STATE OF NEW YORK

1319

2021-2022 Regular Sessions

IN ASSEMBLY

January 8, 2021

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

AN ACT to amend the vehicle and traffic law, in relation to allowing disclosures in furtherance of the enforcement of state law

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

Section 1. Paragraph (a) of subdivision 12 of section 201 of the vehicle and traffic law, as amended by section 1 of part YYY of chapter 58 of the laws of 2020, is amended to read as follows:

(a) Except as required for the commissioner to issue or renew a driver's license or learner's permit that meets federal standards for identification, as necessary for an individual seeking acceptance into a trusted traveler program, or to facilitate vehicle imports and/or exports, the commissioner, and any agent or employee of the commissioner, shall not disclose or make accessible in any manner records or information that he or she maintains, to any agency that primarily enforces immigration law or to any employee or agent of such agency, unless**: (i)** the commissioner is presented with a lawful court order or judicial warrant signed by a judge appointed pursuant to article III of the United States constitution**; or (ii) the employee or agent of such agency is solely enforcing state law or federal criminal law and not immigration law**. Upon receiving a request for such records or information from an agency that primarily enforces immigration law, the commissioner shall, no later than three days after such request, notify the individual about whom such information was requested, informing such individual of the request and the identity of the agency that made such request **unless such notification would interfere with a federal criminal investigation**.

§ 2. This act shall take effect immediately.

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

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