**§ 502. Requirements for licensing.** * 1. Application for license. Application for a driver's license shall be made to the commissioner. The fee prescribed by law may be submitted with such application. The applicant shall furnish such proof of identity, age, and fitness as may be required by the commissioner. With respect to a non-commercial driver's license or learner's permit which does not meet federal standards for identification, in addition to the acceptable proofs of age and identity approved by the commissioner as of January first, two thousand nineteen, acceptable proof of identity shall also include, but not be limited to, a valid, unexpired foreign passport issued by the applicant's country of citizenship (which shall also be eligible as proof of age), a valid, unexpired consular identification document issued by a consulate from the applicant's country of citizenship, or a valid foreign driver's license that includes a photo image of the applicant and which is unexpired or expired for less than twenty-four months of its date of expiration, as primary forms of such proof. Nothing contained in this subdivision shall be deemed to preclude the commissioner from approving additional proofs of identity and age. The license shall display the sex designation of M, F, or X as certified by the applicant, with no additional documentation required. The applicant may amend the sex designation of their driver's license upon request. Upon amendment of the sex designation, the change shall be made consistent through all affiliated records within the control of the department. The commissioner may also provide that the application procedure shall include the taking of a photo image or images of the applicant in accordance with rules and regulations prescribed by the commissioner. In addition, the commissioner also shall require that the applicant provide such applicant's social security number or, in lieu thereof, with respect to an application for a non-commercial driver's license or learner's permit which does not meet federal standards for identification, an affidavit signed by such applicant that they have not been issued a social security number. The commissioner also shall provide space on the application so that the applicant may request a notation upon such license that such applicant is a veteran of the United States armed forces, and space on the application so that the applicant may request a notation upon such license that he or she is a veteran of the United States armed forces, and space on the application

so that the applicant may register in the New York state organ and tissue donor registry under section forty-three hundred ten of the public health law with the following stated on the application in clear and conspicuous type:

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

The commissioner of health shall not maintain records of any person who checks "skip this question". Except where the application is made in person or electronically, failure to check a box shall not impair the validity of an application, and failure to check "yes" or checking "skip this question" shall not be construed to imply a wish not to donate. In the case of an applicant under eighteen years of age, checking "yes" shall not constitute consent to make an anatomical gift or registration in the donate life registry, except as otherwise provided pursuant to the provisions of paragraph (b) of subdivision one of section forty-three hundred one of the public health law. Where an applicant has previously consented to make an anatomical gift or registered in the donate life registry, checking "skip this question" or failing to check a box shall not impair that consent or registration. In addition, an applicant for a commercial driver's license who will operate a commercial motor vehicle in interstate commerce shall certify that such applicant meets the requirements to operate a commercial motor vehicle, as set forth in public law 99-570, title XII, and title 49 of the code of federal regulations, and all regulations promulgated by the United States secretary of transportation under the hazardous materials transportation act. In addition, an applicant for a commercial driver's license shall submit a medical certificate at such intervals as required by the federal motor carrier safety improvement act of 1999 and Part 383.71(h) of title 49 of the code of federal regulations relating to medical certification and in a manner prescribed by the commissioner. For purposes of this section and sections five hundred three, five hundred ten-a, and five hundred ten-aa of this title, the terms "medical certificate" and "medical certification" shall mean a form substantially in compliance with the form set forth in Part 391.43(h) of title 49 of the code of federal regulations. Upon a determination that the holder of

a commercial driver's license has made any false statement, with respect to the application for such license, the commissioner shall revoke such license.

* NB Effective until January 1, 2028

* 1. Application for license. Application for a driver's license shall be made to the commissioner. The fee prescribed by law may be submitted with such application. The applicant shall furnish such proof of identity, age, and fitness as may be required by the commissioner. With respect to a non-commercial driver's license or learner's permit which does not meet federal standards for identification, in addition to the acceptable proofs of age and identity approved by the commissioner as of January first, two thousand nineteen, acceptable proof of identity shall also include, but not be limited to, a valid, unexpired foreign passport issued by the applicant's country of citizenship (which shall also be eligible as proof of age), a valid, unexpired consular identification document issued by a consulate from the applicant's country of citizenship, or a valid foreign driver's license that includes a photo image of the applicant and which is unexpired or expired for less than twenty-four months of its date of expiration, as primary forms of such proof. Nothing contained in this subdivision shall be deemed to preclude the commissioner from approving additional proofs of identity and age. The license shall display the sex designation of M, F, or X as certified by the applicant, with no additional documentation required. The applicant may amend the sex designation of their driver's license upon request. Upon amendment of the sex designation, the change shall be made consistent through all affiliated records within the control of the department. The commissioner may also provide that the application procedure shall include the taking of a photo image or images of the applicant in accordance with rules and regulations prescribed by the commissioner. In addition, the commissioner also shall require that the applicant provide such applicant's social security number or, in lieu thereof, with respect to an application for a non-commercial driver's license or learner's permit which does not meet federal standards for identification, an affidavit signed by such applicant that they have not been issued a social security number. The commissioner also shall provide space on the application so that the applicant may request a notation upon such license that such applicant is a veteran of the

