

4274

2009-2010 Regular Sessions

I N S E N A T E

April 20, 2009

Introduced by Sen. FOLEY -- 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 providing an address for a driver's license and registration

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

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

4 1. Application for license. Application for a driver's license shall  
5 be made to the commissioner. The fee prescribed by law may be submitted  
6 with such application. The applicant shall furnish such proof of identi-  
7 ty, ADDRESS, age, and fitness as may be required by the commissioner.  
8 WHEN PROVIDING AN ADDRESS TO THE DEPARTMENT, IF AN APPLICANT USES A POST  
9 OFFICE BOX AS HIS OR HER MAILING ADDRESS, THE APPLICANT SHALL ALSO  
10 PROVIDE THE DEPARTMENT WITH HIS OR HER STREET ADDRESS. The commissioner  
11 may also provide that the application procedure shall include the taking  
12 of a photo image or images of the applicant in accordance with rules and  
13 regulations prescribed by the commissioner. In addition, the commission-  
14 er also shall require that the applicant provide his or her social secu-  
15 rity number and provide space on the application so that the applicant  
16 may register in the New York state organ and tissue donor registry under  
17 section forty-three hundred ten of the public health law. In addition,  
18 an applicant for a commercial driver's license who will operate a  
19 commercial motor vehicle in interstate commerce shall certify that such  
20 applicant meets the requirements to operate a commercial motor vehicle,  
21 as set forth in public law 99-570, title XII, and title 49 of the code  
22 of federal regulations, and all regulations promulgated by the United  
23 States secretary of transportation under the hazardous materials trans-  
24 portation act. Upon a determination that the holder of a commercial  
25 driver's license has made any false statement, with respect to the

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

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1 application for such license, the commissioner shall revoke such  
2 license.

3 S 2. The vehicle and traffic law is amended by adding a new section  
4 201-a to read as follows:

5 S 201-A. ACCESS TO INFORMATION. THE DEPARTMENT SHALL ALLOW LAW  
6 ENFORCEMENT PERSONNEL ACCESS TO ANY INDIVIDUAL'S STREET ADDRESS PROVIDED  
7 PURSUANT TO PARAGRAPH B OF SUBDIVISION ONE OF SECTION FOUR HUNDRED ONE  
8 AND SUBDIVISION ONE OF SECTION FIVE HUNDRED TWO OF THIS CHAPTER.

9 S 3. Paragraph b of subdivision 1 of section 401 of the vehicle and  
10 traffic law, as amended by chapter 222 of the laws of 1996, is amended  
11 to read as follows:

12 b. Every owner of a motor vehicle which shall be operated or driven  
13 upon the public highways of this state shall, except as otherwise  
14 expressly provided, cause to be presented, by mail or otherwise, to the  
15 office or a branch office of the commissioner, or to any agent of the  
16 commissioner, constituted as provided in this chapter, an application  
17 for registration addressed to the commissioner, and on a blank to be  
18 prepared under the direction of and furnished by the commissioner for  
19 that purpose, containing: (a) a brief description of the motor vehicle  
20 to be registered, including the name and factory number of such vehicle,  
21 and such other facts as the commissioner shall require; (b) the weight  
22 of the vehicle upon which the registration fee is based if the fee is  
23 based on weight; (c) the name and residence, including county, of the  
24 owner of such motor vehicle; PROVIDED, THAT IF AN APPLICANT USES A POST  
25 OFFICE BOX WHEN PROVIDING A RESIDENCE ADDRESS, THE APPLICANT SHALL ALSO  
26 PROVIDE HIS OR HER STREET ADDRESS; (d) provided that, if such motor  
27 vehicle is used or to be used as an omnibus, the applicant also shall so  
28 certify, and in the case of an omnibus also certify as to the seating  
29 capacity, and if the omnibus is to be operated wholly within a munici-  
30 pality pursuant to a franchise other than a franchise express or implied  
31 in articles of incorporation upon certain streets designated in such  
32 franchise, those facts shall also be certified, and a certified copy of  
33 such franchise furnished to the commissioner; (e) provided, that, if  
34 such motor vehicle is an altered livery, the applicant shall so furnish  
35 a certified copy of the length of the center panel of such vehicle,  
36 provided, however, that the commissioner shall require such proof, as he  
37 may determine is necessary, in the application for registration and  
38 provided further, if the center panel of such vehicle exceeds one  
39 hundred inches, the commissioner shall require proof that such vehicle  
40 is in compliance with all applicable federal and state motor vehicle  
41 safety standards; and (f) such additional facts or evidence as the  
42 commissioner may require in connection with the application for regis-  
43 tration. Every owner of a trailer shall also make application for the  
44 registration thereof in the manner herein provided for an application to  
45 register a motor vehicle, but shall contain a statement showing the  
46 manufacturer's number or other identification satisfactory to the  
47 commissioner and no number plate for a trailer issued under the  
48 provisions of subdivision three of section four hundred two of this  
49 chapter shall be transferred to or used upon any other trailer than the  
50 one for which number plate is issued. The commissioner shall require  
51 proof, in the application for registration, or otherwise, as such  
52 commissioner may determine, that the motor vehicle for which registra-  
53 tion is applied for is equipped with lights conforming in all respects  
54 to the requirements of this chapter, and no motor vehicle shall be  
55 registered unless it shall appear by such proofs that such motor vehicle  
56 is equipped with proper lights as aforesaid. The said application shall

1 contain or be accompanied by such evidence of the ownership of the motor  
2 vehicle described in the application as may be required by the commis-  
3 sioner or his agent and which, with respect to new vehicles, shall  
4 include, unless otherwise specifically provided by the commissioner, the  
5 manufacturer's statement of origin. Applications received by an agent of  
6 the commissioner shall be forwarded to the commissioner as he shall  
7 direct for filing. No application for registration shall be accepted  
8 unless the applicant is at least sixteen years of age.

9 S 4. This act shall take effect on the sixtieth day after it shall  
10 have become a law.