

# STATE OF NEW YORK

9006

## IN ASSEMBLY

February 1, 2024

Introduced by M. of A. MEEKS -- read once and referred to the Committee on Correction

AN ACT to amend the correction law, in relation to the creation of a department of corrections and community supervision identification form; to amend the vehicle and traffic law, in relation to the use of a department of corrections and community supervision identification form as proof of identity

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

1 Section 1. Section 2 of the correction law is amended by adding a new  
2 subdivision 35 to read as follows:

3 35. "Identification form" shall mean and refer to a department of  
4 corrections and community supervision identification form issued pursu-  
5 ant to the provisions of section eighty-one of this chapter.

6 § 2. The correction law is amended by adding a new section 81 to read  
7 as follows:

8 § 81. Department of corrections and community supervision identifica-  
9 tion form. 1. The commissioner, in cooperation with the commissioner of  
10 motor vehicles, shall create a department of corrections and community  
11 supervision identification form, which shall be issued to each individ-  
12 ual upon such individual's release from a correctional facility.

13 2. Identification forms issued pursuant to this section shall contain,  
14 at a minimum, the following information about the individual to whom  
15 such identification form is issued:

16 (a) Such individual's full name;

17 (b) Such individual's permanent address, if such individual has a  
18 permanent address that they intend to return to;

19 (c) Such individual's birth date; and

20 (d) Any other information the commissioner shall deem relevant or  
21 necessary.

22 3. A correctional facility shall deliver to each individual all forms,  
23 paperwork, and/or other documents required to be delivered to such indi-  
24 vidual in addition to the identification form required by subdivision  
25 one of this section, immediately upon such individual's release.

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

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1 § 3. Section 490 of the vehicle and traffic law is amended by adding  
2 a new subdivision 2-a to read as follows:

3 2-a. A department of corrections and community supervision identifi-  
4 cation form issued pursuant to section eighty-one of the correction law  
5 shall constitute sufficient proof of identity for an individual submit-  
6 ting an application for an identification card pursuant to this section,  
7 and the commissioner shall not require such individual to provide any  
8 further proof of identification.

9 § 4. Subparagraph (i) of paragraph (a) of subdivision 3 of section 490  
10 of the vehicle and traffic law, as amended by chapter 487 of the laws of  
11 2012, is amended to read as follows:

12 (i) The commissioner shall upon submission of an appropriate applica-  
13 tion, upon payment of the prescribed fee, and upon being satisfied that  
14 the person described is the applicant and that such applicant meets the  
15 requirements set forth in subdivision two of this section, issue to such  
16 applicant a nontransferable identification card. In addition, the  
17 commissioner also shall require that an applicant for an identification  
18 card or renewal thereof provide his or her social security number, or  
19 department of corrections and community supervision identification form  
20 issued pursuant to section eighty-one of the correction law. The commis-  
21 sioner shall provide space so that an applicant may request a notation  
22 upon such identification card that he or she is a veteran of the United  
23 States armed forces.

24 § 5. Subdivision 1 of section 502 of the vehicle and traffic law, as  
25 separately amended by chapters 158 and 440 of the laws of 2021, is  
26 amended to read as follows:

27 1. Application for license. Application for a driver's license shall  
28 be made to the commissioner. The fee prescribed by law may be submitted  
29 with such application. The applicant shall furnish such proof of identi-  
30 ty, age, and fitness as may be required by the commissioner. With  
31 respect to a non-commercial driver's license or learner's permit which  
32 does not meet federal standards for identification, in addition to the  
33 acceptable proofs of age and identity approved by the commissioner as of  
34 January first, two thousand nineteen, acceptable proof of identity shall  
35 also include, but not be limited to, a department of corrections and  
36 community supervision identification form issued pursuant to section  
37 eighty-one of the correction law, a valid, unexpired foreign passport  
38 issued by the applicant's country of citizenship (which shall also be  
39 eligible as proof of age), a valid, unexpired consular identification  
40 document issued by a consulate from the applicant's country of citizen-  
41 ship, or a valid foreign driver's license that includes a photo image of  
42 the applicant and which is unexpired or expired for less than twenty-  
43 four months of its date of expiration, as primary forms of such proof.  
44 Nothing contained in this subdivision shall be deemed to preclude the  
45 commissioner from approving additional proofs of identity and age. In  
46 the case of an applicant using a department of corrections and community  
47 supervision identification form issued pursuant to section eighty-one of  
48 the correction law as proof of identity, the commissioner shall not  
49 require such applicant to provide any additional proof of identity. The  
50 license shall display the sex designation of M, F, or X as certified by  
51 the applicant, with no additional documentation required. The applicant  
52 may amend the sex designation of their driver's license upon request.  
53 Upon amendment of the sex designation, the change shall be made consist-  
54 ent through all affiliated records within the control of the department.  
55 The commissioner may also provide that the application procedure shall  
56 include the taking of a photo image or images of the applicant in

1 accordance with rules and regulations prescribed by the commissioner. In  
2 addition, the commissioner also shall require that the applicant provide  
3 such applicant's social security number or, in lieu thereof, with  
4 respect to an application for a non-commercial driver's license or  
5 learner's permit which does not meet federal standards for identifica-  
6 tion, an affidavit signed by such applicant that they have not been  
7 issued a social security number. The commissioner also shall provide  
8 space on the application so that the applicant may request a notation  
9 upon such license that such applicant is a veteran of the United States  
10 armed forces, and space on the application so that the applicant may  
11 request a notation upon such license that he or she is a veteran of the  
12 United States armed forces, and space on the application so that the  
13 applicant may register in the New York state organ and tissue donor  
14 registry under section forty-three hundred ten of the public health law  
15 with the following stated on the application in clear and conspicuous  
16 type:

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

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

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