

# STATE OF NEW YORK

10233

## IN ASSEMBLY

March 27, 2020

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

AN ACT to amend the vehicle and traffic law, in relation to allowing national identity cards to be included as acceptable proofs of age and identity for applications for driver's licenses; and to repeal certain provisions of such law relating thereto

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

1 Section 1. Subdivision 1 of section 502 of the vehicle and traffic  
2 law, as amended by chapter 37 of the laws of 2019, is amended to read as  
3 follows:

4 1. Application for license. Application for a driver's license shall  
5 be made to the commissioner. The fee prescribed by law may be submitted  
6 with such application. The applicant shall furnish such proof of identity,  
7 age, and fitness as may be required by the commissioner. With  
8 respect to a non-commercial driver's license or learner's permit which  
9 does not meet federal standards for identification, in addition to the  
10 acceptable proofs of age and identity approved by the commissioner as of  
11 January first, two thousand nineteen, acceptable proof of identity shall  
12 also include, but not be limited to, a valid, unexpired foreign passport  
13 or national identity card issued by the applicant's country of citizenship  
14 (which shall also be eligible as proof of age), a valid, unexpired  
15 consular identification document issued by a consulate from the applicant's  
16 country of citizenship, or a valid foreign driver's license that  
17 includes a photo image of the applicant and which is unexpired or  
18 expired for less than twenty-four months of its date of expiration, as  
19 primary forms of such proof. Nothing contained in this subdivision shall  
20 be deemed to preclude the commissioner from approving additional proofs  
21 of identity and age. The commissioner may also provide that the application  
22 procedure shall include the taking of a photo image or images of  
23 the applicant in accordance with rules and regulations prescribed by the  
24 commissioner. In addition, the commissioner also shall require that the  
25 applicant provide his or her social security number or, in lieu thereof,  
26 with respect to an application for a non-commercial driver's license or

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

LBD15912-01-0

1 learner's permit which does not meet federal standards for identifica-  
2 tion, an affidavit signed by such applicant that they have not been  
3 issued a social security number. The commissioner also shall provide  
4 space on the application so that the applicant may request a notation  
5 upon such license that he or she is a veteran of the United States armed  
6 forces, and space on the application so that the applicant may register  
7 in the New York state organ and tissue donor registry under section  
8 forty-three hundred ten of the public health law with the following  
9 stated on the application in clear and conspicuous type:

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

13 The commissioner of health shall not maintain records of any person  
14 who checks "skip this question". Except where the application is made in  
15 person or electronically, failure to check a box shall not impair the  
16 validity of an application, and failure to check "yes" or checking "skip  
17 this question" shall not be construed to imply a wish not to donate. In  
18 the case of an applicant under eighteen years of age, checking "yes"  
19 shall not constitute consent to make an anatomical gift or registration  
20 in the donate life registry, except as otherwise provided pursuant to  
21 the provisions of paragraph (b) of subdivision one of section forty-  
22 three hundred one of the public health law. Where an applicant has  
23 previously consented to make an anatomical gift or registered in the  
24 donate life registry, checking "skip this question" or failing to check  
25 a box shall not impair that consent or registration. In addition, an  
26 applicant for a commercial driver's license who will operate a commer-  
27 cial motor vehicle in interstate commerce shall certify that such appli-  
28 cant meets the requirements to operate a commercial motor vehicle, as  
29 set forth in public law 99-570, title XII, and title 49 of the code of  
30 federal regulations, and all regulations promulgated by the United  
31 States secretary of transportation under the hazardous materials trans-  
32 portation act. In addition, an applicant for a commercial driver's  
33 license shall submit a medical certificate at such intervals as required  
34 by the federal motor carrier safety improvement act of 1999 and Part  
35 383.71(h) of title 49 of the code of federal regulations relating to  
36 medical certification and in a manner prescribed by the commissioner.  
37 For purposes of this section and sections five hundred three, five  
38 hundred ten-a, and five hundred ten-aa of this title, the terms "medical  
39 certificate" and "medical certification" shall mean a form substantially  
40 in compliance with the form set forth in Part 391.43(h) of title 49 of  
41 the code of federal regulations. Upon a determination that the holder of  
42 a commercial driver's license has made any false statement, with respect  
43 to the application for such license, the commissioner shall revoke such  
44 license.

45 § 2. Subdivision 1 of section 502 of the vehicle and traffic law, as  
46 amended by chapter 487 of the laws of 2012, is REPEALED.

47 § 3. This act shall take effect immediately.