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

830

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. DelMONTE -- Multi-Sponsored by -- M. of A. ROBINSON, WEISENBERG -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to requiring identification for anyone over sixteen years of age to be on their person at all times

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

Section 1. The penal law is amended by adding a new section 190.22 to read as follows:

S 190.22 REQUIRED IDENTIFICATION.

1. ANYONE OVER SIXTEEN YEARS OF AGE SHALL HAVE APPROVED NEW YORK STATE PHOTO IDENTIFICATION ON THEIR PERSON AT ALL TIMES.

2. A PERSON FOUND IN VIOLATION OF THIS SECTION SHALL BE CHARGED A FINE NOT TO EXCEED TWO HUNDRED DOLLARS. THE POLICE OFFICER MUST BE IN PERFORMANCE OF HIS OR HER DUTIES TO ASK FOR PHOTO IDENTIFICATION, SUCH AS, BUT NOT LIMITED TO, A TRAFFIC STOP, INVESTIGATION OF A SUSPICIOUS PERSON OR INVESTIGATION OF CRIMINAL ACTIVITY. THERE SHALL BE NO JAIL TIME ASSOCIATED WITH THIS VIOLATION.

3. APPROVED FORMS OF PHOTO IDENTIFICATION REQUIRED IN SUBDIVISION ONE OF THIS SECTION SHALL INCLUDE A DRIVER'S LICENSE OR LEARNER'S PERMIT ISSUED PURSUANT TO ARTICLE NINETEEN OF THE VEHICLE AND TRAFFIC LAW, A RESTRICTED USE LICENSE ISSUED PURSUANT TO SECTION FIVE HUNDRED THIRTY OF THE VEHICLE AND TRAFFIC LAW, A NON-DRIVER IDENTIFICATION CARD ISSUED PURSUANT TO ARTICLE SEVENTEEN-A OF THE VEHICLE AND TRAFFIC LAW, A NEW YORK STATE BENEFIT CARD, AN OUT-OF-STATE DRIVER'S LICENSE, MILITARY IDENTIFICATION, OR SCHOOL/COLLEGE IDENTIFICATION.

S 2. This act shall take effect the first of November next succeeding the date on which it shall have become a law.

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

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