§ 503. Period of validity of drivers' licenses, learners' permits and applications; required fees. 1. Periods of validity. (a) A driver's license shall be valid from the date of issuance until a date of expiration determined by the commissioner. Such dates of issuance and expiration shall be noted on the license, except that if such printed expiration date falls on a Saturday, Sunday or state holiday, such license shall be valid for operation until midnight of the next day on which state offices shall be open for business. However, a prior license shall expire on the date of issuance of a renewal of such prior license. The commissioner may extend the period of validity of a license in a manner and form prescribed by him.

(b) An application for a license shall be valid for a period of time specified by regulation of the commissioner not to exceed five years. A learner's permit shall be valid from its issuance until the expiration of the application for a driver's license for which it was issued. Provided, however, a commercial learner's permit shall be valid for no more than such time as permitted by section 31308 of title 49 of the United States code and part 383.25 of title 49 of the code of federal regulations. Provided, however, that a commercial learner's permit issued by the commissioner in connection with an application for a commercial driver's license shall be cancelled within sixty days of the holder's medical certification status becoming "not-certified" based upon: (i) the expiration of the holder's medical certification or medical variance documentation 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; (ii) the holder's failure to submit such medical certification or medical variance documentation 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 and in a manner prescribed by the commissioner; or (iii) the receipt by the commissioner of information from the issuing medical examiner or the federal motor carrier safety administration that a medical certification or medical variance was issued in error or rescinded. The commissioner shall, upon a holder's status becoming "not-certified", notify the holder of such commercial learner's permit issued in connection with a commercial driver's license application by first class mail to the address of such person on file with the

department or at the current address provided by the United States postal service of his or her "not-certified" medical certification status and that the commercial motor vehicle privileges of such commercial learner's permit will be cancelled unless he or she submits a current medical certificate and/or medical variance in accordance with Part 383.71(h) of title 49 of the code of federal regulations or changes his or her self-certification to driving only in excepted or intrastate commerce in accordance with Part 383.71(b) (1) (ii), (iii) or (iv) of title 49 of the code of federal regulations.

2. Fees. (a) Initial application fee. The fee required for the initiation of the licensing process by a person who does not hold a valid or renewable license issued by the commissioner shall be ten dollars.

(i) If application is made for any license other than a commercial driver's license, such fee shall enable the applicant to take the knowledge test required for issuance of a learner's permit and driver's license no more than twice.

(ii) (A) If application is made for a commercial driver's license, such fee shall enable the applicant to take the knowledge test required for issuance of a learner's permit and driver's license once and also take any knowledge test or tests required for any endorsement or endorsements applied for which are taken at the same time.

(B) The knowledge tests for such learner's permit, driver's license or endorsements shall be available in both the English and Spanish language versions.

(iii) If an applicant fails to pass the knowledge test required for issuance of a learner's permit in the number of times specified in subparagraph (i) or (ii) of this paragraph, a new application fee shall be required.

(b) Learner permit/license fee. (i) Upon passage of the knowledge test required to obtain a learner's permit, the applicant for a commercial driver's license shall be required to pay an additional fee of nine dollars and fifty cents for each six months or portion thereof of the period of validity of a learner's permit or license which is or may be issued as well as a fee of forty dollars for a road test which must be passed before a license will be issued.

(ii) Upon passage of the knowledge test required to obtain a learner's permit, the applicant for a class C license which does not have an H, P or X endorsement or a class E license shall be required to pay six dollars and twenty-five cents for each six months or portion thereof of the period of validity of a learner's permit or license which is or may be issued, and an applicant for a class D, DJ, M or MJ license shall be required to pay three dollars and twenty-five cents for each six months or portion thereof of the period of validity of a learner's permit or license which is or may be issued. No additional fee shall be required of any such applicant to take up to two road tests. Such road test must be passed before a license will be issued.

(iii) If an applicant fails to pass the road test required for issuance of a license in the number of times specified in subparagraph (i) or (ii) of this paragraph, an additional fee of forty dollars will be required for each additional test applied for in order to obtain a commercial driver's license and an additional fee of ten dollars will be required for up to two tests applied for in order to obtain any license other than a commercial driver's license.

(iv) Notwithstanding any inconsistent provision of this section, the difference collected between the fees set forth in this paragraph in effect on and after September first, two thousand nine and the fees set forth in this paragraph in effect prior to such date shall be deposited to the credit of the dedicated highway and bridge trust fund.