United States armed forces, and space on the application so that the applicant may request a notation upon such license that such person is a veteran of the United States armed forces, and space on the application so that the applicant may register in the New York state organ and tissue donor registry under section forty-three hundred ten of the public health law with the following stated on the application in clear and conspicuous type:

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

The commissioner of health shall not maintain records of any person who checks "skip this question". Except where the application is made in person or electronically, failure to check a box shall not impair the validity of an application, and failure to check "yes" or checking "skip this question" shall not be construed to imply a wish not to donate. In the case of an applicant under eighteen years of age, checking "yes" shall not constitute consent to make an anatomical gift or registration in the donate life registry, except as otherwise provided pursuant to the provisions of paragraph (b) of subdivision one of section forty-three hundred one of the public health law. Where an applicant has previously consented to make an anatomical gift or registered in the donate life registry, checking "skip this question" or failing to check a box shall not impair that consent or registration. Additionally, the commissioner shall ensure that space is provided on the application for a driver's license or renewal thereof to advise applicants of the existence of the C.W. Bill Young Cell Transplantation Program established in 42 U.S.C. Section 274k or the national marrow donor program ("registry operator") and to allow for applicants to consent to sharing their information with the registry operator for the purposes of receiving information from the registry operator about enrolling as a potential volunteer bone marrow or blood cell donor on the national registry. Such information related to the consenting applicant shared with the registry operator shall be limited to first and last name, date of birth, email address, and physical address. In addition, an applicant for a commercial driver's license who will operate a commercial motor vehicle in interstate commerce shall certify that such applicant meets

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

* NB Effective January 1, 2028

2. Age. * (a) An applicant for a commercial driver's license which contains an H or an X endorsement or which is valid for operation in interstate commerce shall be at least twenty-one years of age.

* NB Repealed upon certain conditions (see chapter 618 of 2021 § 4)

* (a) An applicant for a class A license or for a commercial driver's license which contains an H or an X endorsement or which is valid for operation in interstate commerce shall be at least twenty-one years of age.

* NB Effective if amendments made by chapter 618 of 2021 are repealed

* (b) Except as provided in paragraph (a) of this subdivision an applicant for a class A, B, C or E license shall be at least eighteen years of age.

* NB Repealed upon certain conditions (see chapter 618 of 2021 § 4)

* (b) Except as provided in paragraph (a) of this subdivision an applicant for a class B, C or E license shall be at least eighteen years of age.

* NB Effective if amendments made by chapter 618 of 2021 are repealed

(c) An applicant for a class D or M license shall be at least eighteen

years of age, except that an application shall be accepted if the applicant is at least seventeen years of age and submits acceptable proof of successful completion of a driver education course, approved by the state education department and the commissioner, and proof of completion of the minimum hours of supervised driving as required in paragraph (d) of this subdivision.

* (d) An applicant for a class DJ or MJ license shall be at least sixteen years of age and such applicant must submit written consent to the issuance of such license by the applicant's parent or guardian. Upon receipt of withdrawal of such consent, any class DJ or MJ license, learner's permit or license application shall be cancelled. No class DJ or MJ license shall be issued unless the applicant presents, at the time of the road test administered pursuant to paragraph (b) of subdivision four of this section, a written certification by the applicant's parent or guardian: (i) that such applicant has operated a motor vehicle for no less than fifty hours, at least fifteen hours of which shall be after sunset, under the immediate supervision of a person as authorized pursuant to subparagraph (ii) of paragraph (a) or paragraph (b) of subdivision five of section five hundred one of this article, a driver education teacher pursuant to section eight hundred six-a of the education law or a driving school instructor pursuant to subdivision seven-a of section three hundred ninety-four of this chapter; and (ii) if such applicant completed an internet delivered pre-licensing course approved by the commissioner pursuant to article twelve-d of this chapter, that such applicant participated throughout such course.

