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

618

2009-2010 Regular Sessions

I N S E N A T E

January 9, 2009

Introduced by Sen. LANZA -- 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 for applications for a driver's license

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

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

1. Application for license. (A) Application for a driver's license shall be made to the commissioner. The fee prescribed by law may be submitted with such application. [The applicant shall furnish such proof of identity, age, and fitness as may be required by the commissioner. The commissioner may also provide that the application procedure shall include the taking of a photo image or images of the applicant in accordance with rules and regulations prescribed by the commissioner. In addition, the commissioner also shall require that the applicant provide his or her social security number and] AN APPLICANT SHALL PROVIDE THE FOLLOWING VERIFIABLE INFORMATION: A PHOTO IDENTITY DOCUMENT OR OTHER IDENTITY DOCUMENT IF IT INCLUDES BOTH THE PERSON'S FULL LEGAL NAME AND DATE OF BIRTH; DOCUMENTATION SHOWING THE PERSON'S DATE OF BIRTH; PROOF OF THE PERSON'S SOCIAL SECURITY NUMBER OR VERIFICATION THAT THE PERSON IS NOT ELIGIBLE FOR A SOCIAL SECURITY NUMBER; AND DOCUMENTATION SHOWING THE PERSON'S NAME AND ADDRESS OF PRINCIPAL RESIDENCE. AN APPLICANT SHALL PROVIDE EVIDENCE OF LAWFUL IMMIGRATION STATUS. A TEMPORARY DRIVER'S LICENSE MAY BE ISSUED TO NONCITIZENS WHO ARE TEMPORARILY PRESENT IN THE UNITED STATES. THE COMMISSIONER SHALL VERIFY, WITH THE ISSUING AGENCY, EACH DOCUMENT REQUIRED TO BE PRESENTED BY THE APPLICANT AND SHALL CONFIRM WITH THE FEDERAL SOCIAL SECURITY ADMINISTRATION THE FULL SOCIAL SECURITY ACCOUNT NUMBER PRESENTED BY AN APPLICANT TO OBTAIN A DRIVER'S LICENSE. IN THE EVENT THAT A SOCIAL SECURITY ACCOUNT NUMBER BELONGS TO

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

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ANOTHER PERSON TO WHOM A DRIVER'S LICENSE HAS BEEN ISSUED, THE DEPARTMENT SHALL RESOLVE THE DISCREPANCY AND TAKE APPROPRIATE ACTION.

(B) THE COMMISSIONER SHALL provide space on the application so that the applicant may register in the New York state organ and tissue donor registry under section forty-three hundred ten of the public health law. In addition, an applicant for a commercial driver's license who will operate a commercial motor vehicle in interstate commerce shall certify that such applicant meets the requirements to operate a commercial motor vehicle, as set forth in public law 99-570, title XII, and title 49 of the code of federal regulations, and all regulations promulgated by the United States secretary of transportation under the hazardous materials transportation act. Upon a determination that the holder of a commercial driver's license has made any false statement, with respect to the application for such license, the commissioner shall revoke such license.

(C) A DRIVER'S LICENSE SHALL INCLUDE, AT A MINIMUM, THE FOLLOWING INFORMATION AND FEATURES:

(I) THE PERSON'S FULL LEGAL NAME;

(II) THE PERSON'S DATE OF BIRTH;

(III) THE PERSON'S GENDER;

(IV) THE PERSON'S DRIVER'S LICENSE NUMBER;

(V) A DIGITAL PHOTOGRAPH OF THE PERSON;

(VI) THE PERSON'S ADDRESS OF PRINCIPAL RESIDENCE;

(VII) THE PERSON'S SIGNATURE;

(VIII) PHYSICAL SECURITY FEATURES DESIGNED TO PREVENT TAMPERING, COUNTERFEITING, OR DUPLICATION OF THE DOCUMENT FOR FRAUDULENT PURPOSES; AND

(IX) A COMMON MACHINE-READABLE TECHNOLOGY, WITH DEFINED MINIMUM DATA ELEMENTS.

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

(i) The commissioner shall upon submission of an appropriate application, upon payment of the prescribed fee, and upon being satisfied that the person described is the applicant and that such applicant meets the requirements set forth in subdivision two of this section, issue to such applicant a nontransferable identification card. In addition, the commissioner also shall require that an applicant for an identification card or renewal thereof provide [his or her social security number] ALL OF THE VERIFIABLE IDENTIFICATION DOCUMENTATION SET FORTH IN SUBDIVISION ONE OF SECTION FIVE HUNDRED TWO OF THIS CHAPTER.

S 3. The commissioner of motor vehicles shall certify compliance with the driver's license standards set forth in P.L. 109-13 to the Secretary of Homeland Security by March 1, 2010.

S 4. This act shall take effect immediately.