

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:

1 Section 1. Subdivision 2 of section 490 of the vehicle and traffic
2 law, as amended by chapter 158 of the laws of 2021, is amended to read
3 as follows:
4 2. Application. (a) Any person to whom a driver's license or learner's
5 permit has not been issued by the commissioner[~~, or whose driver's~~
6 ~~license or learner's permit is expired, suspended, revoked or surren-~~
7 ~~dered,~~] may make application to the commissioner for the issuance of an
8 identification card. The commissioner shall ensure that space is
9 provided on the application so that the applicant shall register or
10 decline registration in the donate life registry for organ and tissue
11 donations pursuant to section forty-three hundred ten of the public
12 health law and that the following is stated on the application in clear
13 and conspicuous type:
14 "You must fill out the following section: Would you like to be added
15 to the Donate Life Registry? Check box for 'yes' or 'skip this ques-
16 tion'."
17 The commissioner of health shall not maintain records of any person
18 who checks "skip this question". Except where the application is made in
19 person or electronically, failure to check a box shall not impair the
20 validity of an application, and failure to check "yes" or checking "skip
21 this question" shall not be construed to imply a wish not to donate. In
22 the case of an applicant under eighteen years of age, checking "yes"
23 shall not constitute consent to make an anatomical gift or registration
24 in the donate life registry, except as otherwise provided pursuant to
25 the provisions of paragraph (b) of subdivision one of section forty-
26 three hundred one of the public health law. Where an applicant has
27 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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1 donate life registry, checking "skip this question" or failing to check
2 a box shall not impair that consent or registration.

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

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

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