* NB Effective until June 30, 2030

* (d) An applicant for a class DJ or MJ license shall be at least sixteen years of age and such applicant must submit written consent to the issuance of such license by the applicant's parent or guardian. Upon receipt of withdrawal of such consent, any class DJ or MJ license, learner's permit or license application shall be cancelled. No class DJ or MJ license shall be issued unless the applicant presents, at the time of the road test administered pursuant to paragraph (b) of subdivision four of this section, a written certification by the applicant's parent or guardian that such applicant has operated a motor vehicle for no less than fifty hours, at least fifteen hours of which shall be after sunset, under the immediate supervision of a person as authorized pursuant to

subparagraph (ii) of paragraph (a) or paragraph (b) of subdivision five of section five hundred one of this article, a driver education teacher pursuant to section eight hundred six-a of the education law or a driving school instructor pursuant to subdivision seven-a of section three hundred ninety-four of this chapter.

* NB Effective June 30, 2030

3. Application for learner's permit. An application for a learner's permit shall be included in the application for a license. A learner's permit shall be issued in such form as the commissioner shall determine but shall not be issued unless the applicant has successfully passed the vision test required by this section and the test set forth in paragraph (a) of subdivision four of this section with respect to laws relating to traffic and ability to read and comprehend traffic signs and symbols and has satisfactorily completed any course required pursuant to paragraph (a) of subdivision four of this section. Upon acceptance of an application for a learner's permit the commissioner shall provide the applicant with a driver's manual which includes but is not limited to the laws relating to traffic, the laws relating to and physiological effects of driving while ability impaired and driving while intoxicated, the law for exercising due care to avoid colliding with a parked, stopped or standing vehicle pursuant to section eleven hundred forty-four-a of this chapter, explanations of traffic signs and symbols and such other matters as the commissioner may prescribe.

4. Examinations. (a) (i) Upon submission of an application for a driver's license, the applicant shall be required to take and pass a test, or submit evidence of passage of a test, with respect to the laws relating to traffic, the laws relating to driving while ability is impaired and while intoxicated, under the overpowering influence of "Road Rage", "Work Zone Safety" awareness, "Motorcycle Safety" awareness and "Pedestrian and Bicyclist Safety" awareness as defined by the commissioner, "School Bus Safety" awareness, the law relating to exercising due care to avoid colliding with a parked, stopped or standing authorized emergency vehicle or hazard vehicle pursuant to section eleven hundred forty-four-a of this chapter, the ability to read and comprehend traffic signs and symbols and such other matters as the

commissioner may prescribe, and to satisfactorily complete a course prescribed by the commissioner of not less than four hours and not more than five hours, consisting of classroom driver training and highway safety instruction or the equivalent thereof. Such test shall include at least seven written questions concerning the effects of consumption of alcohol or drugs on the ability of a person to operate a motor vehicle and the legal and financial consequences resulting from violations of section eleven hundred ninety-two of this chapter, prohibiting the operation of a motor vehicle while under the influence of alcohol or drugs. Such test shall include one or more written questions concerning the devastating effects of "Road Rage" on the ability of a person to operate a motor vehicle and the legal and financial consequences resulting from assaulting, threatening or interfering with the lawful conduct of another person legally using the roadway. Such test shall include one or more questions concerning the potential dangers to persons and equipment resulting from the unsafe operation of a motor vehicle in a work zone. Such test may include one or more questions concerning motorcycle safety. Such test may include one or more questions concerning the law for exercising due care to avoid colliding with a parked, stopped or standing vehicle pursuant to section eleven hundred forty-four-a of this chapter. Such test may include one or more questions concerning school bus safety. Such test may include one or more questions concerning pedestrian and bicyclist safety. Such test shall be administered by the commissioner. The commissioner shall cause the applicant to take a vision test and a test for color blindness. Upon passage of the vision test, the application may be accepted and the application fee shall be payable.

(ii) The commissioner shall promulgate rules and regulations establishing eligibility standards for the taking and passing of knowledge tests in other than written form.

