

8152

2009-2010 Regular Sessions

I N   A S S E M B L Y

May 6, 2009

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

AN ACT to amend the vehicle and traffic law, in relation to penalties  
for the unauthorized use of a driver's license or non-driver identification card

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 1804 to read as follows:  
3     S 1804. DRIVER'S LICENSE AND NON-DRIVER IDENTIFICATION CARD; UNAUTHOR-  
4     IZED USE. 1. IN ADDITION TO ANY OTHER FINES AND PENALTIES SET FORTH IN  
5     THE PENAL LAW OR ANY OTHER PROVISION OF LAW, ANY PERSON WHO KNOWINGLY:  
6     (A) OFFERS AS HIS OR HER OWN, A DRIVER'S LICENSE OR NON-DRIVER IDEN-  
7     TIFICATION CARD TO ANY PERSON AS PROOF OF AGE WHEN SUCH DRIVER'S LICENSE  
8     OR NON-DRIVER IDENTIFICATION CARD IS NOT HIS OR HER OWN; OR  
9     (B) FALSELY MAKES OR FALSELY ALTERS A DRIVER'S LICENSE OR NON-DRIVER  
10    IDENTIFICATION CARD, SHALL BE SUBJECT TO THE FINES AND PENALTIES SET  
11    FORTH IN SUBDIVISION TWO OF THIS SECTION. FOR PURPOSES OF THIS SECTION,  
12    THE TERMS "FALSELY MAKES" AND "FALSELY ALTERS" SHALL HAVE THE SAME MEAN-  
13    INGS AS SET FORTH IN SUBDIVISIONS FOUR AND SIX, RESPECTIVELY, OF SECTION  
14    170.00 OF THE PENAL LAW.  
15    2. ANY PERSON WHO OFFERS, FALSELY MAKES OR FALSELY ALTERS A DRIVER'S  
16    LICENSE OR NON-DRIVER IDENTIFICATION CARD PURSUANT TO SUBDIVISION ONE OF  
17    THIS SECTION, SHALL:  
18    (A) FOR A FIRST OFFENSE, BE SUBJECT TO A FINE OF FIVE HUNDRED DOLLARS  
19    AND SUSPENSION OF HIS OR HER DRIVER'S LICENSE OR NON-DRIVER IDENTIFICA-  
20    TION CARD FOR SIX MONTHS;  
21    (B) FOR A SECOND OFFENSE, BE SUBJECT TO A FINE OF ONE THOUSAND DOLLARS  
22    AND SUSPENSION OF HIS OR HER DRIVER'S LICENSE OR NON-DRIVER IDENTIFICA-  
23    TION CARD FOR ONE YEAR; AND

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

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1 (C) FOR A THIRD OFFENSE, BE SUBJECT TO A FINE OF FIVE THOUSAND DOLLARS  
2 AND SUSPENSION OF HIS OR HER DRIVER'S LICENSE OR NON-DRIVER IDENTIFICA-  
3 TION CARD FOR THREE YEARS OR UNTIL SUCH PERSON IS TWENTY-ONE YEARS OF  
4 AGE, WHICHEVER IS GREATER.  
5 S 2. This act shall take effect on the sixtieth day after it shall  
6 have become a law.