE ELIGIBLE FOR A DRIVER'S LICENSE UNDER THIS SECTION, THE
10 APPLICANT MUST:
11 (A)(I) PRESENT TO THE DEPARTMENT A VALID PASSPORT ISSUED TO THE APPLI-
12 CANT BY HIS OR HER COUNTRY OF CITIZENSHIP, A CURRENT IDENTIFICATION CARD
13 ISSUED TO THE APPLICANT BY THE EMBASSY OR CONSULATE IN THE UNITED STATES
14 OF HIS OR HER COUNTRY OF CITIZENSHIP, OR A CONSULAR REPORT OF THE APPLI-
15 CANT'S BIRTH.
16 (II) THE DEPARTMENT SHALL PROVIDE FOR THE ACCEPTANCE OF ALTERNATIVE
17 FORMS OF IDENTIFICATION TO THE IDENTIFICATION REQUIRED UNDER SUBPARA-
18 GRAPH (I) OF THIS PARAGRAPH INCLUDING A VALID, UNEXPIRED MOTOR VEHICLE
19 OPERATOR'S LICENSE ISSUED BY ANOTHER STATE OR COUNTRY, A VALID FOREIGN
20 VOTER REGISTRATION CARD, A CERTIFIED COPY OF A MARRIAGE CERTIFICATE
21 ISSUED WITHIN THE UNITED STATES, A CERTIFIED SCHOOL TRANSCRIPT AND A
22 BAPTISMAL CERTIFICATE OR OTHER SIMILAR DOCUMENT;
23 (B) SUBMIT PROOF, TO THE SATISFACTION OF THE DEPARTMENT, OF AN ESTAB-
24 LISHED RESIDENCY IN THIS STATE FOR AT LEAST SIX MONTHS DURING THE FIVE

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

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1 YEARS PRECEDING THE DATE OF APPLICATION FOR A DRIVER'S LICENSE. THE
2 PROOF UNDER THIS PARAGRAPH MAY INCLUDE:
3 (I) DOCUMENTATION DEMONSTRATING OWNERSHIP OF OR A LEASE ON REAL PROP-
4 ERTY IN THIS STATE;
5 (II) UTILITY BILLS;
6 (III) BANK OR SIMILAR FINANCIAL RECORDS; OR
7 (IV) SALARY WARRANTS; AND
8 (C) AFFIRM TO THE DEPARTMENT THAT HE OR SHE HAS NOT BEEN CONVICTED OF
9 ANY CRIME THAT WOULD CONSTITUTE A FELONY IN THIS STATE AND IS NOT WANTED
10 FOR A CRIME THAT WOULD CONSTITUTE A FELONY IN THIS STATE BY ANY CRIMINAL
11 AUTHORITIES IN THE COUNTRY OF CITIZENSHIP OR IN THE UNITED STATES.
12 3. THE DEPARTMENT SHALL NOT ISSUE A DRIVER'S LICENSE OR RENEW A DRIV-
13 ER'S LICENSE UNDER THIS SECTION IF THE APPLICANT HAS BEEN CONVICTED OF A
14 CRIME IN THE UNITED STATES OR IN ANY OTHER COUNTRY WHICH WOULD BE CLAS-
15 SIFIED AS A FELONY IN THIS STATE.
16 4. THE DEPARTMENT SHALL REVOKE ANY DRIVER'S LICENSE ISSUED UNDER THIS
17 SECTION UPON DETERMINING THAT THE FOREIGN NATIONAL IS NO LONGER ENTITLED
18 TO THE ISSUANCE OF THE DRIVER'S LICENSE.
19 S 2. This act shall take effect on the first of October next succeed-
20 ing the date on which it shall have become a law; provided, however,
21 that the commissioner of motor vehicles shall promulgate any rules and
22 regulations necessary for the timely implementation of the provisions of
23 this act on or before such effective date.