

STATE OF NEW YORK

1100--A

2017-2018 Regular Sessions

IN SENATE

January 6, 2017

Introduced by Sens. RIVERA, DILAN, KENNEDY, PERALTA -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law and the executive law, in relation to enabling veterans and reservists to receive benefit information upon applying for or renewing a driver's license

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 502 of the vehicle and traffic law is amended by adding a new subdivision 1-a to read as follows:

1-a. Special provisions for veterans. In addition to the requirements for license applications under subdivision one of this section, the commissioner shall ensure that space is provided on the application to enable any applicant who was a member of the armed forces of the United States, or as a reservist in one of the reserve components of the armed forces listed in 10 U.S.C. § 10101, and received an honorable discharge or was released therefrom under honorable conditions, to register to receive information from the division of veterans' affairs by email or telephone regarding benefits to which such applicant may be entitled and that the following is stated on the application: "By checking this box, you certify that you served in the armed forces of the United States, or as a reservist in one of the reserve components of the armed forces listed in 10 U.S.C. § 10101, and you give permission to the department of motor vehicles to share your name and contact information with the division of veterans' affairs to enable the division of veterans' affairs to contact you via email, telephone or mail regarding benefits to which you may be entitled". Proof of veteran status shall be demonstrated in the same manner required by the commissioner to receive a

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

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1 veteran notation pursuant to paragraph (b) of subdivision three of
2 section four hundred ninety of this chapter and paragraph (a-1) of
3 subdivision one of section five hundred four of this article, which may
4 consist of a certificate of release or discharge from active duty
5 including, but not limited to a DD Form 214, leave and earning state-
6 ments for service as a reservist in one of the reserve components of the
7 armed forces listed in 10 U.S.C. § 10101 or other proof satisfactory to
8 the commissioner. Provided, however, that an applicant's veteran status
9 shall not be disclosed to any person or entity other than the division
10 of veterans' affairs, and shall be exempt from the provisions of subdivi-
11 vision two of section eighty-seven of the public officers law.

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

15 (a) A license issued pursuant to subdivision five of this section
16 shall be valid until the expiration date contained thereon, unless such
17 license is suspended, revoked or cancelled. Such license may be renewed
18 by submission of an application for renewal, the fee prescribed by law,
19 proofs of prior licensing, fitness and acceptable vision prescribed by
20 the commissioner, the applicant's social security number, and if
21 required by the commissioner a photo image of the applicant in such
22 numbers and form as the commissioner shall prescribe. In addition, the
23 commissioner shall ensure that space is provided on the application for
24 renewal to enable any applicant who was a member of the armed forces of
25 the United States, or as a reservist in one of the reserve components of
26 the armed forces listed in 10 U.S.C. § 10101, and received an honorable
27 discharge or was released therefrom under honorable conditions to regis-
28 ter to receive information from the division of veterans' affairs by
29 email or telephone regarding benefits to which such applicant may be
30 entitled and that the following is stated on the application for
31 renewal: "By checking this box, you certify that you served in the armed
32 forces of the United States, or as a reservist in one of the reserve
33 components of the armed forces listed in 10 U.S.C. § 10101, and you give
34 permission to the department of motor vehicles to share your name and
35 contact information with the division of veterans' affairs to enable the
36 division of veterans' affairs to contact you via email, telephone or
37 mail regarding benefits to which you may be entitled". In addition, an
38 applicant for renewal of a license containing a hazardous material
39 endorsement shall pass an examination to retain such endorsement. The
40 commissioner shall, with respect to the renewal of a hazardous materials
41 endorsement, comply with the requirements imposed upon states by
42 sections 383.141 and 1572.13 of title 49 of the code of federal regu-
43 lations. A renewal of such license shall be issued by the commissioner
44 upon approval of such application, except that no such license shall be
45 issued if its issuance would be inconsistent with the provisions of
46 section five hundred sixteen of this title, and except that the commis-
47 sioner may refuse to renew such license if the applicant is the holder
48 of a currently valid or renewable license to drive issued by another
49 state or foreign country unless the applicant surrenders such license.
50 Provided, however, that an applicant's veteran status shall not be
51 disclosed to any person or entity other than the division of veterans'
52 affairs, and shall be exempt from the provisions of subdivision two of
53 section eighty-seven of the public officers law.

54 § 3. Subdivision 3 of section 490 of the vehicle and traffic law is
55 amended by adding a new paragraph (d) to read as follows:

(d) In addition, the commissioner shall ensure that space is provided on the application and the application for renewal to enable any applicant who was a member of the armed forces of the United States, or as a reservist in one of the reserve components of the armed forces listed in 10 U.S.C. § 10101, and received an honorable discharge or was released therefrom under honorable conditions to register to receive information from the division of veterans' affairs by email, telephone or mail regarding benefits to which such applicant may be entitled and that the following is stated on the application and application for renewal: "By checking this box, you certify that you served in the armed forces of the United States, or as a reservist in one of the reserve components of the armed forces listed in 10 U.S.C. § 10101, and you give permission to the department of motor vehicles to share your name and contact information with the division of veterans' affairs to enable the division of veterans' affairs to contact you via email, telephone or mail regarding benefits to which you may be entitled". Provided, however, that an applicant's veteran status shall not be disclosed to any person or entity other than the division of veterans' affairs, and shall be exempt from the provisions of subdivision two of section eighty-seven of the public officers law.