(b) Upon successful completion of the requirements set forth in paragraph (a) of this subdivision which shall include an alcohol and drug education component as described in paragraph (c) of this subdivision, a "Road Rage" awareness component as described in paragraph (c-1) of this subdivision, a "Work Zone Safety" awareness component as described in paragraph (c-2) of this subdivision, a "Motorcycle Safety" awareness component as described in paragraph (c-3) of this subdivision,

a "School Bus Safety" awareness component as described in paragraph (c-4) of this subdivision, and a "Pedestrian and Bicyclist Safety" awareness component as described in paragraph (c-5) of this subdivision, the commissioner shall cause the applicant to take a road test in a representative vehicle of a type prescribed by the commissioner which shall be appropriate to the type of license for which application is made, except that the commissioner may waive the road test requirements for certain classes of applicants. Provided, however, that the term "representative vehicle" shall not include a three-wheeled motor vehicle that has two wheels situated in the front and one wheel in the rear, has a steering mechanism and seating which does not require the operator to straddle or sit astride, is equipped with safety belts for all occupants and is manufactured to comply with federal motor vehicle safety standards for motorcycles including, but not limited to, 49 C.F.R. part 571. The commissioner shall have the power to establish a program to allow persons other than employees of the department to conduct road tests in representative vehicles when such tests are required for applicants to obtain a class A, B or C license. If she chooses to do so, she shall set forth her reasons in writing and conduct a public hearing on the matter. She shall only establish such a program after holding the public hearing.

(c) Alcohol and drug education component. The commissioner shall provide in the pre-licensing course, set forth in paragraph (b) of this subdivision a mandatory component in alcohol and drug education of not less than two hours as a prerequisite for obtaining a license to operate a motor vehicle. The purpose of the component is to educate prospective licensees on the effects that ingestion of alcohol and other drugs have on a person's ability to operate a motor vehicle. The commissioner shall establish a curriculum for the alcohol and drug education component which shall include but not be limited to: instruction describing the hazards of driving while impaired or intoxicated; the penalties for alcohol related motor vehicle violations including sanctions set forth in the penal law that apply to homicides and assaults arising out of the operation of a motor vehicle while intoxicated and those sanctions set forth in the vehicle and traffic law relating to driving while intoxicated; and the medical, biological and physiological effects of the consumption of alcohol and their impact on the operation of a motor

vehicle.

(c-1) "Road Rage" awareness component. The commissioner shall provide in the pre-licensing course, set forth in paragraph (b) of this subdivision a mandatory component in "Road Rage" awareness education as a prerequisite for obtaining a license to operate a motor vehicle. The purpose of the component is to educate prospective licensees on the effects that the development and expression of "Road Rage", as defined by the commissioner, have on a person's ability to operate a motor vehicle. The commissioner shall establish a curriculum for the "Road Rage" component which shall include but not be limited to: instruction describing the hazards of driving and exiting the vehicle while under the influence of "Road Rage"; the penalties for "Road Rage"-related motor vehicle or other violations including sanctions set forth in the penal law that apply to homicides and assaults arising out of the operation of a motor vehicle while expressing "Road Rage", and any sanctions set forth in law relating to driving while under the influence of "Road Rage"; and the medical, biological and physiological effects of the development and expression of "Road Rage", and their impact on the operation of a motor vehicle. The commissioner is charged with the responsibility for defining the term "Road Rage", as used in this paragraph, in consultation with law enforcement personnel, medical professionals, representatives of the court system, highway safety officials, and any other group that the commissioner believes can contribute to a comprehensive statement of the issue.

(c-2) "Work Zone Safety" awareness component. (i) The commissioner shall provide in the pre-licensing course, set forth in paragraph (b) of this subdivision, a mandatory component in "Work Zone Safety" awareness education as a prerequisite for obtaining a license to operate a motor vehicle. The purpose of the component is to educate prospective licensees on the potential dangers to construction workers, construction equipment operators and operators of motor vehicles in a highway work zone. For the purposes of this paragraph, the term "work zone" shall include "work area" as defined by section one hundred sixty of this chapter, and "restricted highway" as authorized in section sixteen hundred twenty-five of this chapter.

(ii) The commissioner shall establish a curriculum for the "Work Zone Safety" component which shall include but not be limited to: instruction

describing the potential hazards of driving through a work zone, whether or not work, maintenance or other related construction is being undertaken therein, and information on the provisions of law relating to driving within a work zone and sanctions for violations of such provisions, including speeding in a work zone.

(iii) In developing such curriculum, the commissioner shall consult with the commissioner of transportation, the superintendent of the state police, representatives of the highway construction industry, representatives of highway construction workers, highway safety officials, and any other group that the commissioner believes can contribute to a comprehensive presentation of the issue.