(b-1) Supplemental learner permit/license fee in the metropolitan commuter transportation district. (i) Upon passage of the knowledge test required to obtain a learner's permit, an applicant for a driver's license who resides in the metropolitan commuter transportation district established by section one thousand two hundred sixty-two of the public authorities law shall be required to pay a supplemental fee of one dollar for each six months or portion thereof of the period of validity of a learner's permit or license which is or may be issued pursuant to the provisions of subparagraph (i) or (ii) of paragraph (b) of this subdivision.

(ii) The commissioner shall deposit daily all funds collected pursuant to subparagraph (i) of this paragraph with such responsible banks, banking houses or trust companies as may be designated by the state comptroller, in trust for the credit of the metropolitan transportation

authority. An account may be established in one or more of such depositories. Such deposits shall be kept separate and apart from all other money in the possession of the comptroller. On or before the twelfth day of each month, the commissioner shall certify to the comptroller the amount of all revenues received pursuant to subparagraph (i) of this paragraph during the prior month as a result of the supplemental fee imposed, including any interest and penalties thereon. The revenues so certified over the prior three months in total shall be paid over by the fifteenth day of the last month of each calendar quarter from such account, without appropriation, into the corporate transportation account of the metropolitan transportation authority special assistance fund established by section twelve hundred seventy-a of the public authorities law, to be applied as provided in paragraph (e) of subdivision four of such section. Any money collected pursuant to this section that is deposited by the comptroller in the corporate transportation account of the metropolitan transportation authority special assistance fund shall be held in such fund free and clear of any claim by any person or entity paying an additional fee pursuant to this section, including, without limiting the generality of the foregoing, any right or claim against the metropolitan transportation authority, any of its bondholders, or any subsidiary or affiliate of the metropolitan transportation authority.

(c) Renewal fee. Fees for renewal of a license issued by the commissioner shall be as follows:

(i) For a commercial driver's license, nine dollars and fifty cents for each six months or portion thereof.

(ii) For a class C license which does not have an H, P or X endorsement or a class E license, six dollars and twenty-five cents for each six months or portion thereof.

(iii) For a class D, DJ, M or MJ license, three dollars and twenty-five cents, for each six months or portion thereof.

(iv) Notwithstanding any inconsistent provision of this section, the difference collected between the fees set forth in this paragraph in effect on and after September first, two thousand nine and the fees set forth in this paragraph in effect prior to such date shall be deposited to the credit of the dedicated highway and bridge trust fund.

(c-1) In addition to the fees established in paragraphs (b) and (c) of

this subdivision, a fee of fifty cents for each six months or portion thereof of the period of validity shall be paid upon the issuance of any permit, license or renewal of a license which is valid for the operation of a motorcycle, except a limited use motorcycle.

(c-2) Refunds. The commissioner shall refund any fees paid for a driver's license pursuant to paragraph (c) of this subdivision for the period commencing after completion of four years of the period of validity of such license, provided that such license is not suspended or revoked and is surrendered to the commissioner before the end of such four year period and application therefor is filed with the commissioner no later than three months from the expiration of such four year period.

(c-3) (i) Supplemental renewal fee in the metropolitan commuter transportation district. In addition to the fees required to be paid pursuant to paragraph (c) of this subdivision, a supplemental fee of one dollar for each six months or portion thereof of the validity of the license shall be paid for renewal of a license of a person who resides in the metropolitan commuter transportation district established by section one thousand two hundred sixty-two of the public authorities law issued by the commissioner.

(ii) The commissioner shall deposit daily all funds collected pursuant to this paragraph with such responsible banks, banking houses or trust companies as may be designated by the state comptroller, in trust for the credit of the metropolitan transportation authority. An account may be established in one or more of such depositories. Such deposits shall be kept separate and apart from all other money in the possession of the comptroller. On or before the twelfth day of each month, the commissioner shall certify to the comptroller the amount of all revenues received pursuant to this paragraph during the prior month as a result of the supplemental fees imposed, including any interest and penalties thereon. The revenues so certified over the prior three months in total shall be paid over by the fifteenth day of the last month of each calendar quarter from such account, without appropriation, into the corporate transportation account of the metropolitan transportation authority special assistance fund established by section twelve hundred seventy-a of the public authorities law, to be applied as provided in paragraph (e) of subdivision four of such section. Any money collected pursuant to this section that is deposited by the comptroller in the

corporate transportation account of the metropolitan transportation authority special assistance fund shall be held in such fund free and clear of any claim by any person or entity paying an additional fee pursuant to this section, including, without limiting the generality of the foregoing, any right or claim against the metropolitan transportation authority, any of its bondholders, or any subsidiary or affiliate of the metropolitan transportation authority.

(d) Duplicate and amendment fees. (i) The fee for a duplicate of any license or learner's permit shall be five dollars.

