

STATE OF NEW YORK

8890

IN ASSEMBLY

January 19, 2022

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

AN ACT to amend the vehicle and traffic law, in relation to providing for electronic credentials

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

- 1 Section 1. The vehicle and traffic law is amended by adding a new
2 section 504-a to read as follows:
3 § 504-a. Electronic credentials. 1. As used in this section, the
4 following terms shall have the following meanings:
5 (a) "Credential holder" means the individual to whom an electronic
6 credential is issued.
7 (b) "Data field" means a discrete piece of information printed or
8 otherwise appearing on a license or an identification card.
9 (c) "Electronic credential" means an electronic representation of a
10 license, an identification card, or a data field.
11 (d) "Full profile" means all the information provided on a license or
12 an identification card.
13 (e) "Limited profile" means a portion of the information provided on a
14 license or an identification card.
15 2. (a) The commissioner shall issue an electronic credential to an
16 individual in addition to, and not instead of, a license or an identifi-
17 cation card if the commissioner has issued to the individual:
18 (i) a license under this article; or
19 (ii) an identification card under article seventeen-A of this chapter.
20 (b) The commissioner shall enter into agreements with any agency of
21 the state, another state, or the United States as necessary to facili-
22 tate the issuance, use, and verification of electronic credentials
23 issued by the commissioner or another state.
24 (c) The commissioner shall create an electronic credential that:
25 (i) is capable of producing both a full profile and a limited profile;
26 and
27 (ii) satisfies the purpose for which the profile is being presented.

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

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1 (d) The commissioner shall design such electronic credential in a
2 manner that allows the credential holder to maintain physical possession
3 of the device on which the electronic credential is accessed during
4 verification.

5 3. (a) The commissioner shall create and operate a verification system
6 for electronic credentials.

7 (b) (i) Access to the verification system and any data field by a
8 person presented with an electronic credential shall require the consent
9 of the credential holder.

10 (ii) If consent is granted under subparagraph (i) of this paragraph,
11 the commissioner shall release through the verification system:

12 (1) for a full profile, all data fields that appear on the physical
13 credential that corresponds with the electronic credential that is being
14 verified; or

15 (2) for a limited profile, only the data fields represented in the
16 limited profile for the physical credential that corresponds with the
17 electronic credential that is being verified.

18 (c) A third party may administer on behalf of the commissioner any
19 system developed to facilitate the issuance, verification, and use of
20 electronic credentials.

21 4. The commissioner may charge a fee for:

22 (a) the issuance of an electronic credential; and

23 (b) the use of an electronic verification system.

24 5. Notwithstanding any provision of law to the contrary, an electronic
25 credential issued pursuant to the provisions of this section shall be
26 accepted in place of the driver's license or identification card which
27 corresponds to such electronic credential where the person to which the
28 electronic credential is presented has access to the verification system
29 established pursuant to subdivision three of this section.

30 6. The commissioner shall promulgate any rules or regulations neces-
31 sary to carry out the provisions of this section.

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