(c-3) "Motorcycle Safety" awareness component. The commissioner shall provide in the pre-licensing course, set forth in paragraph (b) of this subdivision, a mandatory component in "Motorcycle Safety" awareness education as a prerequisite for obtaining a license to operate a motor vehicle. The purpose of the component is to educate prospective licensees on the potential dangers to persons operating motorcycles on the roadway.

(c-4) "School Bus Safety" awareness component. (i) The commissioner shall provide in the pre-licensing course, set forth in paragraph (b) of this subdivision, a mandatory component in "School Bus Safety" awareness education as a prerequisite for obtaining a license to operate a motor vehicle. The purpose of the component is to educate prospective licensees on the dangers of passing a school bus in violation of section eleven hundred seventy-four of this chapter, to reduce the number of such incidents, and to promote school bus safety.

(ii) The commissioner shall establish a curriculum for the "School Bus Safety" awareness component which shall include, but shall not be limited to, an overview of traffic laws governing overtaking and passing school buses, including but not limited to section eleven hundred seventy-one and section eleven hundred seventy-four of this chapter.

(iii) In developing such curriculum, the commissioner shall consult with the commissioner of transportation.

(c-5) "Pedestrian and Bicyclist Safety" awareness component. (i) The commissioner shall provide in the pre-licensing course, set forth in paragraph (b) of this subdivision, a mandatory component in "Pedestrian and Bicyclist Safety" awareness education as a prerequisite for

obtaining a license to operate a motor vehicle. The purpose of the component is to educate prospective licensees on the potential dangers to pedestrians, bicyclists, and other non-motorized vehicles.

(ii) The commissioner shall establish a curriculum for the "Pedestrian and Bicyclist Safety" awareness component which shall include but not be limited to: an overview of traffic laws governing motor vehicle operators' duty to exercise due care with respect to pedestrians and bicyclists, including but not limited to understanding pedestrians' and bicyclists' needs and reduced visibility, respecting pedestrians' and bicyclists' rights of way, safe operation near pedestrians and bicyclists, including children and blind, deaf, elderly and disabled pedestrians, bicycle lanes as defined in section one hundred two-a of this chapter, safely overtaking a pedestrian or a bicyclist, the dangers of distracted driving, driving at appropriate reduced speeds when special hazards exist with respect to pedestrians and bicyclists such as weather or highway conditions, safely turning, stopping, standing, and parking, motor vehicle operators' obligations to comply with article twenty-two of this chapter, and traffic control devices and markings, roadway designs and traffic calming measures related to pedestrians and bicyclists.

(iii) In developing such curriculum, the commissioner shall consult with the commissioner of transportation, the superintendent of the state police, the commissioners of transportation and police of the city of New York, other local law enforcement and highway safety officials, medical professionals, bicycle and pedestrian safety advocates, and any other group that the commissioner believes can contribute to a comprehensive presentation of the issue.

(d) (i) The commissioner shall make available for distribution upon registration at each location where the pre-licensing course will be given (1) instructional handbooks outlining the content of the entire curriculum of the pre-licensing course including the information required to be included in the course pursuant to paragraphs (c), (c-1), (c-2), (c-3), (c-4) and (c-5) of this subdivision, and (2) information as to how a person may register in the New York state organ and tissue donor registry under section forty-three hundred ten of the public health law.

(ii) The commissioner shall also provide for the additional training

of the instructors necessary for the competent instruction of the alcohol and drug education, "Road Rage" awareness, "Work Zone Safety" awareness, "Motorcycle Safety" awareness, "School Bus Safety" awareness and "Pedestrian and Bicyclist Safety" awareness subject matters of the pre-licensing course.

(e) The commissioner shall make available to each applicant for a commercial driver's license instructional handbooks outlining the requirements necessary to qualify for such license, and containing a discussion of the offenses which will result in disqualification from operating a commercial motor vehicle as defined in section five hundred one-a of this chapter. Such handbooks shall be available in both English and Spanish language versions.

(f) The commissioner shall promulgate such rules and regulations as are necessary to carry out the provisions of this section.

(g) The commissioner may, in his discretion, waive the requirement for passage of a test with respect to the laws relating to traffic, the laws relating to driving while ability is impaired and while intoxicated and the ability to read and comprehend traffic signs and symbols, and the requirement for completion of the course set forth in paragraph (a) of this subdivision for applicants who hold a valid or renewable driver's license issued by another jurisdiction or the United States government.

