

STATE OF NEW YORK

6396

2025-2026 Regular Sessions

IN SENATE

March 13, 2025

Introduced by Sen. JACKSON -- 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 placement of a discreet disability designation on non-driver identification cards, drivers' licenses and learners' permits and making technical and conforming changes

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

1 Section 1. Paragraph (a) of subdivision 3 of section 490 of the vehicle and traffic law is amended by adding a new subparagraph (iv) to read as follows:

2 (iv) The commissioner shall provide space so that an applicant may
3 request a notation upon such identification card that such applicant has
4 a disability. An applicant requesting a notation of disability shall
5 submit either a copy of such applicant's social security disability
6 benefit verification letter or a form, to be promulgated by the commis-
7 sioner in consultation with the commissioner of health, commissioner of
8 mental health, the commissioner of the office for people with develop-
9 mental disabilities and the commissioner of addiction services and
10 supports, verifying that such applicant has a disability, including
11 chronic illness or pain. Such form shall be signed by:

12 (A) a licensed physician, including a licensed neurologist or a
13 licensed psychiatrist;

14 (B) a commissioned medical officer of the armed forces of the United
15 States;

16 (C) a licensed physician assistant;

17 (D) a licensed podiatrist;

18 (E) a certified nurse practitioner;

19 (F) a licensed physical therapist; or

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

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1 § 2. Paragraph (b) of subdivision 3 of section 490 of the vehicle and
2 traffic law, as amended by section 97 of part PP of chapter 56 of the
3 laws of 2022, is amended to read as follows:

4 (b) The identification card shall contain a distinguishing number or
5 mark and adequate space upon which an anatomical gift, pursuant to arti-
6 cle forty-three of the public health law, by the holder may be recorded
7 and shall contain such other information and shall be issued in such
8 form as the commissioner shall determine; provided, however, every iden-
9 tification card or renewal thereof issued to a person under the age of
10 twenty-one years shall have prominently imprinted thereon the statement
11 "UNDER 21 YEARS OF AGE" in notably distinctive print or format.
12 Provided, further, however, that every identification card issued to an
13 applicant who was a member of the armed forces of the United States and
14 (i) received an honorable discharge or was released therefrom under
15 honorable conditions, or (ii) has a qualifying condition, as defined in
16 section one of the veterans' services law, and has received a discharge
17 other than bad conduct or dishonorable from such service, or (iii) is a
18 discharged LGBT veteran, as defined in section one of the veterans'
19 services law, and has received a discharge other than bad conduct or
20 dishonorable from such service, shall, upon [~~his or her~~] such appli-
21 cant's request and submission of proof as set forth herein, contain a
22 distinguishing mark, in such form as the commissioner shall determine,
23 indicating that [~~he or she~~] such applicant is a veteran. Such proof
24 shall consist of a certificate of release or discharge from active duty
25 including but not limited to a DD Form 214 or other proof satisfactory
26 to the commissioner. Provided, further, that every identification card
27 issued to an applicant who has a disability shall, upon the request of
28 such applicant pursuant to the provisions of subparagraph (iv) of para-
29 graph (a) of this subdivision, contain a distinguishing mark, in such
30 form as the commissioner shall determine, which is discreet and repres-
31 ents all types of disabilities, including cognitive, neurological or
32 physical disabilities. The commissioner shall not require fees for the
33 issuance of such identification cards or renewals thereof to persons
34 under twenty-one years of age which are different from the fees required
35 for the issuance of identification cards or renewals thereof to persons
36 twenty-one years of age or over, nor fees to persons requesting a veter-
37 an distinguishing mark which are different from fees that would other-
38 wise be required, nor fees to persons requesting a disability distin-
39 guishing mark which are different from fees that would otherwise be
40 required. Provided, however, that notwithstanding the provisions of
41 section four hundred ninety-one of this article, the commissioner shall
42 not require any fees for the duplication or amendment of an identifica-
43 tion card prior to its renewal if such duplication or amendment was
44 solely for the purpose of adding a veteran distinguishing mark or a
45 disability distinguishing mark to such identification card.

