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

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2011-2012 Regular Sessions

I N A S S E M B L Y

May 27, 2011

Introduced by M. of A. GALEF, P. RIVERA, MONTESANO, CERETTO -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to establishing a next of kin registry for holders of drivers' licenses, learners' permits and non-driver identification cards

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

Section 1. The vehicle and traffic law is amended by adding a new section 215-a to read as follows:

S 215-A. NEXT OF KIN REGISTRY. 1. THE COMMISSIONER SHALL ESTABLISH AND OPERATE, WITHIN THE DEPARTMENT, AN AUTOMATED, STATEWIDE INTERNET ACCESSIBLE WEBSITE TO BE KNOWN AS THE "NEXT OF KIN REGISTRY". SUCH REGISTRY SHALL BE CAPABLE OF STORING EMERGENCY CONTACT INFORMATION OF THE HOLDERS OF DRIVERS' LICENSES, LEARNERS' PERMITS AND NON-DRIVER IDENTIFICATION CARDS TO BE ACCESSIBLE BY POLICE OFFICERS PURSUANT TO SECTION SIX HUNDRED SIX OF THIS CHAPTER. ANY HOLDER OF A DRIVER'S LICENSE, LEARNER'S PERMIT OR NON-DRIVER IDENTIFICATION CARD MAY VOLUNTARILY SUBMIT, VIA AN INTERNET WEBSITE ESTABLISHED THEREFOR, THE NAMES, ADDRESSES AND TELEPHONE NUMBERS OF TWO EMERGENCY CONTACTS FOR INCLUSION IN THE NEXT OF KIN REGISTRY.

2. IN THE IMPLEMENTATION OF THE NEXT OF KIN REGISTRY, THE COMMISSIONER SHALL ESTABLISH A PROCESS WHEREBY ANY HOLDER OF A DRIVER'S LICENSE, LEARNER'S PERMIT OR NON-DRIVER IDENTIFICATION CARD MAY ELECTRONICALLY SIGN INTO THE DEPARTMENT INTERNET WEBSITE USING HIS OR HER LICENSE, PERMIT OR CARD NUMBER. THEREAFTER, SUCH HOLDER MAY ENTER HIS OR HER EMERGENCY CONTACT INFORMATION FOR NOT MORE THAN TWO EMERGENCY CONTACT PERSONS, OR MAY REVISE OR UPDATE PREVIOUSLY ENTERED EMERGENCY CONTACT INFORMATION.

3. INFORMATION IN THE NEXT OF KIN REGISTRY SHALL BE MADE AVAILABLE SOLELY FOR THE USE OF POLICE OFFICERS PURSUANT TO SECTION SIX HUNDRED SIX OF THIS CHAPTER. THE INFORMATION IN THE NEXT OF KIN REGISTRY SHALL

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

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BE DEEMED TO BE CONFIDENTIAL AND SHALL NOT BE SUBJECT TO DISCLOSURE PURSUANT TO ARTICLE SIX OF THE PUBLIC OFFICERS LAW.

4. FOR THE PURPOSES OF THIS SECTION, "EMERGENCY CONTACT" SHALL MEAN ANY PERSON, EIGHTEEN YEARS OF AGE OR OLDER, DESIGNATED BY THE HOLDER OF A DRIVER'S LICENSE, LEARNER'S PERMIT OR NON-DRIVER IDENTIFICATION CARD TO BE CONTACTED BY A POLICE AGENCY WHEN SUCH HOLDER IS RENDERED UNABLE TO COMMUNICATE DUE TO PHYSICAL INJURY, DEATH OR INCAPACITATION.

S 2. The vehicle and traffic law is amended by adding a new section 606 to read as follows:

S 606. NOTIFICATION OF EMERGENCY CONTACTS. WHEN A MOTOR VEHICLE ACCIDENT OR ANY OTHER EVENT RESULTS IN PHYSICAL INJURY, DEATH OR INCAPACITATION OF ANY PERSON, THE POLICE OFFICER INVESTIGATING SUCH ACCIDENT OR EVENT SHALL ATTEMPT TO LOCATE AN EMERGENCY CONTACT OF THE INJURED PERSON FROM THE NEXT OF KIN REGISTRY ESTABLISHED PURSUANT TO SECTION TWO HUNDRED FIFTEEN-A OF THIS CHAPTER. A POLICE OFFICER SHALL, WHEN PRACTICABLE, EXPEDITIOUSLY NOTIFY AN EMERGENCY CONTACT OF EACH SUCH INJURED PERSON AND INFORM THE EMERGENCY CONTACT OF THE HOSPITAL OR OTHER LOCATION AT WHICH THE INJURED PERSON HAS BEEN TAKEN.

S 3. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, that, effective immediately, any actions necessary to implement the provisions of this act on its effective date are authorized and directed to be completed on or before such date.