

"P" 22 (2021)

"M" 24 (2021)

Albany, New York

October 26, 2021

TO: All Enforcement Agencies and Magistrates

SUBJECT: Chapter 454 of the Laws of 2021-Exemption from holding a New York driver license for armed forces members and their spouses and dependents

Effective October 8, 2021, Chapter 454 of the Laws of 2021 adds new subdivision (2-a) to section 251 of the Vehicle and Traffic Law (VTL) to exempt active duty members of the armed forces (other than those reporting for annual active duty training), and their spouses and dependents 16 years of age or older, who are licensed to drive a motor vehicle or motorcycle in another state, territory, federal district or foreign country, from having to obtain a New York driver license. The exemption does not apply to those whose former New York license or driving privilege in New York, are suspended or revoked, until such suspension or revocation is terminated or driving privilege is restored.

Persons under 18 years of age are restricted from operation in accordance with the same restrictions imposed upon a New York licensees holding class DJ and DM licenses as set forth in VTL section 501(3)

A copy of Chapter 454 of the Laws of 2021 is attached for reference.

Please share this information with appropriate staff. Thank you.

Mark J.F. Schroeder
Commissioner

Attachment

LAWS OF NEW YORK, 2021

CHAPTER 454

AN ACT to amend the vehicle and traffic law, in relation to exempting certain members of the armed forces and dependents to operate a motor vehicle or motorcycle on the public highways of this state without being licensed in New York

Became a law October 8, 2021, with the approval of the Governor.
Passed by a majority vote, three-fifths being present.

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

Section 1. Section 251 of the vehicle and traffic law is amended by adding a new subdivision 2-a to read as follows:

2-a. A member of the armed forces and any dependent of such person sixteen years of age or older who has complied with the laws of a state, territory, federal district or foreign country which require such person, in order to operate a motor vehicle or motorcycle therein, to be licensed, may operate or drive a motor vehicle or motorcycle on the public highways of this state without being so licensed under this chapter. Provided, however, that the recognition granted under this subdivision shall, with respect to a person under the age of eighteen years, only permit the operation of a motor vehicle or motorcycle in this state in accordance with the same restrictions imposed upon New York residents operating or driving motor vehicles or motorcycles with class DJ or MJ licenses under subdivision three of section five hundred one of this chapter. The exemption granted in this subdivision shall not apply to persons whose privilege of operating a motor vehicle in this state, or whose former license to drive in this state, has been suspended or revoked, until such suspension or revocation has been terminated or privilege of operating a motor vehicle restored. Notwithstanding the provisions of subdivision four of this section, for purposes of this subdivision, "member of the armed forces" shall mean a person on active duty, other than annual active duty for training, in a branch of the armed forces of the United States and "dependent" shall mean a spouse or child of a member of the armed forces residing in the same household and dependent upon such member of the armed forces for support.

§ 2. This act shall take effect immediately.

The Legislature of the STATE OF NEW YORK **ss:**

Pursuant to the authority vested in us by section 70-b of the Public Officers Law, we hereby jointly certify that this slip copy of this session law was printed under our direction and, in accordance with such section, is entitled to be read into evidence.

ANDREA STEWART-COUSINS
Temporary President of the Senate

CARL E. HEASTIE
Speaker of the Assembly