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

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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. 1. The commissioner of motor vehicles is authorized and directed to implement or amend, rules and regulations requiring the department of motor vehicles to accept certain information as proof for the purposes of clarifying discrepancies with social security numbers. Such rules and regulations shall include, but not be limited to:

(a) requiring the department of motor vehicles to accept, as proof that such licensee is ineligible for a social security number:

(i) a letter or form from the social security administration,

(ii) an individual taxpayer identification (ITIN), or

(iii) a sworn statement from the licensee; and

(b) in addition to the requirements of paragraph (a) of this subdivision, requiring the department of motor vehicles to accept as proof and as a substitute for a social security card currently accepted documents establishing identity which shall include one of the following:

(i) a foreign passport (no visa required),

(ii) a consular identification document,

(iii) official immigration documents issued by the United States Customs and Immigration Service, or

(iv) an individual taxpayer identification number (ITIN).

2. The department of motor vehicles shall notify all licensees who received letters from the department of motor vehicles from January 2004 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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license due to discrepancies with such licensees' social security number that such licensee may remove such expiration or block, without suspension, by submitting the proof pursuant to subdivision one of this section.

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this act shall expire 5 years after such effective date when upon such date the provisions of this act shall be deemed repealed.