

New York's Green Light Law:

How Will The Law Stand Up Against Constitutionality Challenges?

48 Rutgers L. Rec. 191 (2021) | [WestLaw](#) | [LexisNexis](#) | [PDF](#)On June 17, 2019, New York Governor Andrew M. Cuomo signed the ?Driver's License Access and Privacy Act? (?DPLA?), more commonly known as the ?Green Light Law,? into law. The Green Light Law modifies New York's vehicle and traffic laws by, *inter alia*, granting driver's licenses and learner's permits regardless of proof of immigration status. When New York passed the Green Light Law in 2019, it became the fifteenth United States state or territory to pass a law granting driver's licenses and learner's permits without considering the applicant's immigration status.

To apply for a driver's license or learner's permit, applicants must fill out an application and return the application to their county department of motor vehicles office. Then the applicant must pass a written exam based on the New York State driver's manual, which is available in a number of different languages. If the applicant applies for a learner's permit and it is then issued, the applicant must still follow procedure by only driving with a supervising, licensed driver over the age of twenty one in the passenger seat, take a pre-licensing driving course and pass a road test in order to receive a license to drive alone.

The provisions of the law are currently being challenged in federal court by Michael Kearns, Erie County Clerk, and Frank J. Merola, Rensselaer County Clerk, with very similar arguments. This note seeks to analyze the federal challenges to the Green Light Law raised by the pending lawsuit brought by Kearns and the existing legal framework in place to resolve such challenges. View the entire article -->