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I N A S S E M B L Y

March 20, 2012

Introduced by M. of A. SWEENEY, BRINDISI, ROBINSON, SCHIMMINGER, SCAR-BOROUGH, ABBATE, GALEF, P. RIVERA, WEISENBERG, COLTON, CLARK, GUNTHER, REILLY, TITONE -- Multi-Sponsored by -- M. of A. GLICK, LUPARDO, MAGEE, MARKEY, McENENY, NOLAN, ROSENTHAL, SIMANOWITZ, THIELE -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to forms of identification cards and licenses of veterans

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

1 Section 1. Subparagraph (i) of paragraph (a) and paragraph (b) of
2 subdivision 3 of section 490 of the vehicle and traffic law, subpara-
3 graph (i) of paragraph (a) as amended by chapter 235 of the laws of
4 2002, and paragraph (b) as amended by chapter 600 of the laws of 1989,
5 are amended to read as follows:
6 (i) The commissioner shall upon submission of an appropriate applica-
7 tion, upon payment of the prescribed fee, and upon being satisfied that
8 the person described is the applicant and that such applicant meets the
9 requirements set forth in subdivision two of this section, issue to such
10 applicant a nontransferable identification card. In addition, the
11 commissioner also shall require that an applicant for an identification
12 card or renewal thereof provide his or her social security number. THE
13 COMMISSIONER SHALL PROVIDE SPACE SO THAT AN APPLICANT MAY REQUEST A
14 NOTATION UPON SUCH IDENTIFICATION CARD THAT HE OR SHE IS A VETERAN OF
15 THE UNITED STATES ARMED FORCES.
16 (b) The identification card shall contain a distinguishing number or
17 mark and adequate space upon which an anatomical gift, pursuant to arti-
18 cle forty-three of the public health law, by the holder may be recorded
19 and shall contain such other information and shall be issued in such
20 form as the commissioner shall determine; provided, however, every iden-
21 tification card or renewal thereof issued to a person under the age of
22 twenty-one years shall have prominently imprinted thereon the statement
23 "UNDER 21 YEARS OF AGE" in notably distinctive print or format.
24 PROVIDED, FURTHER, HOWEVER, THAT EVERY IDENTIFICATION CARD ISSUED TO AN
25 APPLICANT WHO WAS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES AND

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

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1 RECEIVED ON HONORABLE DISCHARGE OR WAS RELEASED THEREFROM UNDER HONOR-
2 ABLE CONDITIONS SHALL, UPON HIS OR HER REQUEST AND SUBMISSION OF PROOF
3 AS SET FORTH HEREIN, CONTAIN A DISTINGUISHING MARK, IN SUCH FORM AS THE
4 COMMISSIONER SHALL DETERMINE, INDICATING THAT HE OR SHE IS A VETERAN.
5 SUCH PROOF SHALL CONSIST OF A CERTIFICATE OF RELEASE OR DISCHARGE FROM
6 ACTIVE DUTY INCLUDING BUT NOT LIMITED TO A DD FORM 214 OR OTHER PROOF
7 SATISFACTORY TO THE COMMISSIONER. The commissioner shall not require
8 fees for the issuance of such identification cards or renewals thereof
9 to persons under twenty-one years of age which are different from the
10 fees required for the issuance of identification cards or renewals ther-
11 eof to persons twenty-one years of age or over, NOR FEES TO PERSONS
12 REQUESTING A VETERAN NOTATION WHICH ARE DIFFERENT FROM FEES THAT WOULD
13 OTHERWISE BE REQUIRED.

14 S 2. Subdivision 1 of section 502 of the vehicle and traffic law, as
15 amended by section 2 of part CC of chapter 58 of the laws of 2011, is
16 amended to read as follows:

17 1. Application for license. Application for a driver's license shall
18 be made to the commissioner. The fee prescribed by law may be submitted
19 with such application. The applicant shall furnish such proof of identi-
20 ty, age, and fitness as may be required by the commissioner. The commis-
21 sioner may also provide that the application procedure shall include the
22 taking of a photo image or images of the applicant in accordance with
23 rules and regulations prescribed by the commissioner. In addition, the
24 commissioner also shall require that the applicant provide his or her
25 social security number and provide space on the application so that the
26 applicant may register in the New York state organ and tissue donor
27 registry under section forty-three hundred ten of the public health law,
28 AND SPACE SO THAT THE APPLICANT MAY REQUEST A NOTATION UPON SUCH LICENSE
29 THAT HE OR SHE IS A VETERAN OF THE UNITED STATES ARMED FORCES. In addi-
30 tion, an applicant for a commercial driver's license who will operate a
31 commercial motor vehicle in interstate commerce shall certify that such
32 applicant meets the requirements to operate a commercial motor vehicle,
33 as set forth in public law 99-570, title XII, and title 49 of the code
34 of federal regulations, and all regulations promulgated by the United
35 States secretary of transportation under the hazardous materials trans-
36 portation act. In addition, an applicant for a commercial driver's
37 license shall submit a medical certificate at such intervals as required
38 by the federal motor carrier safety improvement act of 1999 and Part
39 383.71(h) of title 49 of the code of federal regulations relating to
40 medical certification and in a manner prescribed by the commissioner.
41 For purposes of this section and sections five hundred three and five
42 hundred ten-a of this title, the term "medical certificate" shall mean a
43 form substantially in compliance with the form set forth in Part
44 391.43(h) of title 49 of the code of federal regulations. Upon a deter-
45 mination that the holder of a commercial driver's license has made any
46 false statement, with respect to the application for such license, the
47 commissioner shall revoke such license.

48 S 3. Subdivision 1 of section 504 of the vehicle and traffic law is
49 amended by adding a new paragraph (a-1) to read as follows:

50 (A-1) EVERY LICENSE OR RENEWAL THEREOF ISSUED TO AN APPLICANT WHO WAS
51 A MEMBER OF THE ARMED FORCES OF THE UNITED STATES AND RECEIVED AN HONOR-
52 ABLE DISCHARGE OR WAS RELEASED THEREFROM UNDER HONORABLE CONDITIONS
53 SHALL, UPON HIS OR HER REQUEST AND SUBMISSION OF PROOF AS SET FORTH
54 HEREIN, CONTAIN A DISTINGUISHING MARK, IN SUCH FORM AS THE COMMISSIONER
55 SHALL DETERMINE, INDICATING THAT HE OR SHE IS A VETERAN. SUCH PROOF
56 SHALL CONSIST OF A CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY

1 INCLUDING BUT NOT LIMITED TO A DD FORM 214 OR OTHER PROOF SATISFACTORY
2 TO THE COMMISSIONER. THE COMMISSIONER SHALL NOT REQUIRE FEES FOR THE
3 ISSUANCE OF SUCH LICENSES OR RENEWALS THEREOF TO PERSONS REQUESTING A
4 VETERAN NOTATION WHICH IS DIFFERENT FROM FEES OTHERWISE REQUIRED.

5 S 4. This act shall take effect one year after it shall have become a
6 law.