

2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

Introduced by M. of A. ORTIZ, ABBATE, SWEENEY, J. RIVERA, TOWNS,
P. RIVERA, RAMOS, JACOBS, CASTRO, MENG -- Multi-Sponsored by -- M. of
A. FARRELL, GOTTFRIED, MAISEL, THIELE -- read once and referred to the
Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to certain
requirements for obtaining a driver's license

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, 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, age, and fitness as may be required by the commissioner. The commis-
8 sioner may also provide that the application procedure shall include the
9 taking of a photo image or images of the applicant in accordance with
10 rules and regulations prescribed by the commissioner. In addition, the
11 commissioner also shall require that the applicant provide his or her
12 social security number OR THE INDIVIDUAL TAX IDENTIFICATION NUMBER WHERE
13 SUCH APPLICANT IS A LEGAL IMMIGRANT and provide space on the application
14 so that the applicant may register in the New York state organ and
15 tissue donor registry under section forty-three hundred ten of the
16 public health law. In addition, an applicant for a commercial driver's
17 license who will operate a commercial motor vehicle in interstate
18 commerce shall certify that such applicant meets the requirements to
19 operate a commercial motor vehicle, as set forth in public law 99-570,
20 title XII, and title 49 of the code of federal regulations, and all
21 regulations promulgated by the United States secretary of transportation
22 under the hazardous materials transportation act. Upon a determination

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

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1 that the holder of a commercial driver's license has made any false
2 statement, with respect to the application for such license, the commis-
3 sioner shall revoke such license.

4 S 2. Paragraph (a) of subdivision 6 of section 502 of the vehicle and
5 traffic law, as amended by section 3 of part K of chapter 59 of the laws
6 of 2009, is amended to read as follows:

7 (a) A license issued pursuant to subdivision five of this section
8 shall be valid until the expiration date contained thereon, unless such
9 license is suspended, revoked or cancelled. Such license may be renewed
10 by submission of an application for renewal, the fee prescribed by law,
11 proofs of prior licensing, fitness and acceptable vision prescribed by
12 the commissioner, the applicant's social security number OR THE INDIVID-
13 UAL TAX IDENTIFICATION NUMBER WHERE SUCH APPLICANT IS A LEGAL IMMIGRANT,
14 and if required by the commissioner a photo image of the applicant in
15 such numbers and form as the commissioner shall prescribe. In addition,
16 an applicant for renewal of a license containing a hazardous material
17 endorsement shall pass an examination to retain such endorsement. The
18 commissioner shall, with respect to the renewal of a hazardous materials
19 endorsement, comply with the requirements imposed upon states by
20 sections 383.141 and 1572.13 of title 49 of the code of federal regu-
21 lations. A renewal of such license shall be issued by the commissioner
22 upon approval of such application, except that no such license shall be
23 issued if its issuance would be inconsistent with the provisions of
24 section five hundred sixteen of this title, and except that the commis-
25 sioner may refuse to renew such license if the applicant is the holder
26 of a currently valid or renewable license to drive issued by another
27 state or foreign country unless the applicant surrenders such license.

28 S 3. This act shall take effect on the ninetieth day after it shall
29 have become a law.