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

49 1. Application for license. Application for a driver's license shall
50 be made to the commissioner. The fee prescribed by law may be submitted
51 with such application. The applicant shall furnish such proof of identi-
52 ty, age, and fitness as may be required by the commissioner. With
53 respect to a non-commercial driver's license or learner's permit which
54 does not meet federal standards for identification, in addition to the
55 acceptable proofs of age and identity approved by the commissioner as of
56 January first, two thousand nineteen, acceptable proof of identity shall

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

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

36 The commissioner of health shall not maintain records of any person
37 who checks "skip this question". Except where the application is made in
38 person or electronically, failure to check a box shall not impair the
39 validity of an application, and failure to check "yes" or checking "skip
40 this question" shall not be construed to imply a wish not to donate. In
41 the case of an applicant under eighteen years of age, checking "yes"
42 shall not constitute consent to make an anatomical gift or registration
43 in the donate life registry, except as otherwise provided pursuant to
44 the provisions of paragraph (b) of subdivision one of section forty-
45 three hundred one of the public health law. Where an applicant has
46 previously consented to make an anatomical gift or registered in the
47 donate life registry, checking "skip this question" or failing to check
48 a box shall not impair that consent or registration. In addition, the
49 commissioner shall provide space on the application so that the appli-
50 cant may request a notation upon such license that such applicant is a
51 veteran of the United States armed forces. In addition, the commissioner
52 shall provide space on the application so that the applicant may request
53 a notation upon such license that such applicant has a disability. In
54 addition, an applicant for a commercial driver's license who will oper-
55 ate a commercial motor vehicle in interstate commerce shall certify that
56 such applicant meets the requirements to operate a commercial motor

1 vehicle, as set forth in public law 99-570, title XII, and title 49 of
2 the code of federal regulations, and all regulations promulgated by the
3 United States secretary of transportation under the hazardous materials
4 transportation act. In addition, an applicant for a commercial driver's
5 license shall submit a medical certificate at such intervals as required
6 by the federal motor carrier safety improvement act of 1999 and Part
7 383.71(h) of title 49 of the code of federal regulations relating to
8 medical certification and in a manner prescribed by the commissioner.
9 For purposes of this section and sections five hundred three, five
10 hundred ten-a, and five hundred ten-aa of this title, the terms "medical
11 certificate" and "medical certification" shall mean a form substantially
12 in compliance with the form set forth in Part 391.43(h) of title 49 of
13 the code of federal regulations. Upon a determination that the holder of
14 a commercial driver's license has made any false statement, with respect
15 to the application for such license, the commissioner shall revoke such
16 license.

17 § 4. Subdivision 1 of section 504 of the vehicle and traffic law is
18 amended by adding a new paragraph (a-2) to read as follows:

19 (a-2) Every license or renewal thereof issued to an applicant who has
20 a disability shall, upon the request of such applicant and submission of
21 verification of such disability as set forth herein, contain a distin-
22 guishing mark, in such form as the commissioner shall determine, which
23 is discreet and represents all types of disabilities, including cogni-
24 tive, neurological or physical disabilities. An applicant requesting a
25 notation of disabled status shall submit either a copy of such appli-
26 cant's social security disability benefit verification letter or a form,
27 to be promulgated by the commissioner in consultation with the commis-
28 sioner of health, commissioner of mental health, the commissioner of the
29 office for people with developmental disabilities and the commissioner
30 of addiction services and supports, verifying that such applicant has a
31 disability, including chronic illness or pain. Such form shall be
32 signed by (i) a licensed physician, including a licensed neurologist or
33 a licensed psychiatrist, (ii) a commissioned medical officer of the
34 armed forces of the United States, (iii) a licensed physician assistant,
35 (iv) a licensed podiatrist, (v) a certified nurse practitioner, (vi) a
36 licensed physical therapist, or (vii) a licensed psychologist. The
37 commissioner shall not require fees for the issuance of such licenses or
38 renewals thereof to persons requesting a disability distinguishing mark
39 which are different from fees otherwise required; provided, however,
40 that notwithstanding the provisions of this section, the commissioner
41 shall not require fees for a duplication or amendment of a license prior
42 to its renewal if such duplication or amendment was solely for the
43 purpose of adding a disability distinguishing mark to such license.

44 § 5. This act shall take effect on the thirtieth day after it shall
45 have become a law. Effective immediately, the addition, amendment
46 and/or repeal of any rule or regulation necessary for the implementation
47 of this act on its effective date are authorized to be made and
48 completed on or before such effective date.