

STATE OF NEW YORK

8020

IN SENATE

March 20, 2018

Introduced by Sen. O'MARA -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to creating the distinctive Red Cross Spirit of Service license plates; and to amend the state finance law, in relation to the creation of the "Red Cross disaster relief fund"

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

1 Section 1. The vehicle and traffic law is amended by adding a new
2 section 404-ee to read as follows:

3 § 404-ee. Distinctive "Red Cross Spirit of Service" license plates. 1.
4 Any person residing in this state shall, upon request, be issued a
5 distinctive license plate of a design developed and approved by the
6 commissioner in consultation with the secretary of state in support of
7 the disaster relief efforts of the American Red Cross bearing the phrase
8 "Red Cross Spirit of Service". Application for said license plate shall
9 be filed with the commissioner in such form and detail as the commis-
10 sioner shall prescribe.

11 2. A distinctive plate issued pursuant to this section shall be issued
12 in the same manner as other number plates upon payment of the regular
13 registration fee prescribed by section four hundred one of this article;
14 provided, however, that an additional annual service charge of twenty-
15 five dollars shall be charged for such plates.

16 3. Each twenty-five dollars received as the annual service charge
17 under this section shall be deposited to the credit of the "Red Cross
18 disaster relief fund" established pursuant to section ninety-three-aa of
19 the state finance law and shall be used to support the American Red
20 Cross and its disaster relief efforts in the state of New York.

21 § 2. The state finance law is amended by adding a new section 93-aa to
22 read as follows:

23 § 93-aa. Red Cross disaster relief fund. 1. (a) There is hereby estab-
24 lished in the joint custody of the comptroller and the commissioner of
25 taxation and finance a special fund to be known as the "Red Cross disas-
26 ter relief fund".

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 (b) Monies of the fund shall consist of all revenues received pursuant
2 to the provisions of section four hundred four-ee of the vehicle and
3 traffic law, all revenues received pursuant to appropriations by the
4 legislature, and all moneys appropriated, credited or transferred there-
5 to from any other fund or source pursuant to law.

6 2. Following appropriation by the legislature, all revenue in the Red
7 Cross disaster relief fund shall be available to support the American
8 Red Cross and its disaster relief efforts in the state of New York.

9 3. Monies of the fund shall be payable on the audit and warrant of the
10 state comptroller on vouchers approved and certified by the commissioner
11 of motor vehicles.

12 4. Nothing contained herein shall prevent the department of motor
13 vehicles from receiving grants, gifts or bequests for the purposes of
14 the fund as defined in this section and depositing them into the fund
15 according to law.

16 § 3. 1. A distinctive plate established pursuant to section 404-ee of
17 the vehicle and traffic law shall only be designed, produced and issued
18 upon the delivery to the department of motor vehicles of a surety bond
19 in the amount of six thousand dollars, which shall be executed by a
20 surety company authorized by the department of financial services to
21 transact business in this state. Provided, however, that if the commis-
22 sioner of motor vehicles shall have received prior to plate design,
23 production and issuance at least two hundred orders for such distinctive
24 plate together with the additional annual service charge applicable to
25 each such order, which shall be non-refundable, no such surety bond
26 shall be required. All service charges collected pursuant to this
27 section shall be deposited pursuant to the provisions of section 404-oo
28 of the vehicle and traffic law to the credit of the department of motor
29 vehicles distinctive plate development fund established by section 95-g
30 of the state finance law and shall be used for the design, production,
31 advertising and distribution of distinctive license plates in accordance
32 with such section 95-g.

33 2. If, upon the expiration of two years following the date upon which
34 distinctive plates in the series are first available for sale, two
35 hundred or more sets of such plates are sold, a bond delivered pursuant
36 to this section shall be discontinued. If fewer than two hundred sets of
37 such plates are sold by such time, the department of motor vehicles
38 shall be entitled to recover against the bond in an amount proportionate
39 to such shortfall.

40 § 4. This act shall take effect on the one hundred eightieth day after
41 it shall have become a law. Section three of this act shall take effect
42 immediately; and provided further, however that effective immediately,
43 the addition, amendment and/or repeal of any rule or regulation neces-
44 sary for the implementation of this act on its effective date are
45 authorized to be made and completed on or before such effective date.