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:

Section 1. The vehicle and traffic law is amended by adding a new section 504-a to read as follows:

§ 504-a. Electronic credentials. 1. As used in this section, the following terms shall have the following meanings:

(a) "Credential holder" means the individual to whom an electronic credential is issued.

(b) "Data field" means a discrete piece of information printed or otherwise appearing on a license or an identification card.

(c) "Electronic credential" means an electronic representation of a license, an identification card, or a data field.

(d) "Full profile" means all the information provided on a license or an identification card.

(e) "Limited profile" means a portion of the information provided on a license or an identification card.

2. (a) The commissioner shall issue an electronic credential to an individual in addition to, and not instead of, a license or an identification card if the commissioner has issued to the individual:

(i) a license under this article; or

(ii) an identification card under article seventeen-A of this chapter.

(b) The commissioner shall enter into agreements with any agency of the state, another state, or the United States as necessary to facilitate the issuance, use, and verification of electronic credentials issued by the commissioner or another state.

(c) The commissioner shall create an electronic credential that:

(i) is capable of producing both a full profile and a limited profile; and

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

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

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

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

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

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

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

4. The commissioner may charge a fee for:

(a) the issuance of an electronic credential; and

(b) the use of an electronic verification system.

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

6. The commissioner shall promulgate any rules or regulations necessary to carry out the provisions of this section.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.