§ 4. Section 508 of the vehicle and traffic law is amended by adding a new subdivision 6 to read as follows:

6. The commissioner shall appoint agents to act on his or her behalf to collect, store and make available to the division of veterans' affairs the name and contact information, which include email address, telephone number and/or mailing address, of an applicant who was a member of the armed forces of the United States, or as a reservist in one of the reserve components of the armed forces listed in 10 U.S.C. § 10101, and received an honorable discharge or was released therefrom under honorable conditions and who requests to receive benefit information from the division of veterans' affairs pursuant to subdivision one-a or paragraph (a) of subdivision six of section five hundred two of this article.

§ 5. Section 353 of the executive law is amended by adding a new subdivision 24 to read as follows:

24. To coordinate with the department of motor vehicles pursuant to subdivision one-a or paragraph (a) of subdivision six of section five hundred two of the vehicle and traffic law to retrieve name and contact information of applicants who were members of the armed forces of the United States, or as a reservist in one of the reserve components of the armed forces listed in 10 U.S.C. § 10101, and received an honorable discharge or was released therefrom under honorable conditions who are applying for or renewing their driver's licenses and who request to be contacted by the division via email, telephone or mail regarding benefits to which they may be entitled. Provided, however, that an applicant's veteran status shall not be disclosed to any person or entity other than the division of veterans' affairs, and shall be exempt from the provisions of subdivision two of section eighty-seven of the public officers law.

§ 6. Subdivision 3 of section 502 of the vehicle and traffic law, as amended by chapter 97 of the laws of 2016, is amended to read as follows:

3. Application for learner's permit. An application for a learner's permit shall be included in the application for a license. The commissioner shall ensure that space is provided on the application to enable any applicant who was a member of the armed forces of the United States,

1 or as a reservist in one of the reserve components of the armed forces
2 listed in 10 U.S.C. § 10101, and received an honorable discharge or was
3 released therefrom under honorable conditions, to register or receive
4 information from the division of veterans' affairs by email or telephone
5 regarding benefits to which such applicant may be entitled and that the
6 following is stated on the application: "By checking this box, you
7 certify that you served in the armed forces of the United States, or as
8 a reservist in one of the reserve components of the armed forces listed
9 in 10 U.S.C. § 10101, and you give permission to the department of motor
10 vehicles to share your name and contact information with the division of
11 veterans' affairs to enable the division of veterans' affairs to contact
12 you via email, telephone or mail regarding benefits to which you may be
13 entitled". Proof of veteran status shall be demonstrated in the same
14 manner required by the commissioner to receive a veteran notation pursu-
15 ant to paragraph (b) of subdivision three of section four hundred ninety
16 of this chapter and paragraph (a-1) of subdivision one of section five
17 hundred four of this article, which may consist of a certificate of
18 release or discharge from active duty including, but not limited to a DD
19 Form 214, leave and earning statements for service as a reservist in one
20 of the reserve components of the armed forces listed in 10 U.S.C. §
21 10101 or other proof satisfactory to the commissioner. A learner's
22 permit shall be issued in such form as the commissioner shall determine
23 but shall not be issued unless the applicant has successfully passed the
24 vision test required by this section and the test set forth in paragraph
25 (a) of subdivision four of this section with respect to laws relating to
26 traffic and ability to read and comprehend traffic signs and symbols and
27 has satisfactorily completed any course required pursuant to paragraph
28 (a) of subdivision four of this section. Upon acceptance of an applica-
29 tion for a learner's permit the commissioner shall provide the applicant
30 with a driver's manual which includes but is not limited to the laws
31 relating to traffic, the laws relating to and physiological effects of
32 driving while ability impaired and driving while intoxicated, the law
33 for exercising due care to avoid colliding with a parked, stopped or
34 standing vehicle pursuant to section eleven hundred forty-four-a of this
35 chapter, explanations of traffic signs and symbols and such other
36 matters as the commissioner may prescribe. Provided, however, that an
37 applicant's veteran status shall not be disclosed to any person or enti-
38 ty other than the division of veterans' affairs, and shall be exempt
39 from the provisions of subdivision two of section eight-seven of the
40 public officers law.

41 § 7. This act shall take effect one year after it shall have become a
42 law. Provided, however, that effective immediately any actions necessary
43 to implement the provisions of this act on its effective date are
44 authorized and directed to be completed on or before such date.