* (h) Course completion certificate fee. The fee for a course completion certificate provided by the department to an entity that is approved by the commissioner to offer the pre-licensing course, required by this subdivision, for issuance by such entity to students upon their completion of such pre-licensing course shall be one dollar. Such fee shall be paid by such entity and shall not be charged to a person who takes the course in any manner. The provisions of this paragraph shall not apply to a pre-licensing course established pursuant to article twelve-D of this chapter.

* NB Effective until June 30, 2030

* (h) Course completion certificate fee. The fee for a course completion certificate provided by the department to an entity that is approved by the commissioner to offer the pre-licensing course, required by this subdivision, for issuance by such entity to students upon their completion of such pre-licensing course shall be one dollar. Such fee shall be paid by such entity and shall not be charged to a person who

takes the course in any manner.

* NB Effective June 30, 2030

5. Issuance of license. (a) Upon successful completion of the requirements set forth in subdivision four of this section, and upon payment of the fee prescribed by law, the commissioner shall issue an appropriate license to the applicant, except that the commissioner may refuse to issue such license

(i) if the applicant is the holder of a currently valid or renewable license to drive issued by another state or foreign country unless the applicant surrenders such license, or

(ii) if such issuance would be inconsistent with the provisions of section five hundred sixteen of this chapter.

(b) The commissioner shall, with respect to the issuance of a hazardous materials endorsement, comply with the requirements imposed upon states pursuant to sections 383.141 and 1572.13 of title 49 of the code of federal regulations.

(c) The commissioner shall not issue a commercial driver's license to a person while such person would be subject to disqualification from operating a commercial motor vehicle for any cause set forth in the commercial motor vehicle safety act of nineteen hundred eighty-six, public law 99-570, title XII and regulations promulgated thereunder. In addition, the commissioner shall suspend a commercial driver's license for the period of time in which such driver is determined to constitute an imminent hazard and is disqualified pursuant to 49 C.F.R 383.52.

* (d) (i) The commissioner shall not issue a class A commercial driver's license to a person who is eighteen, nineteen or twenty years old unless, in addition to meeting the requirements of this chapter with respect to the issuance of commercial driver's licenses, such person submits, in a form prescribed by the commissioner, proof of successful completion of the commercial driver's license (CDL) class A young adult training program established pursuant to subparagraph (ii) of this paragraph and proof of completion of the minimum hours of supervised driving required by such subparagraph. The commissioner shall place an "intrastate only" restriction on any class A commercial driver's license issued to a person who is eighteen, nineteen or twenty years old and such restriction shall remain until such person turns twenty-one years

of age.

(ii) The commissioner, in consultation with the commissioner of transportation, shall establish and implement a commercial driver's license (CDL) class A young adult training program for young adult class A commercial driver's license applicants. The commissioner shall provide for the requirements and criteria of such training program which shall include the entry-level driver training requirements prescribed by the federal motor carrier safety administration under appendices A, C, D and E of part 380 of title 49 of the code of federal regulations, as may be amended from time to time, and include no less than three hundred hours of behind-the-wheel training under the immediate supervision and control of an experienced driver. For purposes of this paragraph, the following terms shall have the following meanings:

(A) "Young adult" shall mean an individual who is eighteen, nineteen or twenty years old.

(B) "Experienced driver" shall mean an individual who:

(1) is not less than twenty-one years of age;

(2) holds a valid class A commercial driver's license which is not suspended, revoked or cancelled pursuant to the provisions of this chapter or rules and regulations promulgated thereunder and has held such commercial driver's license for at least two years;

(3) has not, for at least a one-year period: been the operator of a motor vehicle involved in an accident reportable to the federal motor carrier safety administration, or been the operator of a commercial motor vehicle involved in an accident reportable to the commissioner, or been convicted of a serious traffic violation, or been convicted of any violation of title VII of this chapter for which the commissioner assesses points, or been disqualified from operating a commercial motor vehicle pursuant to this chapter or rules and regulations promulgated thereunder; and

(4) has a minimum of one year of experience driving, in commerce, a commercial motor vehicle which can only be operated with a class A commercial driver's license.

(C) "Serious traffic violation" shall have the same meaning as such term is defined in subdivision four of section five hundred ten-a of this chapter.

