

# STATE OF NEW YORK

5646

2025-2026 Regular Sessions

## IN ASSEMBLY

February 19, 2025

Introduced by M. of A. ZINERMAN -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to authorizing persons who transport severely disabled persons to apply for disabled person plates

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

1 Section 1. Section 404-a of the vehicle and traffic law, as added by  
2 chapter 181 of the laws of 1980, subdivision 1 as amended by chapter 596  
3 of the laws of 1982, subdivision 2 as amended by chapter 191 of the laws  
4 of 1991, subdivision 3 amended by chapter 445 of the laws of 2024,  
5 subdivision 4 and paragraph (b) of subdivision 5 as amended by chapter  
6 376 of the laws of 2015, subdivision 4-a as added by chapter 686 of the  
7 laws of 1994, subdivision 4-b as added by chapter 277 of the laws of  
8 2012, subdivisions 5 and 6 as renumbered by chapter 601 of the laws of  
9 1987, paragraph (c) of subdivision 5 as amended by chapter 666 of the  
10 laws of 1982, and subdivision 7 as added by chapter 332 of the laws of  
11 2000, is amended to read as follows:

12 § 404-a. Registration of motor vehicles [~~of~~] for severely disabled  
13 persons. 1. Legislative intent. It is the sense of the legislature to  
14 facilitate the usual and special uses of the highways and other motor  
15 vehicle facilities accorded to severely disabled residents of this  
16 state. The commissioner is hereby empowered to issue to [~~such~~] eligible  
17 persons, upon their application, special motor vehicle registrations,  
18 [~~one~~] and a set of vehicle identification plates for each motor [~~vehic-~~  
19 ~~les~~] vehicle owned by [~~such persons~~] an eligible person to be used for  
20 the transportation of [~~such~~] a severely disabled person [~~and one set of~~  
21 ~~vehicle identification plates for each motor vehicle owned by such~~  
22 ~~persons and used by a severely disabled member of the owner's family~~].

23 1-a. Definitions. For the purposes of this section, the following  
24 terms shall have the following meanings:

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

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1 (a) "Severely disabled person" shall mean any person having any one or  
2 more of the following impairments, disabilities or conditions which are  
3 permanent in nature:

4 (i) Has limited or no use of one or both lower limbs;

5 (ii) Has a neuro-muscular dysfunction which severely limits mobility;

6 (iii) Has a physical or mental impairment or condition which is other  
7 than those specified above, but is of such nature as to impose unusual  
8 hardship in utilization of public transportation facilities and such  
9 condition is certified by a physician, physician assistant or nurse  
10 practitioner, to the extent authorized by law and consistent with subdi-  
11 vision three of section sixty-nine hundred two of the education law,  
12 duly licensed to practice in this state, or, pursuant to subdivision  
13 four-a of this section, a podiatrist duly licensed to practice podiatry  
14 in this state or, pursuant to subdivision four-b of this section, an  
15 optometrist duly licensed to practice optometry in this state, as  
16 constituting an equal degree of disability (specifying the particular  
17 condition) so as to prevent such person from getting around without  
18 great difficulty in accordance with subdivision two of this section;

19 (iv) A blind person; or

20 (v) A deaf person.

21 (b) "Eligible person" shall mean a severely disabled person or any  
22 parent, spouse, guardian, caregiver, or any other family member respon-  
23 sible for the transportation of a severely disabled person or severely  
24 disabled veteran by motor vehicle.

25 2. Registration of vehicles owned by [~~severely disabled persons~~]  
26 eligible persons. The commissioner shall assign to such motor vehicles,  
27 including any van or pick-up truck used for transporting persons with  
28 disabilities which is not used for commercial purposes, owned by such  
29 eligible persons, a distinctive number and issue and deliver in such  
30 manner as the commissioner may select to the owner a certification of  
31 registration, in such form as the commissioner shall prescribe and two  
32 number plates, called disabled person plates. Said disabled person  
33 plates shall conform to the requirements of section four hundred one of  
34 this [~~chapter~~] article, but shall bear distinctive marks to distinguish  
35 them from number plates to be issued to other persons, qualifying under  
36 this chapter. The commissioner, [~~in his~~] at such commissioner's  
37 discretion, may issue, for any registration year, only one plate as a  
38 set for a motor vehicle, in which event a set of disabled person plates  
39 for a motor vehicle shall consist of one plate. Where [~~a severely disa-~~  
40 ~~bled~~] an eligible person owns more than one vehicle and such vehicle or  
41 vehicles is or are used by a severely disabled [~~members of the owner's~~  
42 ~~family who reside with the owner~~] person, the commissioner shall issue  
43 one set of plates for each additional vehicle used by such severely  
44 disabled person, provided that such user qualifies as a severely disa-  
45 bled person in the manner required by this section.

46 3. Registration of vehicles owned by severely disabled veterans. The  
47 commissioner shall assign to such motor vehicles, including any vans or  
48 pick-up trucks used for transporting handicapped veterans which are not  
49 used for commercial purposes and which are owned by such veterans or a  
50 not-for-profit corporation serving such veterans, a distinctive number  
51 and issue and deliver in such manner as the commissioner may prescribe  
52 to the owner a certification of registration, in such form as the  
53 commissioner shall prescribe and two number plates, called disabled  
54 veteran plates. Said severely disabled veteran plates shall conform to  
55 the requirements of section four hundred one of this article, but shall  
56 bear distinctive marks to distinguish them from number plates to be

