

# STATE OF NEW YORK

4736

2025-2026 Regular Sessions

## IN SENATE

February 12, 2025

Introduced by Sen. SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to the issuance of non-commercial drivers' licenses and learners' permits

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

1 Section 1. Subdivisions 9 and 10 and paragraph (a) of subdivision 12  
2 of section 201 of the vehicle and traffic law, subdivisions 9 and 10 as  
3 added by chapter 37 of the laws of 2019 and paragraph (a) of subdivision  
4 12 as amended by section 1 of part YYY of chapter 58 of the laws of  
5 2020, are amended to read as follows:

6 9. The commissioner shall not disclose or otherwise make accessible  
7 original documents or copies of documents collected from non-commercial  
8 driver's license or learner's permit applicants or renewal applicants to  
9 prove identity, age, or fitness except: (a) to the person who is the  
10 subject of such documents; or (b) where expressly required pursuant to  
11 chapter three hundred three of part A of subtitle vi of title forty-nine  
12 of the United States code; or (c) unless necessary to comply with a  
13 lawful court order, judicial warrant signed by a judge appointed pursu-  
14 ant to article III of the United States constitution, or subpoena for  
15 individual records properly issued pursuant to the criminal procedure  
16 law or the civil practice law and rules; or (d) as required for the  
17 commissioner to issue or renew a driver's license or learner's permit  
18 that meets federal standards for identification.

19 10. The commissioner shall not disclose or otherwise make accessible  
20 any portion of any record that identifies whether the type of driver's  
21 license or learner's permit that a person holds either meets federal  
22 standards for identification or does not meet federal standards for  
23 identification except: (a) to the person who is the subject of such  
24 record; or (b) where expressly required pursuant to chapter three  
25 hundred three of part A of subtitle vi of title forty-nine of the United

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

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1 States code; or (c) unless necessary to comply with a lawful court  
2 order, judicial warrant signed by a judge appointed pursuant to article  
3 III of the United States constitution, or subpoena for individual  
4 records properly issued pursuant to the criminal procedure law or the  
5 civil practice law and rules; or (d) as required for the commissioner to  
6 issue or renew a driver's license or learner's permit that meets federal  
7 standards for identification.

8 (a) Except as required for the commissioner to issue or renew a driv-  
9 er's license or learner's permit that meets federal standards for iden-  
10 tification, as necessary for an individual seeking acceptance into a  
11 trusted traveler program, or to facilitate vehicle imports and/or  
12 exports, the commissioner, and any agent or employee of the commis-  
13 sioner, shall not disclose or make accessible in any manner records or  
14 information that [~~he or she maintains~~] they maintain, to any agency that  
15 primarily enforces immigration law or to any employee or agent of such  
16 agency, unless the commissioner is presented with a lawful court order  
17 or judicial warrant signed by a judge appointed pursuant to article III  
18 of the United States constitution. Upon receiving a request for such  
19 records or information from an agency that primarily enforces immi-  
20 gration law, the commissioner shall, no later than three days after such  
21 request, notify the individual about whom such information was  
22 requested, informing such individual of the request and the identity of  
23 the agency that made such request unless prohibited by a lawful court  
24 order or judicial warrant signed by a judge appointed pursuant to arti-  
25 cle III of the United States constitution.

26 § 2. Paragraph (c) of subdivision 8 of section 502 of the vehicle and  
27 traffic law, as added by chapter 37 of the laws of 2019, is amended to  
28 read as follows:

29 (c) Application forms for non-commercial drivers' licenses and lear-  
30 ners' permits which do not meet federal standards for identification or  
31 for renewal thereof shall not state (i) the documents an applicant used  
32 to prove age or identity, or (ii) an applicant's ineligibility for a  
33 social security number where applicable, or (iii) an applicant's citi-  
34 zenship or immigration status except as required to comply with the  
35 National Voter Registration Act of 1993 (Public Law 103-31), as amended.

36 § 3. This act shall take effect immediately.