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

1555

2011-2012 Regular Sessions

I N A S S E M B L Y

January 10, 2011

Introduced by M. of A. ORTIZ -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to penalties for the unauthorized use of a driver's license or non-driver identification card

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 1804 to read as follows:

S 1804. DRIVER'S LICENSE AND NON-DRIVER IDENTIFICATION CARD; UNAUTHORIZED USE. 1. IN ADDITION TO ANY OTHER FINES AND PENALTIES SET FORTH IN THE PENAL LAW OR ANY OTHER PROVISION OF LAW, ANY PERSON WHO KNOWINGLY:

(A) OFFERS AS HIS OR HER OWN, A DRIVER'S LICENSE OR NON-DRIVER IDENTIFICATION CARD TO ANY PERSON AS PROOF OF AGE WHEN SUCH DRIVER'S LICENSE OR NON-DRIVER IDENTIFICATION CARD IS NOT HIS OR HER OWN; OR

(B) FALSELY MAKES OR FALSELY ALTERS A DRIVER'S LICENSE OR NON-DRIVER IDENTIFICATION CARD, SHALL BE SUBJECT TO THE FINES AND PENALTIES SET FORTH IN SUBDIVISION TWO OF THIS SECTION. FOR PURPOSES OF THIS SECTION, THE TERMS "FALSELY MAKES" AND "FALSELY ALTERS" SHALL HAVE THE SAME MEANINGS AS SET FORTH IN SUBDIVISIONS FOUR AND SIX, RESPECTIVELY, OF SECTION 170.00 OF THE PENAL LAW.

2. ANY PERSON WHO OFFERS, FALSELY MAKES OR FALSELY ALTERS A DRIVER'S LICENSE OR NON-DRIVER IDENTIFICATION CARD PURSUANT TO SUBDIVISION ONE OF THIS SECTION, SHALL:

(A) FOR A FIRST OFFENSE, BE SUBJECT TO A FINE OF FIVE HUNDRED DOLLARS AND SUSPENSION OF HIS OR HER DRIVER'S LICENSE OR NON-DRIVER IDENTIFICATION CARD FOR SIX MONTHS;

(B) FOR A SECOND OFFENSE, BE SUBJECT TO A FINE OF ONE THOUSAND DOLLARS AND SUSPENSION OF HIS OR HER DRIVER'S LICENSE OR NON-DRIVER IDENTIFICATION CARD FOR ONE YEAR; AND

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

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(C) FOR A THIRD OFFENSE, BE SUBJECT TO A FINE OF FIVE THOUSAND DOLLARS AND SUSPENSION OF HIS OR HER DRIVER'S LICENSE OR NON-DRIVER IDENTIFICATION CARD FOR THREE YEARS OR UNTIL SUCH PERSON IS TWENTY-ONE YEARS OF AGE, WHICHEVER IS GREATER.

S 2. This act shall take effect on the sixtieth day after it shall have become a law.