(ii) If a knowledge test or test are required to be passed to secure an amended learner's permit or license, the fees for taking of such test or tests specified in paragraph (a) of this subdivision shall be paid. However, if an amendment is to add only an endorsement or endorsements which require only the passing of a knowledge test or tests, a fee of five dollars shall be paid. If a road test or tests are required to be passed to secure an amended license, the fees for taking such test or tests specified in paragraph (b) of this subdivision shall be paid. If no knowledge or road test is required to secure an amended license, the fee required for such amended license shall be five dollars. In addition, if the fee for the amended learner's permit or license is greater than the fee for the learner's permit or license being amended, the difference in fee shall be paid. If the amendment is only to correct or update a driver's record, no fee other than the photo image fee shall be required.

(e) Alternative testing. If a knowledge test is required in any stage of the licensing process, the applicant may request that such test be given in a form other than written and if the applicant meets the eligibility standards established by the commissioner for an alternative test then the commissioner shall give such test in an alternative form. An additional fee of five dollars shall be required for such an alternative test.

(f) Photo image fee. In addition to any other fee prescribed herein, a fee of twelve dollars and fifty cents shall be charged for the processing of each learner permit or license document requiring a photo image. Of each such fee collected, five dollars shall be deposited to the credit of the general fund and five dollars shall be deposited in the dedicated highway and bridge trust fund established pursuant to

section eighty-nine-b of the state finance law and the dedicated mass transportation fund established pursuant to section eighty-nine-c of the state finance law and distributed according to the provisions of subdivision (d) of section three hundred one-j of the tax law.

Notwithstanding any inconsistent provision of this section, the difference collected between the fees set forth in this paragraph in effect on and after September first, two thousand nine and the fees set forth in this paragraph in effect prior to such date shall be deposited to the credit of the dedicated highway and bridge trust fund.

(f-1) In addition to any other fee prescribed in this section, an additional fee of thirty dollars shall be charged for any license, issued to a New York state resident who is a citizen of the United States, that can be used for certain land and sea border crossings pursuant to section 7209 of the Intelligence Reform and Terrorism Prevention Act of Two Thousand Four, Public Law 108-458, or the regulations promulgated thereunder.

(g) In no event shall the commissioner increase fees or impose surcharges or penalties for the issuance or renewal of licenses without the specific mandate of the legislature effected pursuant to an amendment to this chapter.

(h) An applicant whose driver's license has been revoked pursuant to (i) section five hundred ten of this title, (ii) section eleven hundred ninety-three of this chapter, and (iii) section eleven hundred ninety-four of this chapter, shall, upon application for issuance of a driver's license, pay to the commissioner a fee of one hundred dollars. When the basis for the revocation is a finding of driving after having consumed alcohol pursuant to the provisions of section eleven hundred ninety-two-a of this chapter, the fee to be paid to the commissioner shall be one hundred dollars. Such fee is not refundable and shall not be returned to the applicant regardless of the action the commissioner may take on such person's application for reinstatement of such driving license. Such fee shall be in addition to any other fees presently levied but shall not apply to an applicant whose driver's license was revoked for failure to pass a reexamination or to an applicant who has been issued a conditional or restricted use license under the provisions of article twenty-one-A or thirty-one of this chapter.

(i) A non-resident whose driving privileges have been revoked pursuant to sections five hundred ten, eleven hundred ninety-three and eleven hundred ninety-four of this chapter shall, upon application for reinstatement of such driving privileges, pay to the commissioner of motor vehicles a fee of one hundred dollars. When the basis for the revocation is a finding of driving after having consumed alcohol pursuant to the provisions of section eleven hundred ninety-two-a of this chapter, the fee to be paid to the commissioner shall be one hundred dollars. Such fee is not refundable and shall not be returned to the applicant regardless of the action the commissioner may take on such person's application for reinstatement of such driving privileges.

(j) Whenever a license issued pursuant to this article, or a privilege of operating a motor vehicle or of obtaining such a license, has been suspended, such suspension shall remain in effect until a termination of a suspension fee of fifty dollars is paid to the commissioner; provided, however, when the basis for the suspension is a finding of driving after having consumed alcohol pursuant to the provisions of section eleven hundred ninety-two-a of this chapter, the fee to be paid to the commissioner shall be one hundred dollars. The provisions of this paragraph shall not apply to a temporary suspension pending a hearing, prosecution or investigation, nor to an indefinite suspension which is issued because of the failure of the person suspended to perform an act, which suspension will be terminated by the performance of the act.

