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

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I N A S S E M B L Y

January 13, 2016

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

AN ACT to amend the vehicle and traffic law, in relation to non-driver identification card application requirements

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

Section 1. The opening paragraph of subdivision 2 of section 490 of the vehicle and traffic law, as amended by chapter 465 of the laws of 2012, is amended to read as follows:

Any person to whom a driver's license or learner's permit has not been issued by the commissioner, or whose driver's license or learner's permit is expired, suspended, revoked or surrendered, may make application to the commissioner for the issuance of an identification card. SUCH IDENTIFICATION CARD APPLICATION SHALL REQUIRE DOCUMENTED PROOF OF THE APPLICANT'S IDENTITY INCLUDING A PHOTOGRAPH OF SUCH APPLICANT, THE APPLICANT'S DATE OF BIRTH, AND PROOF OF NEW YORK STATE RESIDENCY. IF THE APPLICANT IS TWENTY-ONE YEARS OLD OR YOUNGER AND IS ACCOMPANIED BY A CARETAKER WHO CAN DEMONSTRATE PROOF OF RELATIONSHIP, SUCH PHOTOGRAPHIC PROOF IS NOT NECESSARY. IDENTIFICATION CARD APPLICATIONS SHALL NOT REQUIRE PROOF OF UNITED STATES CITIZENSHIP OR A SOCIAL SECURITY NUMBER. The commissioner shall ensure that space is provided on the application so that the applicant shall register or decline registration in the donate life registry for organ and tissue donations pursuant to section forty-three hundred ten of the public health law and that the following is stated on the application in clear and conspicuous type:

S 2. Subdivision 2 of section 490 of the vehicle and traffic law, as amended by chapter 575 of the laws of 2006, is amended to read as follows:

2. Application. Any person to whom a driver's license or learner's permit has not been issued by the commissioner, or whose driver's license or learner's permit is expired, suspended, revoked or surrendered, may make application to the commissioner for the issuance of an identification card. SUCH IDENTIFICATION CARD APPLICATION SHALL REQUIRE DOCUMENTED PROOF OF THE APPLICANT'S IDENTITY INCLUDING A PHOTOGRAPH OF

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

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SUCH APPLICANT, THE APPLICANT'S DATE OF BIRTH, AND PROOF OF NEW YORK STATE RESIDENCY. IF THE APPLICANT IS TWENTY-ONE YEARS OLD OR YOUNGER AND IS ACCOMPANIED BY A CARETAKER WHO CAN DEMONSTRATE PROOF OF RELATIONSHIP, SUCH PHOTOGRAPHIC PROOF IS NOT NECESSARY. IDENTIFICATION CARD APPLICATIONS SHALL NOT REQUIRE PROOF OF UNITED STATES CITIZENSHIP OR A SOCIAL SECURITY NUMBER.

S 3. Subparagraph (i) of paragraph (a) of subdivision 3 of section 490 of the vehicle and traffic law, as amended by chapter 487 of the laws of 2012, is amended to read as follows:

(i) The commissioner shall upon submission of an appropriate application, upon payment of the prescribed fee, and upon being satisfied that the person described is the applicant and that such applicant meets the requirements set forth in subdivision two of this section, issue to such applicant a nontransferable identification card. [In addition, the commissioner also shall require that an applicant for an identification card or renewal thereof provide his or her social security number.] The commissioner shall provide space so that an applicant may request a notation upon such identification card that he or she is a veteran of the United States armed forces.

S 4. This act shall take effect on the ninetieth day after it shall have become a law, provided that the amendments to subdivision 2 of section 490 of the vehicle and traffic law made by section one of this act shall be subject to the expiration and reversion of such subdivision pursuant to chapter 465 of the laws of 2012, as amended, when upon such date the provisions of section two of this act shall take effect; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date is authorized and directed to be made and completed on or before such effective date.