1 issued to other persons, qualifying under this article. The commissioner  
2 in [~~his~~] such commissioner's discretion, may issue, for any registration  
3 year, only one plate as a set for a motor vehicle, in which event a set  
4 of severely disabled veteran plates for a motor vehicle shall consist of  
5 one plate. Where a severely disabled veteran owns more than one vehicle  
6 and such vehicle or vehicles is or are used by [~~severely disabled~~  
7 ~~members of the owner's family who reside with the owner~~] or to transport  
8 such veteran, the commissioner shall issue one set of plates for each  
9 additional vehicle [~~used by such severely disabled veteran, provided~~  
10 ~~that such user qualifies as a severely disabled veteran in the manner~~  
11 ~~required by this section~~]. For purposes of this subdivision, the term  
12 "severely disabled veteran" shall mean a veteran as defined in section  
13 eighty-five of the civil service law, and whose disability qualifies  
14 [~~him~~] such veteran as a severely disabled person within the meaning of  
15 such term as defined in paragraph (a) of subdivision [~~four~~] one-a of  
16 this section.

17 4. Issue of plates. The commissioner shall issue sets of plates to  
18 such eligible person in accordance with subdivision two of this section  
19 with proof of such disability [~~of such person or such members of his or~~  
20 ~~her family~~] by the severely disabled person being transported certified  
21 by a physician, physician assistant or nurse practitioner, to the extent  
22 authorized by law and consistent with subdivision three of section six  
23 thousand nine hundred two of the education law, or podiatrist pursuant  
24 to subdivision four-a of this section or optometrist pursuant to subdi-  
25 vision four-b of this section, to the satisfaction of the commissioner  
26 who is empowered to carry out the effects of this section by formulating  
27 rules and regulations.

28 [~~For the purposes of this section, a "severely disabled person" shall~~  
29 ~~mean any person having any one or more of the following impairments,~~  
30 ~~disabilities or conditions which are permanent in nature:~~

31 ~~(a) Has limited or no use of one or both lower limbs;~~

32 ~~(b) Has a neuro-muscular dysfunction which severely limits mobility;~~

33 ~~(c) Has a physical or mental impairment or condition which is other~~  
34 ~~than those specified above, but is of such nature as to impose unusual~~  
35 ~~hardship in utilization of public transportation facilities and such~~  
36 ~~condition is certified by a physician, physician assistant or nurse~~  
37 ~~practitioner, to the extent authorized by law and consistent with subdi-~~  
38 ~~vision three of section six thousand nine hundred two of the education~~  
39 ~~law, duly licensed to practice in this state, or, pursuant to subdivi-~~  
40 ~~sion four-a of this section, a podiatrist duly licensed to practice~~  
41 ~~podiatry in this state or, pursuant to subdivision four-b of this~~  
42 ~~section, an optometrist duly licensed to practice optometry in this~~  
43 ~~state, as constituting an equal degree of disability (specifying the~~  
44 ~~particular condition) so as to prevent such person from getting around~~  
45 ~~without great difficulty in accordance with subdivision two of this~~  
46 ~~section; or~~

47 ~~(d) A blind person.]~~

48 4-a. Certification of disability by a podiatrist. A podiatrist duly  
49 licensed to practice podiatry in this state may certify only those  
50 conditions which [~~he or she~~] such podiatrist treats in the course of the  
51 practice of podiatry, as defined by section seventy hundred one of the  
52 education law.

53 4-b. Certification of disability by an optometrist. An optometrist  
54 duly licensed to practice optometry in this state may certify only those  
55 conditions which [~~he or she~~] such optometrist treats in the course of

1 the practice of optometry, as defined in section seventy-one hundred one  
2 of the education law.

3 5. Application for registration. (a) The application for registration  
4 under this section shall be filed with the commissioner of motor vehi-  
5 cles in such form and detail as the commissioner shall prescribe,  
6 setting forth such information as the commissioner may reasonably  
7 prescribe beyond such information required under section four hundred  
8 one of this [~~chapter~~] article.

9 (b) The commissioner may require the applicant for registration to  
10 furnish such proof of [~~his or her disability or such proof of disability~~  
11 ~~of such members of his or her family~~] disability for such severely disa-  
12 bled person being transported from a physician, physician assistant or  
13 nurse practitioner, to the extent authorized by law and consistent with  
14 subdivision three of section six thousand nine hundred two of the educa-  
15 tion law, or podiatrist pursuant to subdivision four-a of this section  
16 or optometrist pursuant to subdivision four-b of this section, as the  
17 commissioner deems necessary either for initial registration or renewal  
18 thereof; provided, however, that a handicapped or disabled permit issued  
19 by a municipality to such applicant pursuant to section twelve hundred  
20 three-a of this chapter shall be deemed sufficient proof of disability  
21 for purposes of this paragraph.

22 (c) Application under this section shall only apply to a vehicle  
23 subject to registration pursuant to subdivision six of section four  
24 hundred one of this [~~chapter~~] article and to a van or pick-up truck as  
25 provided in subdivision two of this section.

26 6. Fee requirements. As provided in section four hundred one of this  
27 [~~chapter~~] article, the registration and disabled person plates shall be  
28 accompanied only by the required fee otherwise required to be paid for  
29 vehicle registration.

30 7. Refueling notice. Upon the issuance or renewal of a registration  
31 pursuant to this section, the commissioner shall notify the registrant  
32 of the availability of full service motor vehicle refueling at self  
33 service prices as provided for in section three hundred ninety-six-bb of  
34 the general business law.

35 § 2. This act shall take effect on the ninetieth day after it shall  
36 have become a law. Effective immediately, the addition, amendment and/or  
37 repeal of any rule or regulation necessary for the implementation of  
38 this act on its effective date are authorized to be made and completed  
39 on or before such date.