

# STATE OF NEW YORK

4034--A

2017-2018 Regular Sessions

## IN SENATE

February 2, 2017

Introduced by Sens. RANZENHOFER, GALLIVAN, GOLDEN -- 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 election law, in relation to notification of the national bone marrow program; and to repeal certain provisions of the vehicle and traffic law relating thereto

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 101-d to read as follows:

§ 101-d. Bone marrow donor contact information. The national marrow donor program contact information including the mailing address, contact telephone number and website address.

§ 2. Section 490 of the vehicle and traffic law is amended by adding a new subdivision 2-a to read as follows:

2-a. In addition to the provision of subdivision two of this section, the commissioner shall ensure that space is provided on the application to advise applicants of the existence of the national marrow donor program and to provide, at a minimum, the contact information for this program and a description of its purpose.

§ 3. Subdivision 1 of section 502 of the vehicle and traffic law is REPEALED and a new subdivision 1 is added to read as follows:

1. Application for license. Application for a driver's license shall be made to the commissioner. The fee prescribed by law may be submitted with such application. The applicant shall furnish such proof of identity, age, and fitness as may be required by the commissioner. The commissioner may also provide that the application procedure shall

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

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1 include the taking of a photo image or images of the applicant in  
2 accordance with rules and regulations prescribed by the commissioner. In  
3 addition, the commissioner also shall require that the applicant provide  
4 his or her social security number and shall provide space on the appli-  
5 cation so that the applicant may register in the New York state organ  
6 and tissue donor registry under section forty-three hundred ten of the  
7 public health law with the following stated on the application in clear  
8 and conspicuous type:

9 "You must fill out the following section: Would you like to be added  
10 to the Donate Life Registry? Check box for 'yes' or 'skip this ques-  
11 tion'."

12 The commissioner of health shall not maintain records of any person  
13 who checks "skip this question". Except where the application is made in  
14 person or electronically, failure to check a box shall not impair the  
15 validity of an application, and failure to check "yes" or checking "skip  
16 this question" shall not be construed to imply a wish not to donate. In  
17 the case of an applicant under eighteen years of age, checking "yes"  
18 shall not constitute consent to make an anatomical gift or registration  
19 in the donate life registry, except as otherwise provided pursuant to  
20 the provisions of paragraph (b) of subdivision one of section forty-  
21 three hundred one of the public health law. Where an applicant has  
22 previously consented to make an anatomical gift or registered in the  
23 donate life registry, checking "skip this question" or failing to check  
24 a box shall not impair that consent or registration. In addition, the  
25 commissioner also shall require that space shall be provided on the  
26 application so that the applicant may request a notation upon such  
27 license that he or she is a veteran of the United States armed forces.  
28 Additionally, the commissioner shall ensure that space is provided on  
29 the application to advise applicants of the existence of the national  
30 marrow donor program and to provide, at a minimum, the contact informa-  
31 tion for this program and a description of its purpose.

32 In addition, an applicant for a commercial driver's license who will  
33 operate a commercial motor vehicle in interstate commerce shall certify  
34 that such applicant meets the requirements to operate a commercial motor  
35 vehicle, as set forth in public law 99-570, title XII, and title 49 of  
36 the code of federal regulations, and all regulations promulgated by the  
37 United States secretary of transportation under the hazardous materials  
38 transportation act. In addition, an applicant for a commercial driver's  
39 license shall submit a medical certificate at such intervals as required  
40 by the federal motor carrier safety improvement act of 1999 and Part  
41 383.71(h) of title 49 of the code of federal regulations relating to  
42 medical certification and in a manner prescribed by the commissioner.  
43 For purposes of this section and sections five hundred three, five  
44 hundred ten-a, and five hundred ten-aa of this title, the terms "medical  
45 certificate" and "medical certification" shall mean a form substantially  
46 in compliance with the form set forth in Part 391.43(h) of title 49 of  
47 the code of federal regulations. Upon a determination that the holder of  
48 a commercial driver's license has made any false statement, with respect  
49 to the application for such license, the commissioner shall revoke such  
50 license.

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

53 6. The commissioner is directed to develop the license application and  
54 renewal forms and the directions accompanying these forms to advise  
55 applicants of the existence of the national marrow donor program and to  
56 provide, at a minimum, the contact information for this program and a

1 description of its purpose, and to further amend the website of the  
2 department to provide national marrow donor program contact information  
3 and a description of its purpose.

4 § 5. Section 1-104 of the election law is amended by adding a new  
5 subdivision 38 to read as follows:

6 38. The term "bone marrow contact information" shall mean the national  
7 marrow donor program contact information including the mailing address,  
8 contact telephone number and website address.

9 § 6. Paragraph (k) of subdivision 5 of section 5-210 of the election  
10 law is amended by adding a new subparagraph (xiii) to read as follows:

11 (xiii) Notification of the national bone marrow program contact infor-  
12 mation and a description of its purpose.

13 § 7. Notwithstanding any other provision of law, rule or regulation to  
14 the contrary, the department of motor vehicles shall revise the paper  
15 applications or renewal forms to include the information pertaining to  
16 the national bone marrow program pursuant to sections one, two, three  
17 and four of this act when the current stock of forms have been depleted.

18 § 8. This act shall take effect on the one hundred eightieth day after  
19 it shall have become a law. Effective immediately, the addition, amend-  
20 ment and/or repeal of any rule or regulation necessary for the implemen-  
21 tation of this act on its effective date are authorized to be made and  
22 completed on or before such effective date.