STATE OF NEW YORK

8948

IN ASSEMBLY

January 30, 2024

Introduced by M. of A. WOERNER -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to the automatic issuance of identification cards

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

Section 1. Subdivision 2 of section 490 of the vehicle and traffic law, as amended by chapter 158 of the laws of 2021, is amended to read as follows:

2. Application. (a) Any person to whom a driver's license or learner's permit has not been issued by the commissioner[~~, or whose driver's license or learner's permit is expired, suspended, revoked or surrendered,~~] may make application to the commissioner for the issuance of an identification card. The commissioner shall ensure that space is provided on the application so that the applicant shall register or decline registration in the donate life registry for organ and tissue donations pursuant to section forty-three hundred ten of the public health law and that the following is stated on the application in clear and conspicuous type:

"You must fill out the following section: Would you like to be added to the Donate Life Registry? Check box for 'yes' or 'skip this question'."

The commissioner of health shall not maintain records of any person who checks "skip this question". Except where the application is made in person or electronically, failure to check a box shall not impair the validity of an application, and failure to check "yes" or checking "skip this question" shall not be construed to imply a wish not to donate. In the case of an applicant under eighteen years of age, checking "yes" shall not constitute consent to make an anatomical gift or registration in the donate life registry, except as otherwise provided pursuant to the provisions of paragraph (b) of subdivision one of section forty-three hundred one of the public health law. Where an applicant has previously consented to make an anatomical gift or registered in the

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

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donate life registry, checking "skip this question" or failing to check a box shall not impair that consent or registration.

(b) The identification card shall display the sex designation of M, F, or X as certified by the applicant, with no additional documentation required. The applicant may amend the sex designation of their identification card upon request.

(c) Any person whose driver's license or learner's permit is expired, suspended, revoked or surrendered will automatically be issued an identification card by the commissioner without the need to make application pursuant to this section.

§ 2. This act shall take effect on the sixtieth day after it shall have become a law.