



THE ASSEMBLY
STATE OF NEW YORK
ALBANY

Brian M. Kolb
Minority Leader

September 29, 2011

The Honorable Andrew M. Cuomo
Governor, State of New York
NYS State Capitol
Executive Chamber
Albany, NY 12224

Dear Governor Cuomo:

I write to request your immediate involvement in reversing an ill-advised State Department of Motor Vehicles policy change that will put motorists' lives at risk and undo decades of progress made toward New York's roadways being recognized as among the safest in our nation.

Specifically, I am referring to DMV Commissioner Barbara Fiala's recent announcement that, beginning September 28, 2011, motorists seeking to renew their New York State Driver's Licenses will be allowed to "self certify" that they meet the vision requirement necessary to drive. Governor, this is a terrible idea that will needlessly put New Yorkers' lives in jeopardy.

For years, law enforcement, policymakers and safe driving advocates have worked tirelessly to improve motorist safety and ensure New York's roadways are among the most secure in the country. These efforts included passing the nation's first mandatory seat belt law back in 1984, along with enacting some of America's toughest laws against intoxicated driving and, most recently, distracted driving. All of these steps have made a positive difference as traffic fatalities in New York State have been on the decline.

However, this latest, inexplicable policy reversal by the State DMV could undo years of success by allowing motorists with questionable, poor and even bad eyesight to remain behind the wheel and continue driving when they clearly should not be doing so without corrective measures.

Besides legitimate concerns about its negative impact on public safety, this new policy being advanced by the State DMV will deprive local governments – many of whom are hard pressed to meet local needs due to state government's budget busting unfunded mandates – of much-needed revenue. We cannot afford to allow Albany's perpetual desire for more revenue to drive a poorly designed public policy that could put lives in jeopardy. That is unacceptable. I know that countless County Clerks across New York State join me in expressing these same reservations.

Governor, as the proud father of three young daughters, I know you are among the very strongest supporters of motorist safety and would never want any parent in New York State worried about whom their child is sharing the road with.

(Over)

REPLY TO:

- Room 933, Legislative Office Building, Albany, NY 12248, (518) 455-3751, Fax (518) 455-3750
- District Office: 607 W. Washington St Suite #2, Geneva, NY 14456, (518) 781-2030

In the strongest possible terms, I am requesting that you instruct DMV Commissioner Fiala to immediately reverse this dangerous policy change. Additionally, DMV Commissioner Fiala should take proactive steps to ensure that any driver's license renewals that employed "self certification" since the new policy was enacted be promptly returned to motorists – at the DMV's expense – clearly noting that an eye examination is once again necessary.

Be assured that if DMV Commissioner Fiala does not take swift action to rectify this bad policy, my colleagues and I will advance non-partisan legislation that will correct an obvious mistake. Likewise, we will press forward in conducting rigorous legislative oversight and public hearings concerning DMV operations, including a thorough investigation into the genesis of this public policy change that needlessly puts the lives of New York motorists at risk.

Thank you in advance for your timely consideration of this request.

Sincerely,

A handwritten signature in black ink that reads "Brian". The signature is stylized with a large, looped initial "B" and a cursive "rian".

Brian M. Kolb
Assembly Minority Leader

CC: New York State Association of County Clerks