* NB Repealed upon certain conditions (see chapter 618 of 2021 § 4 and

chapter 58 of 2022 Pt. GGG § 3)

6. Renewal of license. (a) A license issued pursuant to subdivision five of this section shall be valid until the expiration date contained thereon, unless such license is suspended, revoked or cancelled. Such license may be renewed by submission of an application for renewal, the fee prescribed by law, proofs of prior licensing, fitness and acceptable vision prescribed by the commissioner, the applicant's social security number or, in lieu thereof, with respect to an application for a non-commercial driver's license or learner's permit which does not meet federal standards for identification, an affidavit signed by such applicant that they have not been issued a social security number, and if required by the commissioner, a photo image of the applicant in such numbers and form as the commissioner shall prescribe. In addition, an applicant for renewal of a license containing a hazardous material endorsement shall pass an examination to retain such endorsement. The commissioner shall, with respect to the renewal of a hazardous materials endorsement, comply with the requirements imposed upon states by sections 383.141 and 1572.13 of title 49 of the code of federal regulations. A renewal of such license shall be issued by the commissioner upon approval of such application, except that no such license shall be issued if its issuance would be inconsistent with the provisions of section five hundred sixteen of this title, and except that the commissioner may refuse to renew such license if the applicant is the holder of a currently valid or renewable license to drive issued by another state or foreign country unless the applicant surrenders such license.

(b) Time for renewal. A renewal license may only be issued if an application for such license is filed within two years from the date of expiration of the prior license. Such application may be filed prior to the expiration of the license being renewed for a period of time as provided by regulation of the commissioner.

7. Selective service act. The commissioner shall provide separate space on the application for a learner's permit, driver's license, non-driver identification card, or renewal thereof so that any person who is at least eighteen years of age but less than twenty-six years of

age who applies to the commissioner for such permit, license, or card or renewal thereof may opt to register with the selective service in accordance with 50 U.S.C. App 451 et. seq., as amended, if such person is subject to such act, and consent to have the commissioner forward the necessary personal information in accordance with this subdivision. Such consent shall be separate from any other certification or signature on such application. The commissioner shall include on the application a brief statement about the requirement of the law, a citation of the act, and the consequences for failing to meet the same. The commissioner shall forward to the selective service system, in an electronic format, the necessary personal information required for registration only of individuals who have affirmatively opted and consented, pursuant to this subdivision, to authorize the commissioner to forward such information to the selective service system.

8. Non-commercial drivers' licenses and learners' permits which do not meet federal standards for identification. (a) Non-commercial drivers' licenses and learners' permits which do not meet federal standards for identification shall be issued in such form as the commissioner shall determine, provided that such licenses and permits shall be visually identical to non-commercial drivers' licenses and learners' permits which do meet federal standards for identification except that such licenses and permits may state "Not for Federal Purposes". Provided, however, that the commissioner may promulgate regulations providing for additional design or color indicators for both such non-commercial drivers' licenses and learners' permits if required to comply with federal law.

(b) Applicants for a non-commercial driver's license or learner's permit or a renewal thereof shall not be required to prove that they are lawfully present in the United States.

(c) Application forms for non-commercial drivers' licenses and learners' permits which do not meet federal standards for identification or for renewal thereof shall not state (i) the documents an applicant used to prove age or identity, or (ii) an applicant's ineligibility for a social security number where applicable, or (iii) an applicant's citizenship or immigration status.

(d) The commissioner and any agent or employee of the commissioner

shall not retain the documents or copies of documents presented by applicants for non-commercial drivers' licenses or learners' permits which do not meet federal standards for identification to prove age or identity except for a limited period necessary to ensure the validity and authenticity of such documents.

(e) (i) A non-commercial driver's license or learner's permit which does not meet federal standards for identification shall not be used as evidence of a person's citizenship or immigration status, and shall not be the basis for investigating, arresting, or detaining a person. (ii) Neither the commissioner nor any agent or employee of the commissioner shall inquire about the citizenship or immigration status of any applicant for a non-commercial driver's license or learner's permit which does not meet federal standards for identification.

9. Loss of consciousness. a. This subdivision shall apply to any applicant for an original driver's license in this state who has ever suffered a loss of consciousness, to any applicant for a renewal driver's license who has suffered a loss of consciousness since his or her last license was issued in this state, to any person who is required to submit physicians', physician assistants', or nurse practitioners' statements, in such form as the commissioner may require, as a condition for continuing licensing, and to persons holding a driver's license concerning whom the commissioner has received evidence of loss of consciousness.

b. As used in this subdivision, the following terms shall have the following meanings: "loss of consciousness" shall mean the condition of not being aware of one's surroundings or of one's existence and the inability to receive, interpret or react to sensory impressions as the result of epilepsy, syncope, cataplexy, narcolepsy and other disorders affecting consciousness and control; and "evidence of loss of consciousness" shall mean a police accident report filed pursuant to section six hundred three of this chapter indicating a loss of consciousness, no matter how denominated, as the cause of an accident, or admission by an applicant or licensee, or a complaint alleging loss of consciousness received from police agencies and others.

