

4408

2011-2012 Regular Sessions

I N S E N A T E

April 4, 2011

Introduced by Sen. FLANAGAN -- 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 of proof for certain licenses

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) of subdivision 3 of
2 section 490 of the vehicle and traffic law, as amended by chapter 235 of
3 the laws of 2002, is amended to read as follows:

4 (i) The commissioner shall upon submission of an appropriate applica-
5 tion, upon payment of the prescribed fee, and upon being satisfied that
6 the person described is the applicant and that such applicant meets the
7 requirements set forth in subdivision two of this section, issue to such
8 applicant a nontransferable identification card. In addition, the
9 commissioner also shall require that an applicant for an identification
10 card or renewal thereof provide his or her social security number, OR
11 PROVIDE PROOF THAT HE OR SHE IS NOT ELIGIBLE FOR A SOCIAL SECURITY
12 NUMBER. SUCH PROOF MAY INCLUDE ANY DOCUMENTS SUBMITTED BY AN APPLICANT
13 TO THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY FOR THE PURPOSE OF
14 DETERMINING WHETHER SUCH APPLICANT IS ELIGIBLE TO RECEIVE A SOCIAL SECU-
15 RITY NUMBER.

16 S 2. Subdivision 1 of section 502 of the vehicle and traffic law, as
17 amended by chapter 639 of the laws of 2006, is amended to read as
18 follows:

19 1. Application for license. Application for a driver's license shall
20 be made to the commissioner. The fee prescribed by law may be submitted
21 with such application. The applicant shall furnish such proof of identi-
22 ty, age, and fitness as may be required by the commissioner. The commis-
23 sioner may also provide that the application procedure shall include the
24 taking of a photo image or images of the applicant in accordance with
25 rules and regulations prescribed by the commissioner. In addition, the

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

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1 commissioner [also] shall require that the applicant provide his or her
2 social security number [and], OR PROVIDE PROOF THAT HE OR SHE IS NOT
3 ELIGIBLE FOR A SOCIAL SECURITY NUMBER. SUCH PROOF MAY INCLUDE ANY DOCU-
4 MENTS SUBMITTED BY AN APPLICANT TO THE UNITED STATES DEPARTMENT OF HOME-
5 LAND SECURITY FOR THE PURPOSE OF DETERMINING WHETHER SUCH APPLICANT IS
6 ELIGIBLE TO RECEIVE A SOCIAL SECURITY NUMBER. THE COMMISSIONER SHALL
7 ALSO provide space on the application so that the applicant may register
8 in the New York state organ and tissue donor registry under section
9 forty-three hundred ten of the public health law. In addition, an appli-
10 cant for a commercial driver's license who will operate a commercial
11 motor vehicle in interstate commerce shall certify that such applicant
12 meets the requirements to operate a commercial motor vehicle, as set
13 forth in public law 99-570, title XII, and title 49 of the code of
14 federal regulations, and all regulations promulgated by the United
15 States secretary of transportation under the hazardous materials trans-
16 portation act. Upon a determination that the holder of a commercial
17 driver's license has made any false statement, with respect to the
18 application for such license, the commissioner shall revoke such
19 license.

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

23 (a) A license issued pursuant to subdivision five of this section
24 shall be valid until the expiration date contained thereon, unless such
25 license is suspended, revoked or cancelled. Such license may be renewed
26 by submission of an application for renewal, the fee prescribed by law,
27 proofs of prior licensing, fitness and acceptable vision prescribed by
28 the commissioner, AND the applicant's social security number[, and if
29 required by the commissioner] OR PROVIDE PROOF THAT HE OR SHE IS NOT
30 ELIGIBLE FOR A SOCIAL SECURITY NUMBER. SUCH PROOF MAY INCLUDE ANY DOCU-
31 MENTS SUBMITTED BY AN APPLICANT TO THE UNITED STATES DEPARTMENT OF HOME-
32 LAND SECURITY FOR THE PURPOSE OF DETERMINING WHETHER SUCH APPLICANT IS
33 ELIGIBLE TO RECEIVE A SOCIAL SECURITY NUMBER. THE COMMISSIONER MAY ALSO
34 REQUIRE SUBMISSION OF a photo image of the applicant in such numbers and
35 form as the commissioner shall prescribe. In addition, an applicant for
36 renewal of a license containing a hazardous material endorsement shall
37 pass an examination to retain such endorsement. The commissioner shall,
38 with respect to the renewal of a hazardous materials endorsement, comply
39 with the requirements imposed upon states by sections 383.141 and
40 1572.13 of title 49 of the code of federal regulations. A renewal of
41 such license shall be issued by the commissioner upon approval of such
42 application, except that no such license shall be issued if its issuance
43 would be inconsistent with the provisions of section five hundred
44 sixteen of this title, and except that the commissioner may refuse to
45 renew such license if the applicant is the holder of a currently valid
46 or renewable license to drive issued by another state or foreign country
47 unless the applicant surrenders such license.

48 S 4. This act shall take effect immediately.