

STATE OF NEW YORK

5122--A

2025-2026 Regular Sessions

IN ASSEMBLY

February 12, 2025

Introduced by M. of A. SOLAGES, SIMON, RA, McMAHON, SANTABARBARA, SLATER, DeSTEFANO, CUNNINGHAM, LEVENBERG, REYES, EPSTEIN, BERGER -- read once and referred to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to allowing for individuals to consent to contact from the C.W. Bill Young Cell Transplantation Program and the national marrow donor program to receive information about enrolling in such programs at the time of application for or renewal of a driver's license or non-driver identification card

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

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

3 2-a. Solicitation for applicant to consent to share certain informa-
4 tion with the C.W. Bill Young Cell Transplantation Program established
5 in 42 U.S.C. Section 274k or the national marrow donor program ("regis-
6 try operator") for the purpose of receiving information about enrolling
7 in the national registry of volunteer bone marrow or blood cell donors.
8 In addition to the provisions of subdivision two of this section, the
9 commissioner shall ensure that space is provided on the application for
10 an identification card or renewal thereof to advise applicants of the
11 existence of the national registry and to allow for applicants to
12 consent to sharing their information with the registry operator for the
13 purposes of receiving information from the national marrow donor program
14 about enrolling as a potential volunteer bone marrow or blood cell donor
15 on the national registry. Such information related to the consenting
16 applicant shared with the registry operator shall be limited to the
17 first and last name, date of birth, email address, and physical address.

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

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

4 1. Application for license. Application for a driver's license shall
5 be made to the commissioner. The fee prescribed by law may be submitted
6 with such application. The applicant shall furnish such proof of identi-
7 ty, age, and fitness as may be required by the commissioner. With
8 respect to a non-commercial driver's license or learner's permit which
9 does not meet federal standards for identification, in addition to the
10 acceptable proofs of age and identity approved by the commissioner as of
11 January first, two thousand nineteen, acceptable proof of identity shall
12 also include, but not be limited to, a valid, unexpired foreign passport
13 issued by the applicant's country of citizenship (which shall also be
14 eligible as proof of age), a valid, unexpired consular identification
15 document issued by a consulate from the applicant's country of citizen-
16 ship, or a valid foreign driver's license that includes a photo image of
17 the applicant and which is unexpired or expired for less than twenty-
18 four months of its date of expiration, as primary forms of such proof.
19 Nothing contained in this subdivision shall be deemed to preclude the
20 commissioner from approving additional proofs of identity and age. The
21 license shall display the sex designation of M, F, or X as certified by
22 the applicant, with no additional documentation required. The applicant
23 may amend the sex designation of their driver's license upon request.
24 Upon amendment of the sex designation, the change shall be made consist-
25 ent through all affiliated records within the control of the department.
26 The commissioner may also provide that the application procedure shall
27 include the taking of a photo image or images of the applicant in
28 accordance with rules and regulations prescribed by the commissioner. In
29 addition, the commissioner also shall require that the applicant provide
30 such applicant's social security number or, in lieu thereof, with
31 respect to an application for a non-commercial driver's license or
32 learner's permit which does not meet federal standards for identifica-
33 tion, an affidavit signed by such applicant that they have not been
34 issued a social security number. The commissioner also shall provide
35 space on the application so that the applicant may request a notation
36 upon such license that such applicant is a veteran of the United States
37 armed forces, and space on the application so that the applicant may
38 request a notation upon such license that [~~he or she~~] such person is a
39 veteran of the United States armed forces, and space on the application
40 so that the applicant may register in the New York state organ and
41 tissue donor registry under section forty-three hundred ten of the
42 public health law with the following stated on the application in clear
43 and conspicuous type:

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

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

1 previously consented to make an anatomical gift or registered in the
2 donate life registry, checking "skip this question" or failing to check
3 a box shall not impair that consent or registration. Additionally, the
4 commissioner shall ensure that space is provided on the application for
5 a driver's license or renewal thereof to advise applicants of the exist-
6 ence of the C.W. Bill Young Cell Transplantation Program established in
7 42 U.S.C. Section 274k or the national marrow donor program ("registry
8 operator") and to allow for applicants to consent to sharing their
9 information with the registry operator for the purposes of receiving
10 information from the registry operator about enrolling as a potential
11 volunteer bone marrow or blood cell donor on the national registry.
12 Such information related to the consenting applicant shared with the
13 registry operator shall be limited to first and last name, date of
14 birth, email address, and physical address. In addition, an applicant
15 for a commercial driver's license who will operate a commercial motor
16 vehicle in interstate commerce shall certify that such applicant meets
17 the requirements to operate a commercial motor vehicle, as set forth in
18 public law 99-570, title XII, and title 49 of the code of federal regu-
19 lations, and all regulations promulgated by the United States secretary
20 of transportation under the hazardous materials transportation act. In
21 addition, an applicant for a commercial driver's license shall submit a
22 medical certificate at such intervals as required by the federal motor
23 carrier safety improvement act of 1999 and Part 383.71(h) of title 49 of
24 the code of federal regulations relating to medical certification and in
25 a manner prescribed by the commissioner. For purposes of this section
26 and sections five hundred three, five hundred ten-a, and five hundred
27 ten-aa of this title, the terms "medical certificate" and "medical
28 certification" shall mean a form substantially in compliance with the
29 form set forth in Part 391.43(h) of title 49 of the code of federal
30 regulations. Upon a determination that the holder of a commercial driv-
31 er's license has made any false statement, with respect to the applica-
32 tion for such license, the commissioner shall revoke such license.

33 § 3. Section 508 of the vehicle and traffic law is amended by adding a
34 new subdivision 7 to read as follows:

35 7. The commissioner is directed to establish a process by which the
36 department shall refer driver's license and non-driver identification
37 card applicants who consent to having their information shared with the
38 C.W. Bill Young Cell Transplantation Program established in 42 U.S.C.
39 Section 274k or the national marrow donor program ("registry operator")
40 for the purposes of receiving information from the registry operator
41 about enrolling as a potential volunteer bone marrow or blood cell donor
42 on the national registry. The commissioner is directed to further amend
43 the public website of the department to include a link to access public-
44 ly available information about the registry operator.

45 § 4. This act shall take effect January 1, 2028. Effective immediate-
46 ly, the addition, amendment and/or repeal of any rule or regulation
47 necessary for the implementation of this act on its effective date are
48 authorized to be made and completed on or before such effective date.