c. A person to whom this part is applicable shall be deemed to be fit for licensing only as determined by the commissioner in accordance with section 9.3 of part 9 of title 15 of the codes, rules and regulations of the state of New York as prescribed by the commissioner.

d. (i) Upon a scheduled review of a statement as required under paragraph e of this section or upon receipt of evidence from a police agency, police accident report or physician, physician assistant or nurse practitioner confirmed by a department hearing or investigation that a licensee has experienced a lack of consciousness, or if the commissioner has not received an acceptable physician's, physician assistant's or nurse practitioner's statement as defined in subparagraph (iii) of this paragraph, or, if such a statement is received but the commissioner's medical consultant finds grounds to disagree with or to question a recommendation of such physician, physician assistant or nurse practitioner made in accordance with the provisions of section 9.3 of part 9 of title 15 of the codes, rules and regulations of the state of New York, the commissioner shall deny or suspend such license, whichever is appropriate, and offer to hold a department hearing to review such action, upon written request of such person. If such request for hearing is not made within thirty days of such denial or suspension, the offer to hold a hearing shall be deemed to be withdrawn. Notwithstanding the offer to hold a department hearing to review the denial or suspension, a department hearing will not be held until such time as the motorist submits to the commissioner a physician, physician assistant or nurse practitioner statement as required under the provisions of part 9 of title 15 of the codes, rules and regulations of the state of New York and the commissioner and the commissioner's medical consultants have reviewed such statements within a reasonable period of time. The denial or suspension shall remain in effect until a department hearing is held to review such denial or suspension or after review of the physician, physician assistant or nurse practitioner statement the commissioner and his or her medical consultants finds no grounds to disagree with or to question the physician's, physician assistant's or nurse practitioner's statement.

(ii) Notwithstanding the provisions of subparagraph (i) of this section, upon receipt of an application for an original driver's

license, or for renewal of a driver's license, or upon receipt of evidence from a source other than a police agency, police accident report or physician, physician assistant or nurse practitioner, confirmed by a department hearing or investigation that a licensee has experienced a loss of consciousness, the commissioner shall, unless he or she deems such person's operation of a motor vehicle on a public highway to be an immediate hazard, send to such person a proposed denial or suspension of license, whichever is appropriate, with an offer to withhold such action until after a department hearing, if such hearing is requested by such person. The failure of such person to reply to the commissioner, either accepting the denial or suspension or requesting a hearing, within thirty days of the date of such notice, shall result in the imposition of the denial or suspension. If the commissioner deems any such person's operation of a motor vehicle on a public highway to be an immediate hazard, he or she shall deny or suspend such license as required under subparagraph (i) of this paragraph and such denial or suspension shall be subject to the provisions of such subparagraph (i). For the purposes of this subparagraph, a person's operation of a motor vehicle on a public highway shall be deemed to constitute an immediate hazard if the commissioner has received evidence that such person's loss of consciousness has caused or contributed to a motor vehicle accident.

(iii) A physician's, physician assistant's or nurse practitioner's statement shall not be acceptable unless such licensed physician, physician assistant or nurse practitioner has attended or examined the patient within one hundred twenty days of the date of such statement, and if required by the commissioner, may be required to be submitted by a physician licensed in a specialty appropriate to the condition in question.

e. The commissioner may require the submission of physicians', physician assistants' or nurse practitioners' statements on a scheduled basis as a condition of licensing in those cases in which a person has experienced loss of consciousness but meets standards of fitness as set forth in rules and regulations prescribed by the commissioner, and the physician's, physician assistant's or nurse practitioner's statement indicates that medication is being taken to meet such standards and, in the opinion of either the submitting physician, physician assistant or

nurse practitioner or the medical consultant to the commissioner, the submission of such scheduled physician's, physician assistant's or nurse practitioner's statements is considered necessary or desirable. However, the provisions of this subdivision shall not be applicable in any case where a person has been seizure free without medication for a minimum period of one year and submits a physician's, physician assistant's or nurse practitioner's statement.

f. Any hearing held pursuant to this subdivision shall be conducted in conformity with the provisions of the state administrative procedure act and any regulations promulgated by the commissioner thereunder. Judicial review of a determination made by the commissioner after a hearing held pursuant to this subdivision may be had without an administrative appeal being made pursuant to article three-A of this chapter.