STATE OF NEW YORK

9492

IN SENATE

July 5, 2022

Introduced by Sen. ADDABBO -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the vehicle and traffic law and the penal law, in relation to requiring drivers' licenses to include a distinguishing mark indicating that the licensee has a permit to carry a concealed firearm

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

Section 1. Subdivision 1 of section 504 of the vehicle and traffic law is amended by adding a new paragraph (c) to read as follows:

(c) Every license or renewal thereof shall contain a distinguishing mark, in such form as the commissioner shall determine, indicating that the licensee has a permit to carry a concealed firearm pursuant to subdivision two of section 400.00 of the penal law. The commissioner shall not require fees for the issuance of such license or renewal thereof to persons who have a permit to carry a concealed weapon which are different from the fees required for the issuance of licenses or renewals thereof to persons who do not have a permit to carry a concealed weapon.

§ 2. Section 400.02 of the penal law, as amended by chapter 244 of the laws of 2019, is amended to read as follows:

§ 400.02 Statewide license and record database.

There shall be a statewide license and record database which shall be created and maintained by the division of state police the cost of which shall not be borne by any municipality. Records assembled or collected for purposes of inclusion in such database shall not be subject to disclosure pursuant to article six of the public officers law. Records containing granted license applications shall be periodically checked by the division of criminal justice services against criminal conviction, mental health, and all other records as are necessary to determine their continued accuracy as well as whether an individual is no longer a valid license holder. The division of criminal justice services shall also check pending applications made pursuant to this article against such records to determine whether a license may be granted. All state agen-

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

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cies shall cooperate with the division of criminal justice services, as otherwise authorized by law, in making their records available for such checks. The division of criminal justice services, upon determining that an individual is ineligible to possess a license, or is no longer a valid license holder, shall notify the applicable licensing official of such determination and such licensing official shall not issue a license or revoke such license and any weapons owned or possessed by such individual shall be removed consistent with the provisions of subdivision eleven of section 400.00 of this article. Local and state law enforcement shall have access to such database in the performance of their duties. Records assembled or collected for purposes of inclusion in the database established by this section shall be released pursuant to a court order**; provided, however, that the commissioner of motor vehicles, or their designee, shall be authorized to access the database solely for the purpose of ascertaining the names of persons who have a license to carry a concealed firearm in order to meet the requirements of paragraph (c) of subdivision one of section five hundred four of the vehicle and traffic law**.

§ 3. This act shall take effect immediately.