

From: Henny Kupferstein and Rebecca Botta-Zalucki  
Members Autism Society of the Greater Capital Region

To: The Honorable Carl E. Heastie  
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[Speaker@nyassembly.gov](mailto:Speaker@nyassembly.gov)

CC: Nader J. Sayegh, NYS Assemblyman of the 90th District  
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518-455-3662  
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NY Autism Spectrum Disorders Advisory Board  
N. Mitchell, ASD Board, [ASDadvisoryboard@opwdd.ny.gov](mailto:ASDadvisoryboard@opwdd.ny.gov)

October 31, 2019

Dear Assembly Member Heastie:

We are Henny Kupferstein and Rebecca Botta-Zalucki, autistic self advocates and professionals in the fields of social work and psychology. We are writing to urge your opposition of Assembly Bill A08711, introduced by Assembly Member Nader Saygeh in October 2019. This piece of legislation would allow autistic individuals to obtain a special drivers license that would disclose their “communication impediment” in the statewide computer system. A distinctive mark would be attached to the person’s driver's license if they have autism.

We strongly oppose Bill A08711. First, this legislation is a duplicate of Assembly Bill [A.249-C](#), which established an Autism ID Card; available to autistic individuals. This legislation was passed into law on August 24, 2018 by way of the Transportation Committee. Self advocates report that the card is accessible and Greg Roberts, Director of Legislative and Governmental Affairs at New York State Office for People With Developmental Disabilities (OPWDD), has appropriately disseminated the application requirements to consumers and their families.

Second, this bill does not adequately support the autism community. As research professionals, we believe that a de facto disclosure mark serves no justice nor law enforcement purpose. Marked individuals may face unjust discrimination wherever a

photo ID is required including job applications, qualifying for a mortgage, or purchasing alcohol.

Along these lines, attaching a disability diagnosis to a driver's license violates the Americans with Disabilities Act. If an individual obtains a special license that marks them as having a communication impediment, an employer may learn about the disability when they run the license through their system. It is against the law to force an employee to disclose their disability to an employer. It is against the law for an employer to ask a job candidate if they are disabled. It is against the law for an employer to ask a job candidate about the nature of their disability.

Burdens shall not be placed on autistic persons to disclose their disability in order to gain adequate support in emergency encounters. The onus is on the state to work alongside self-advocates and autistic persons to establish statewide standardization for education as well as emergency protocols for safe outcomes.

Adding a disclosure mark on an autistic person's driver's ID is insulting, a gross oversight, and a violation of the civil rights to those who try to gain access to employment, transportation, healthcare, and acquisition of services via an ID.

We trust you understand the need for legislation that enhances equal opportunities for all demographics, starting with those in your constituency.

Signed,

Two handwritten signatures in black ink. The signature on the left is more fluid and cursive, while the one on the right is more structured and blocky.

Henny Kupferstein, Ph.D. Candidate, Psychology  
Rebecca Botta-Zalucki, LMSW

Signatures in Support of Opposition

Lawana Jones, President & Ceo of the Autism Council of Rochester.  
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