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:

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

§ 2. For any such reciprocal agreement entered into, the parties shall agree that a holder of a valid driver license of the state of New York residing in such state, country, province or territory, shall be able to exchange such license for a driver license issued by such state, country, province or territory at the nominal conversion fee, without being 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.

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

§ 3. The state of New York, through the commissioner of motor vehicles, and the respective ministry or department of the state, country, province or territory, shall agree on the following:

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

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

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

4. Each party shall agree to verify whether the driver still has a valid driver license of the state in which he or she was originally licensed, provided that the commissioner of motor vehicles shall ensure that driver information for no other driver licensed in the state other than the driver applying for the reciprocal license is shared when conducting such verification and designing such verification system, and shall ensure that any information necessary to be shared, if any, shall substantially comply with federal and state law for purposes of a reciprocal license application. For purposes of this section, "driver information" shall include, but not be limited to, any portion or record retained by the commissioner of motor vehicles in relation to a non-commercial driver license or renewal application that contains the photo image or identifies the social security number, address, telephone number, place of birth, age, country of origin, place of employment, school or educational institution attended, source of income, status as a recipient of public benefits, customer identification number associated with a public utilities account, and medical information or disability information.

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

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

§ 6. This act shall take effect immediately.