(j-1) (i) When a license issued pursuant to this article, or a privilege of operating a motor vehicle or of obtaining such a license, has been suspended based upon a failure to answer an appearance ticket or a summons or failure to pay a fine, penalty or mandatory surcharge, pursuant to subdivision three of section two hundred twenty-six, subdivision four of section two hundred twenty-seven, subdivision four-a of section five hundred ten or subdivision five-a of section eighteen hundred nine of this chapter, such suspension shall remain in effect until a termination of a suspension fee of seventy dollars is paid to the court or tribunal that initiated the suspension of such license or privilege. In no event may the aggregate of the fees imposed by an individual court pursuant to this paragraph for the termination of all suspensions that may be terminated as a result of a person's answers, appearances or payments made in such cases pending before such

individual court exceed four hundred dollars. For the purposes of this paragraph, the various locations of the administrative tribunal established under article two-A of this chapter shall be considered an individual court.

(ii) Any such fee collected by any court, judge, magistrate or other officer specified in subdivision one of section thirty-nine of the judiciary law, establishing a unified court budget, shall be paid to the state commissioner of taxation and finance on a monthly basis no later than ten days after the last day of each month. All such monies collected under this subdivision shall be deposited to the indigent legal services fund established by section ninety-eight-b of the state finance law.

(iii) Any such fee collected by any other court, judge, magistrate or other officer shall, except as provided in paragraph (k) of this subdivision, be paid to the state comptroller within the first ten days of the month following collection. Every such payment to the comptroller shall be accompanied by a statement in such form and detail as the comptroller shall provide. All such monies collected under this subdivision shall be deposited to the indigent legal services fund established by section ninety-eight-b of the state finance law.

(iv) Notwithstanding any other provision of this paragraph, fifty percent of all fees collected pursuant to this paragraph shall be deposited to the credit of the general fund.

(k) Fees assessed for reapplication for a driver's license or reinstatement of driving privileges after revocation or required to be paid for termination of suspension as provided in paragraphs (h), (i) and (j) of this subdivision shall be paid to the commissioner for deposit to the general fund. Fees assessed for termination of suspension as provided in paragraph (j-1) of this subdivision and collected by an administrative tribunal established under article two-A of this chapter shall be paid over to the state comptroller to the credit of the indigent legal services fund established by section ninety-eight-b of the state finance law.

3. Waiver of fee. The commissioner may waive the payment of fees required by subdivision two of this section if the applicant:

(i) is an incarcerated individual in an institution under the

jurisdiction of a state department or agency, or

(ii) is a victim of crime and the driver's license or learner's permit applied for is a replacement for one that was lost or destroyed as a result of the crime.

4. Driver responsibility assessment. (a) Any person who accumulates six or more points on his or her driving record for acts committed within an eighteen month period shall become liable to the department for payment of a driver responsibility assessment as provided in this subdivision.

(b) The amount of the driver responsibility assessment under this section shall be one hundred dollars per year for a three-year period for the first six points on a driver's record and an additional twenty-five dollars per year for each additional point on such driver's record.

(c) Upon receipt of evidence that a person is liable for the driver responsibility assessment required by this subdivision, the commissioner shall notify such person by first class mail to the address of such person on file with the department or at the current address provided by the United States postal service of the amount of such assessment, the time and manner of making required payments, and that failure to make payment shall result in the suspension of his or her driver's license or privilege of obtaining a driver's license.

(d) If a person shall fail to pay any driver responsibility assessment as provided in this subdivision, the commissioner shall suspend such person's driver's license or privilege of obtaining a license. Such suspension shall remain in effect until any and all outstanding driver responsibility assessments have been paid in full.

(e) Any completion of a motor vehicle accident prevention course approved pursuant to article twelve-B of this chapter shall not serve to reduce the calculation of points on a person's driving record for the purposes of this section.

(f) Notwithstanding any other provision of law to the contrary, commencing April first, two thousand six and ending March thirty-first, two thousand fourteen, in each year, the first forty million seven hundred thousand dollars of fees collected pursuant to this subdivision and section eleven hundred ninety-nine of this chapter, in the

aggregate, shall be paid to the state comptroller who shall deposit such money in the state treasury pursuant to section one hundred twenty-one of the state finance law to the credit of the general fund. Any such fees collected in excess of such amount shall be paid to the credit of the comptroller on account of the dedicated highway and bridge trust fund established pursuant to section eighty-nine-b of the state finance law. Commencing April first, two thousand fourteen and for each such fiscal year thereafter, any such fees collected pursuant to this subdivision and section eleven hundred ninety-nine of this chapter shall be paid to the credit of the comptroller on account of the dedicated highway and bridge trust fund established pursuant to section eighty-nine-b of the state finance law.