

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:

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. (A) Application for a driver's license  
5 shall be made to the commissioner. The fee prescribed by law may be  
6 submitted with such application. [The applicant shall furnish such proof  
7 of identity, age, and fitness as may be required by the commissioner.  
8 The commissioner may also provide that the application procedure shall  
9 include the taking of a photo image or images of the applicant in  
10 accordance with rules and regulations prescribed by the commissioner. In  
11 addition, the commissioner also shall require that the applicant provide  
12 his or her social security number and] AN APPLICANT SHALL PROVIDE THE  
13 FOLLOWING VERIFIABLE INFORMATION: A PHOTO IDENTITY DOCUMENT OR OTHER  
14 IDENTITY DOCUMENT IF IT INCLUDES BOTH THE PERSON'S FULL LEGAL NAME AND  
15 DATE OF BIRTH; DOCUMENTATION SHOWING THE PERSON'S DATE OF BIRTH; PROOF  
16 OF THE PERSON'S SOCIAL SECURITY NUMBER OR VERIFICATION THAT THE PERSON  
17 IS NOT ELIGIBLE FOR A SOCIAL SECURITY NUMBER; AND DOCUMENTATION SHOWING  
18 THE PERSON'S NAME AND ADDRESS OF PRINCIPAL RESIDENCE. AN APPLICANT SHALL  
19 PROVIDE EVIDENCE OF LAWFUL IMMIGRATION STATUS. A TEMPORARY DRIVER'S  
20 LICENSE MAY BE ISSUED TO NONCITIZENS WHO ARE TEMPORARILY PRESENT IN THE  
21 UNITED STATES. THE COMMISSIONER SHALL VERIFY, WITH THE ISSUING AGENCY,  
22 EACH DOCUMENT REQUIRED TO BE PRESENTED BY THE APPLICANT AND SHALL  
23 CONFIRM WITH THE FEDERAL SOCIAL SECURITY ADMINISTRATION THE FULL SOCIAL  
24 SECURITY ACCOUNT NUMBER PRESENTED BY AN APPLICANT TO OBTAIN A DRIVER'S  
25 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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1 ANOTHER PERSON TO WHOM A DRIVER'S LICENSE HAS BEEN ISSUED, THE DEPART-  
2 MENT SHALL RESOLVE THE DISCREPANCY AND TAKE APPROPRIATE ACTION.

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

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

18 (I) THE PERSON'S FULL LEGAL NAME;

19 (II) THE PERSON'S DATE OF BIRTH;

20 (III) THE PERSON'S GENDER;

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

22 (V) A DIGITAL PHOTOGRAPH OF THE PERSON;

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

24 (VII) THE PERSON'S SIGNATURE;

25 (VIII) PHYSICAL SECURITY FEATURES DESIGNED TO PREVENT TAMPERING, COUN-  
26 TERFEITING, OR DUPLICATION OF THE DOCUMENT FOR FRAUDULENT PURPOSES; AND

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

29 S 2. Subparagraph (i) of paragraph (a) of subdivision 3 of section 490  
30 of the vehicle and traffic law, as amended by chapter 235 of the laws of  
31 2002, is amended to read as follows:

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

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

44 S 4. This act shall take effect immediately.