S T A T E  O F  N E W  Y O R K

6753

2009-2010 Regular Sessions

I N  A S S E M B L Y

March 12, 2009

Introduced by M. of A. BENJAMIN -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to the option of diabetic individuals to request a special diabetic persons license plate, hang tag and/or license

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

Section 1. The vehicle and traffic law is amended by adding a new section 404-aa to read as follows:

S 404-AA. REGISTRATION OF VEHICLES OF DIABETIC PERSONS. 1. REGISTRATION OF MOTOR VEHICLES OWNED BY DIABETIC PERSONS. THE COMMISSIONER SHALL ASSIGN, TO SUCH MOTOR VEHICLES, UPON THE REQUEST OF THE DIABETIC PERSON, A DISTINCTIVE PLATE AND ISSUE AND DELIVER IN SUCH MANNER AS THE COMMISSION MAY SELECT TO THE OWNER A CERTIFICATION OF REGISTRATION, IN SUCH FORM AS THE COMMISSIONER SHALL PRESCRIBE AND TWO NUMBER PLATES, CALLED DIABETIC PERSON PLATES. SAID DIABETIC PERSON PLATES SHALL CONFORM TO THE REQUIREMENTS OF SECTION FOUR HUNDRED ONE OF THIS ARTICLE, BUT SHALL BEAR DISTINCTIVE MARKS TO DISTINGUISH THEM FROM NUMBER PLATES TO BE ISSUED TO OTHER PERSONS, QUALIFYING UNDER THIS CHAPTER. WHERE A DIABETIC PERSON OWNS MORE THAN ONE VEHICLE, THE COMMISSIONER SHALL ISSUE ONE SET OF PLATES FOR EACH ADDITIONAL VEHICLE USED BY SUCH DIABETIC PERSON.

2. ISSUE OF PLATES. THE COMMISSIONER SHALL ISSUE SETS OF PLATES TO SUCH PERSON IN ACCORDANCE WITH SUBDIVISION ONE OF THIS SECTION WITH PROOF OF HIS OR HER DIABETIC CONDITION CERTIFIED BY A PHYSICIAN, PHYSICIAN'S ASSISTANT OR NURSE PRACTITIONER, TO THE EXTENT AUTHORIZED BY LAW, AND CONSISTENT WITH ANY WRITTEN PRACTICE AGREEMENT, TO THE SATISFACTION OF THE COMMISSIONER WHO IS EMPOWERED TO CARRY OUT THE EFFECT OF THIS SECTION BY FORMULATING RULES AND REGULATIONS.

3. FEE REQUIREMENTS. AS PROVIDED IN SECTION FOUR HUNDRED ONE OF THIS ARTICLE, THE REGISTRATION AND DIABETIC PERSON PLATES SHALL BE ACCOMPA-

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

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NIED ONLY BY THE REQUIRED FEE OTHERWISE REQUIRED TO BE FOR VEHICLE REGISTRATION.

4. APPLICATION FOR REGISTRATION. (A) THE APPLICATION FOR REGISTRATION UNDER THIS SECTION SHALL BE FILED WITH THE COMMISSIONER IN SUCH FORM AND DETAIL AS THE COMMISSIONER SHALL PRESCRIBE, SETTING FORTH SUCH INFORMATION AS THE COMMISSIONER MAY REASONABLY PRESCRIBE BEYOND SUCH INFORMATION REQUIRED UNDER SECTION FOUR HUNDRED ONE OF THIS ARTICLE.

(B) THE COMMISSIONER MAY REQUIRE THE APPLICANT FOR REGISTRATION TO FURNISH SUCH PROOF OF HIS OR HER DIABETIC CONDITION FROM A PHYSICIAN, PHYSICIAN'S ASSISTANT OR NURSE PRACTITIONER, TO THE EXTENT AUTHORIZED BY LAW, AND CONSISTENT WITH ANY APPLICABLE WRITTEN PRACTICE AGREEMENT, AS THE COMMISSIONER DEEMS NECESSARY EITHER FOR INITIAL REGISTRATION OR RENEWAL THEREOF.

(C) APPLICATION UNDER THIS SECTION SHALL ONLY APPLY TO A VEHICLE SUBJECT TO REGISTRATION PURSUANT TO SUBDIVISION SIX OF SECTION FOUR HUNDRED ONE OF THIS ARTICLE.

5. DIABETIC PERSON HANG TAG. (A) THE COMMISSIONER SHALL ISSUE A DIABETIC PERSON HANG TAG TO DIABETIC PERSONS, UPON THE REQUEST OF SUCH PERSONS.

(B) THE COMMISSIONER SHALL CAUSE THE TAG TO BE DESIGNED IN SUCH FORM AND DETAIL AS THE COMMISSIONER SHALL PRESCRIBE, PROVIDED, HOWEVER THAT SUCH TAG SHALL SPECIFICALLY ALERT OTHERS THAT THE DRIVER OF THE VEHICLE IS AFFLICTED WITH DIABETES AND MAY BE SUFFERING FROM HYPOGLYCEMIA, OR "DIABETIC SHOCK".

(C) THE COMMISSIONER MAY REQUIRE THE PERSON REQUESTING SUCH TAG TO PROVIDE PROOF OF HIS OR HER DIABETIC CONDITION CERTIFIED BY A PHYSICIAN, PHYSICIAN'S ASSISTANT OR NURSE PRACTITIONER, TO THE EXTENT AUTHORIZED BY LAW, INCLUDING THE EDUCATION LAW, AND CONSISTENT WITH ANY WRITTEN PRACTICE AGREEMENT, TO THE SATISFACTION OF THE COMMISSIONER WHO IS EMPOWERED TO CARRY OUT THE EFFECTS OF THIS SECTION BY FORMULATING RULES AND REGULATIONS.

S 2. The vehicle and traffic law is amended by adding a new section 504-a to read as follows:

S 504-A. DIABETIC PERSON LICENSE. 1. THE COMMISSIONER SHALL ISSUE A DIABETIC PERSON LICENSE TO DIABETIC PERSONS, UPON THE REQUEST OF SUCH PERSONS. THE COMMISSIONER SHALL CAUSE SUCH LICENSE TO BEAR A DISTINGUISHING MARK, DESIGNED TO THE SATISFACTION OF THE COMMISSIONER, TO ALERT OTHERS THAT THE PERSON CARRYING SUCH LICENSE IS AFFLICTED WITH DIABETES AND MAY BE SUFFERING FROM HYPOGLYCEMIA OR "DIABETIC SHOCK".

2. THE COMMISSIONER MAY REQUIRE THE PERSON REQUESTING SUCH LICENSE TO PROVIDE PROOF OF HIS OR HER DIABETIC CONDITION CERTIFIED BY A PHYSICIAN, PHYSICIAN'S ASSISTANT OR NURSE PRACTITIONER, TO THE EXTENT AUTHORIZED BY LAW, INCLUDING THE EDUCATION LAW, AND CONSISTENT WITH ANY WRITTEN PRACTICE AGREEMENT, TO THE SATISFACTION OF THE COMMISSIONER WHO IS EMPOWERED TO CARRY OUT THE EFFECT OF THIS SECTION BY FORMULATING RULES AND REGULATIONS.

S 3. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.