

4429

2009-2010 Regular Sessions

I N A S S E M B L Y

February 4, 2009

Introduced by M. of A. ESPAILLAT -- Multi-Sponsored by -- M. of A. DIAZ,
FARRELL, GANTT, GOTTFRIED, TOWNS -- read once and referred to the
Committee on Transportation

AN ACT to authorize the commissioner of the department of motor vehicles
to implement rules and regulations requiring the acceptance of certain
proof for the issuance of a driver's license; and providing for the
repeal of such provisions upon expiration thereof

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

1 Section 1. 1. The commissioner of motor vehicles is authorized and
2 directed to implement or amend, rules and regulations requiring the
3 department of motor vehicles to accept certain information as proof for
4 the purposes of clarifying discrepancies with social security numbers.
5 Such rules and regulations shall include, but not be limited to:
6 (a) requiring the department of motor vehicles to accept, as proof
7 that such licensee is ineligible for a social security number:
8 (i) a letter or form from the social security administration,
9 (ii) an individual taxpayer identification (ITIN), or
10 (iii) a sworn statement from the licensee; and
11 (b) in addition to the requirements of paragraph (a) of this subdivi-
12 sion, requiring the department of motor vehicles to accept as proof and
13 as a substitute for a social security card currently accepted documents
14 establishing identity which shall include one of the following:
15 (i) a foreign passport (no visa required),
16 (ii) a consular identification document,
17 (iii) official immigration documents issued by the United States
18 Customs and Immigration Service, or
19 (iv) an individual taxpayer identification number (ITIN).
20 2. The department of motor vehicles shall notify all licensees who
21 received letters from the department of motor vehicles from January 2004
22 to December 2004 with regards to the expiration or blocking of their

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

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1 license due to discrepancies with such licensees' social security number
2 that such licensee may remove such expiration or block, without suspen-
3 sion, by submitting the proof pursuant to subdivision one of this
4 section.

5 S 2. This act shall take effect on the sixtieth day after it shall
6 have become a law and shall apply to all licensees who received a letter
7 from the department of motor vehicles during the period of January 2004
8 to December 2004 regarding the expiration or blocking of their license;
9 provided that effective immediately, the addition, amendment and/or
10 repeal of any rule or regulation necessary for the implementation of
11 this act on its effective date are authorized and directed to be made
12 and completed on or before such effective date; provided further, that
13 this act shall expire 5 years after such effective date when upon such
14 date the provisions of this act shall be deemed repealed.