

3669

2009-2010 Regular Sessions

I N S E N A T E

March 27, 2009

Introduced by Sens. FLANAGAN, LARKIN, RANZENHOFER, VOLKER -- read twice
and ordered printed, and when printed to be committed to the Committee
on Transportation

AN ACT to amend the vehicle and traffic law, in relation to requirements
of proof for certain licenses

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

1 Section 1. Subparagraph (i) of paragraph (a) of subdivision 3 of
2 section 490 of the vehicle and traffic law, as amended by chapter 235 of
3 the laws of 2002, is amended to read as follows:

4 (i) The commissioner shall upon submission of an appropriate applica-
5 tion, upon payment of the prescribed fee, and upon being satisfied that
6 the person described is the applicant and that such applicant meets the
7 requirements set forth in subdivision two of this section, issue to such
8 applicant a nontransferable identification card. In addition, the
9 commissioner also shall require that an applicant for an identification
10 card or renewal thereof provide his or her social security number, OR
11 PROVIDE PROOF THAT HE OR SHE IS NOT ELIGIBLE FOR A SOCIAL SECURITY
12 NUMBER. SUCH PROOF MAY INCLUDE ANY DOCUMENTS SUBMITTED BY AN APPLICANT
13 TO THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY FOR THE PURPOSE OF
14 DETERMINING WHETHER SUCH APPLICANT IS ELIGIBLE TO RECEIVE A SOCIAL SECU-
15 RITY NUMBER.

16 S 2. Subdivision 1 of section 502 of the vehicle and traffic law, as
17 amended by chapter 639 of the laws of 2006, is amended to read as
18 follows:

19 1. Application for license. Application for a driver's license shall
20 be made to the commissioner. The fee prescribed by law may be submitted
21 with such application. The applicant shall furnish such proof of identi-
22 ty, age, and fitness as may be required by the commissioner. The commis-
23 sioner may also provide that the application procedure shall include the
24 taking of a photo image or images of the applicant in accordance with

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

LBD05776-02-9

1 rules and regulations prescribed by the commissioner. In addition, the
2 commissioner [also] shall require that the applicant provide his or her
3 social security number [and], OR PROVIDE PROOF THAT HE OR SHE IS NOT
4 ELIGIBLE FOR A SOCIAL SECURITY NUMBER. SUCH PROOF MAY INCLUDE ANY DOCU-
5 MENTS SUBMITTED BY AN APPLICANT TO THE UNITED STATES DEPARTMENT OF HOME-
6 LAND SECURITY FOR THE PURPOSE OF DETERMINING WHETHER SUCH APPLICANT IS
7 ELIGIBLE TO RECEIVE A SOCIAL SECURITY NUMBER. THE COMMISSIONER SHALL
8 ALSO provide space on the application so that the applicant may register
9 in the New York state organ and tissue donor registry under section
10 forty-three hundred ten of the public health law. In addition, an appli-
11 cant for a commercial driver's license who will operate a commercial
12 motor vehicle in interstate commerce shall certify that such applicant
13 meets the requirements to operate a commercial motor vehicle, as set
14 forth in public law 99-570, title XII, and title 49 of the code of
15 federal regulations, and all regulations promulgated by the United
16 States secretary of transportation under the hazardous materials trans-
17 portation act. Upon a determination that the holder of a commercial
18 driver's license has made any false statement, with respect to the
19 application for such license, the commissioner shall revoke such
20 license.

21 S 3. Paragraph (a) of subdivision 6 of section 502 of the vehicle and
22 traffic law, as amended by chapter 81 of the laws of 1995, is amended to
23 read as follows:

24 (a) A license issued pursuant to subdivision five of this section
25 shall be valid until the expiration date contained thereon, unless such
26 license is suspended, revoked or cancelled. Such license may be renewed
27 by submission of an application for renewal, the fee prescribed by law,
28 proofs of prior licensing, fitness and acceptable vision prescribed by
29 the commissioner, AND the applicant's social security number, [and if
30 required by the commissioner] OR PROVIDE PROOF THAT HE OR SHE IS NOT
31 ELIGIBLE FOR A SOCIAL SECURITY NUMBER. SUCH PROOF MAY INCLUDE ANY DOCU-
32 MENTS SUBMITTED BY AN APPLICANT TO THE UNITED STATES DEPARTMENT OF HOME-
33 LAND SECURITY FOR THE PURPOSE OF DETERMINING WHETHER SUCH APPLICANT IS
34 ELIGIBLE TO RECEIVE A SOCIAL SECURITY NUMBER. THE COMMISSIONER MAY ALSO
35 REQUIRE SUBMISSION OF a photo image of the applicant in such numbers and
36 form as the commissioner shall prescribe. In addition, an applicant for
37 renewal of a license containing a hazardous material endorsement shall
38 pass an examination to retain such endorsement. A renewal of such
39 license shall be issued by the commissioner upon approval of such appli-
40 cation, except that no such license shall be issued if its issuance
41 would be inconsistent with the provisions of section five hundred
42 sixteen of this chapter, and except that the commissioner may refuse to
43 renew such license if the applicant is the holder of a currently valid
44 or renewable license to drive issued by another state or foreign country
45 unless the applicant surrenders such license.

46 S 4. This act shall take effect immediately.