

# STATE OF NEW YORK

6508

2021-2022 Regular Sessions

## IN SENATE

May 4, 2021

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

AN ACT to amend the vehicle and traffic law, in relation to requiring that driver's licenses indicate the blood type of the licensee upon the licensee's request; 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 504 of the vehicle and traffic law  
2 is amended by adding a new paragraph (c) to read as follows:

3 (c) The commissioner shall by regulation provide that every driver's  
4 license or renewal thereof contain a distinguishing mark and adequate  
5 space upon which the blood type of the licensee may be imprinted upon  
6 the licensee's request. The learner's permit may also contain the blood  
7 type of the permittee upon request of the permittee pursuant to regu-  
8 lations established by the commissioner.

9 § 2. Subdivision 1 of section 502 of the vehicle and traffic law is  
10 REPEALED and a new subdivision 1 is added to read as follows:

11 1. Application for license. Application for a driver's license shall  
12 be made to the commissioner. The fee prescribed by law may be submitted  
13 with such application. The applicant shall furnish such proof of identi-  
14 ty, age, and fitness as may be required by the commissioner. With  
15 respect to a non-commercial driver's license or learner's permit which  
16 does not meet federal standards for identification, in addition to the  
17 acceptable proofs of age and identity approved by the commissioner as of  
18 January first, two thousand twenty-one, acceptable proof of identity  
19 shall also include, but not be limited to, a valid, unexpired foreign  
20 passport issued by the applicant's country of citizenship (which shall  
21 also be eligible as proof of age), a valid, unexpired consular identifi-  
22 cation document issued by a consulate from the applicant's country of  
23 citizenship, or a valid foreign driver's license that includes a photo

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

LBD11135-02-1

1 image of the applicant and which is unexpired or expired for less than  
2 twenty-four months of its date of expiration, as primary forms of such  
3 proof. Nothing contained in this subdivision shall be deemed to preclude  
4 the commissioner from approving additional proofs of identity and age.  
5 The commissioner may also provide that the application procedure shall  
6 include the taking of a photo image or images of the applicant in  
7 accordance with rules and regulations prescribed by the commissioner. In  
8 addition, the commissioner also shall require that the applicant provide  
9 his or her social security number or, in lieu thereof, with respect to  
10 an application for a non-commercial driver's license or learner's permit  
11 which does not meet federal standards for identification, an affidavit  
12 signed by such applicant that they have not been issued a social securi-  
13 ty number. The commissioner shall also provide space on the application  
14 so that the applicant may request a notation upon such license indicat-  
15 ing his or her blood type in accordance with rules and regulations  
16 prescribed by the commissioner. The commissioner also shall provide  
17 space on the application so that the applicant may request a notation  
18 upon such license that he or she is a veteran of the United States armed  
19 forces, and space on the application so that the applicant may register  
20 in the New York state organ and tissue donor registry under section  
21 forty-three hundred ten of the public health law with the following  
22 stated on the application in clear and conspicuous type: "You must fill  
23 out the following section: Would you like to be added to the Donate Life  
24 Registry? Check box for 'yes' or 'skip this question'."

25 The commissioner of health shall not maintain records of any person  
26 who checks "skip this question". Except where the application is made in  
27 person or electronically, failure to check a box shall not impair the  
28 validity of an application, and failure to check "yes" or checking "skip  
29 this question" shall not be construed to imply a wish not to donate. In  
30 the case of an applicant under eighteen years of age, checking "yes"  
31 shall not constitute consent to make an anatomical gift or registration  
32 in the donate life registry, except as otherwise provided pursuant to  
33 the provisions of paragraph (b) of subdivision one of section forty-  
34 three hundred one of the public health law. Where an applicant has  
35 previously consented to make an anatomical gift or registered in the  
36 donate life registry, checking "skip this question" or failing to check  
37 a box shall not impair that consent or registration. In addition, an  
38 applicant for a commercial driver's license who will operate a commer-  
39 cial motor vehicle in interstate commerce shall certify that such appli-  
40 cant meets the requirements to operate a commercial motor vehicle, as  
41 set forth in public law 99-570, title XII, and title 49 of the code of  
42 federal regulations, and all regulations promulgated by the United  
43 States secretary of transportation under the hazardous materials trans-  
44 portation act. In addition, an applicant for a commercial driver's  
45 license shall submit a medical certificate at such intervals as required  
46 by the federal motor carrier safety improvement act of 1999 and Part  
47 383.71(h) of title 49 of the code of federal regulations relating to  
48 medical certification and in a manner prescribed by the commissioner.  
49 For purposes of this section and sections five hundred three, five  
50 hundred ten-a, and five hundred ten-aa of this title, the terms "medical  
51 certificate" and "medical certification" shall mean a form substantially  
52 in compliance with the form set forth in Part 391.43(h) of title 49 of  
53 the code of federal regulations. Upon a determination that the holder of  
54 a commercial driver's license has made any false statement, with respect  
55 to the application for such license, the commissioner shall revoke such  
56 license.

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