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

3476

2013-2014 Regular Sessions

I N A S S E M B L Y

January 28, 2013

Introduced by M. of A. CASTRO, CRESPO, MOYA -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to authorizing he issuance of temporary visitor's driver's licenses

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 501-c to read as follows:

S 501-C. TEMPORARY VISITOR'S DRIVER'S LICENSE. 1. (A) THE COMMISSIONER MAY ISSUE A TEMPORARY VISITOR'S DRIVER'S LICENSE TO A FOREIGN NATIONAL WHO:

(I) RESIDES IN THIS STATE;

(II) IS INELIGIBLE TO OBTAIN A SOCIAL SECURITY NUMBER; AND

(III) PRESENTS TO THE COMMISSIONER DOCUMENTATION, ISSUED BY UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES, AUTHORIZING THE PERSON'S PRESENCE IN THIS COUNTRY.

(B) THE COMMISSIONER MAY ISSUE A TEMPORARY VISITOR'S DRIVER'S LICENSE TO AN APPLICANT WHO:

(I) HAS RESIDED IN THIS STATE FOR A PERIOD IN EXCESS OF ONE YEAR;

(II) IS INELIGIBLE TO OBTAIN A SOCIAL SECURITY NUMBER; AND

(III) IS UNABLE TO PRESENT DOCUMENTATION ISSUED BY THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES AUTHORIZING THE PERSON'S PRESENCE IN THIS COUNTRY PROVIDED THAT SUCH APPLICANT SHALL SUBMIT A VALID UNEXPIRED PASSPORT FROM THE APPLICANT'S COUNTRY OF CITIZENSHIP OR A VALID UNEXPIRED CONSULAR IDENTIFICATION DOCUMENT ISSUED BY A CONSULATE OF THAT COUNTRY.

(C) APPLICANTS FOR A TEMPORARY VISITOR'S DRIVER'S LICENSE WHO ARE UNDER EIGHTEEN YEARS OF AGE AT THE TIME OF APPLICATION SHALL BE SUBJECT TO THE PROVISIONS OF SECTION FIVE HUNDRED ONE AND FIVE HUNDRED ONE-B OF THIS ARTICLE.

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

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2. (A) A TEMPORARY VISITOR'S DRIVER'S LICENSE ISSUED UNDER PARAGRAPH (A) OF SUBDIVISION ONE OF THIS SECTION SHALL BE VALID FOR THREE YEARS, OR FOR THE PERIOD OF TIME THE INDIVIDUAL IS AUTHORIZED TO REMAIN IN THIS COUNTRY, WHICHEVER ENDS SOONER.

(B) A TEMPORARY VISITOR'S DRIVER'S LICENSE ISSUED UNDER PARAGRAPH (B) OF SUBDIVISION ONE OF THIS SECTION SHALL BE VALID FOR A PERIOD OF THREE YEARS.

3. A TEMPORARY VISITOR'S DRIVER'S LICENSE ISSUED UNDER THIS SECTION MAY NOT BE ACCEPTED FOR PROOF OF THE HOLDER'S IDENTITY. A TEMPORARY VISITOR'S DRIVER'S LICENSE ISSUED UNDER THIS SECTION SHALL CONTAIN A NOTICE ON ITS FACE, IN CAPITALIZED LETTERS, STATING THAT THE TEMPORARY VISITOR'S DRIVER'S LICENSE MAY NOT BE ACCEPTED FOR PROOF OF IDENTITY.

4. THE COMMISSIONER SHALL ADOPT ANY RULE OR REGULATIONS NECESSARY TO IMPLEMENT THIS SECTION, INCLUDING RULES OR REGULATIONS:

(A) REGARDING THE DESIGN AND CONTENT OF THE TEMPORARY VISITOR'S DRIVER'S LICENSES;

(B) ESTABLISHING CRITERIA FOR PROOF OF IDENTIFICATION AND RESIDENCY OF AN INDIVIDUAL APPLYING UNDER PARAGRAPH (B) OF SUBDIVISION ONE OF THIS SECTION;

(C) DESIGNATING ACCEPTABLE EVIDENCE THAT AN APPLICANT IS NOT ELIGIBLE FOR A SOCIAL SECURITY NUMBER;

(D) REGARDING THE ISSUANCE OF TEMPORARY VISITOR'S DRIVER'S LICENSES FOR APPLICANTS WHO ARE EIGHTEEN YEARS OF AGE OR YOUNGER IN ACCORDANCE WITH THE PROVISIONS OF THIS ARTICLE; AND

(E) REGARDING THE ISSUANCE OF TEMPORARY VISITOR'S LEARNER'S PERMITS IN ACCORDANCE WITH THE PROVISIONS OF THIS ARTICLE.

5. ANY PERSON TO WHOM THE COMMISSIONER SHALL ISSUE A TEMPORARY VISITOR'S DRIVER'S LICENSE SHALL BE SUBJECT TO ALL RULES AND REGULATIONS ISSUED BY THE COMMISSIONER, THE PROVISIONS OF THIS CHAPTER AND ANY OTHER LAWS OF THE STATE PERTAINING TO THE MAINTENANCE AND OPERATION OF MOTOR VEHICLES TO THE SAME EXTENT AS ANY PERSON ISSUED A DRIVER'S LICENSE UNDER SECTION FIVE HUNDRED ONE OF THIS ARTICLE.

6. A TEMPORARY VISITOR'S DRIVER'S LICENSES SHALL BE INVALID IF THE HOLDER IS UNABLE TO PROVIDE A PROOF OF LIABILITY INSURANCE UPON THE REQUEST OF A LAW ENFORCEMENT OFFICER.

7. TEMPORARY VISITOR'S DRIVER'S LICENSES SHALL BE ISSUED FROM A CENTRAL LOCATION AFTER THE COMMISSIONER HAS VERIFIED THE INFORMATION PROVIDED BY THE APPLICANT.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law, provided, however, that effective immediately the addition and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.