

# STATE OF NEW YORK

3935--A

2023-2024 Regular Sessions

## IN ASSEMBLY

February 8, 2023

Introduced by M. of A. RAMOS, DE LOS SANTOS, GONZALEZ-ROJAS, SANTABARBARA, EICHENSTEIN -- Multi-Sponsored by -- M. of A. GIBBS -- read once and referred to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT in relation to authorizing the commissioner of motor vehicles to enter into reciprocity agreements with other states, countries, provinces or territories that issue driver licenses

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

1 Section 1. The commissioner of motor vehicles is hereby authorized to  
2 enter into agreements with other parties that issue driver licenses to  
3 provide reciprocity in issuing driver licenses between citizens from the  
4 state of New York residing in the respective state, country, province or  
5 territory and to the citizens from such state, country, province or  
6 territory residing in the state of New York. The parties shall agree  
7 that reciprocal provisions for issuance and skills to acquire a driver  
8 license shall be applicable in the state of New York and in the respec-  
9 tive state, country, province or territory. The commissioner of motor  
10 vehicles may only enter into such reciprocal agreements with a state,  
11 country, province or territory that has a comparable licensing process,  
12 including without limitation, knowledge and road tests, and may enter  
13 into reciprocal agreements providing for additional education with  
14 respect to the operating laws, rules, and regulations of the respective  
15 state, country, province or territory.

16 § 2. For any such reciprocal agreement entered into, the parties shall  
17 agree that a holder of a valid driver license of the state of New York  
18 residing in such state, country, province or territory, shall be able to  
19 exchange such license for a driver license issued by such state, coun-  
20 try, province or territory at the nominal conversion fee, without being  
21 required to pass the knowledge and road test. Correspondingly, a holder

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

1 of a valid driver license from another state, country, province or  
2 territory lawfully residing in the state of New York, who is not exempt  
3 from licensing requirements under the vehicle and traffic law, shall be  
4 able to exchange their license for a standard license in the state of  
5 New York at the nominal conversion fee, without being required to pass  
6 the knowledge and road test.

7 § 3. The state of New York, through the commissioner of motor vehi-  
8 cles, and the respective ministry or department of the state, country,  
9 province or territory, shall agree on the following:

10 1. Each party to this agreement shall provide samples of driver  
11 licenses (or copies thereof) issued at the time of this agreement and  
12 thereafter, as well as a definition of all classes of driver licenses,  
13 notations and restrictions;

14 2. This agreement shall only apply to holders of unrestricted driver  
15 licenses aged 18 or older and shall not apply to applications for  
16 enhanced licenses pursuant to section 7209 of the Intelligence Reform  
17 and Terrorism Prevention Act of 2004, Public Law 108-458, real IDs or  
18 driver licenses for the operation of a commercial motor vehicle or  
19 motorcycle.

20 3. For the decision on the issuance of a driver license, the same  
21 standards, rules and regulations as for any resident of the state of New  
22 York and/or the respective state, country, province or territory shall  
23 apply.

24 4. Each party shall agree to verify whether the driver still has a  
25 valid driver license of the state in which he or she was originally  
26 licensed, provided that the commissioner of motor vehicles shall ensure  
27 that driver information for no other driver licensed in the state other  
28 than the driver applying for the reciprocal license is shared when  
29 conducting such verification and designing such verification system, and  
30 shall ensure that any information necessary to be shared, if any, shall  
31 substantially comply with federal and state law for purposes of a recip-  
32 rocal license application. For purposes of this section, "driver infor-  
33 mation" shall include, but not be limited to, any portion or record  
34 retained by the commissioner of motor vehicles in relation to a non-com-  
35 mercial driver license or renewal application that contains the photo  
36 image or identifies the social security number, address, telephone  
37 number, place of birth, age, country of origin, place of employment,  
38 school or educational institution attended, source of income, status as  
39 a recipient of public benefits, customer identification number associ-  
40 ated with a public utilities account, and medical information or disa-  
41 bility information.

42 § 4. The agreement shall be signed by both the commissioner of motor  
43 vehicles of the state of New York and an official with legal authority  
44 to enter into such agreement on behalf of the respective state, country,  
45 province or territory and may be cancelled or revoked in writing by  
46 either party at any time and for any reason with three months' notice  
47 provided that notification shall be sent to the address provided by the  
48 parties in the agreement.

49 § 5. The commissioner of motor vehicles shall report to the governor,  
50 the temporary president of the senate, and the speaker of the assembly  
51 on agreements entered into pursuant to section one of this act within  
52 one year of the date this act shall have become a law and annually ther-  
53 eafter.

54 § 6. This act shall take effect immediately.