

1606

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. ZEBROWSKI, ABBATE, ESPAILLAT, MAYERSOHN, BROOK-KRASNY, GUNTHER, PEOPLES, CLARK, HOOPER, REILLY, JAFFEE, SCHIM-MINGER -- Multi-Sponsored by -- M. of A. BOYLAND, CAMARA, GABRYSZAK, KOON, MAISEL, MARKEY, PHEFFER, SWEENEY, TITONE, WEISENBERG -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to authorizing the issuance of distinctive license plates to retired disabled police officers

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 2 of section 404-a of the vehicle and traffic
2 law, as amended by chapter 191 of the laws of 1991, is amended to read
3 as follows:
4 2. Registration of vehicles owned by severely disabled persons. The
5 commissioner shall assign to such motor vehicles, including any van or
6 pick-up truck used for transporting persons with disabilities which is
7 not used for commercial purposes, owned by such persons, a distinctive
8 number and issue and deliver in such manner as the commissioner may
9 select to the owner a certification of registration, in such form as the
10 commissioner shall prescribe and two number plates, called disabled
11 person plates. Said disabled person plates shall conform to the require-
12 ments of section four hundred one of this chapter, but shall bear
13 distinctive marks to distinguish them from number plates to be issued to
14 other persons, qualifying under this chapter. PROVIDED, HOWEVER, THAT
15 NO SUCH PLATES SHALL BE ISSUED TO ANY PERSON TO WHOM THE COMMISSIONER
16 HAS ISSUED DISTINCTIVE RETIRED DISABLED POLICE OFFICER PLATES PURSUANT
17 TO PARAGRAPH (B) OF SUBDIVISION ONE OF SECTION FOUR HUNDRED FOUR-X OF
18 THIS ARTICLE. The commissioner, in his OR HER discretion, may issue, for
19 any registration year, only one plate as a set for a motor vehicle, in
20 which event a set of disabled person plates for a motor vehicle shall

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

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1 consist of one plate. Where a severely disabled person owns more than
2 one vehicle and such vehicle or vehicles is or are used by severely
3 disabled members of the owner's family who reside with the owner, the
4 commissioner shall issue one set of plates for each additional vehicle
5 used by such severely disabled person, provided that such user qualifies
6 as a severely disabled person in the manner required by this section.

7 S 2. The vehicle and traffic law is amended by adding a new section
8 404-x to read as follows:

9 S 404-X. DISTINCTIVE PLATES FOR RETIRED DISABLED POLICE OFFICERS. 1.

10 (A) ANY RETIRED DISABLED POLICE OFFICER SHALL, UPON REQUEST, BE ISSUED A
11 LICENSE PLATE BEARING THE WORDS "NEW YORK STATE" ON THE TOP OF SAID
12 LICENSE PLATE AND "RETIRED DISABLED POLICE OFFICER" ON THE BOTTOM OF
13 SAID LICENSE PLATE.

14 (B) ANY RETIRED DISABLED POLICE OFFICER WHO HAS REGISTERED HIS OR HER
15 MOTOR VEHICLE PURSUANT TO SECTION FOUR HUNDRED FOUR-A OF THIS ARTICLE
16 SHALL, UPON REQUEST, BE ISSUED A LICENSE PLATE BEARING THE DISTINCTIVE
17 MARKS AUTHORIZED BY SUCH SECTION FOUR HUNDRED FOUR-A AND THE WORDS "NEW
18 YORK STATE" ON THE TOP OF THE LICENSE PLATE AND "RETIRED DISABLED POLICE
19 OFFICER" ON THE BOTTOM OF SAID LICENSE PLATE.

20 (C) APPLICATION FOR SAID LICENSE PLATE SHALL BE FILED WITH THE COMMIS-
21 SIONER IN SUCH FORM AND DETAIL AS THE COMMISSIONER SHALL PRESCRIBE AND
22 SHALL BE VERIFIED ANNUALLY BY THE APPLICANT.

23 2. THE DISTINCTIVE PLATE AUTHORIZED IN PARAGRAPH (A) OF SUBDIVISION
24 ONE OF THIS SECTION SHALL BE ISSUED UPON PROOF, SATISFACTORY TO THE
25 COMMISSIONER, THAT THE APPLICANT IS PRESENTLY A RETIRED DISABLED POLICE
26 OFFICER WHO RECEIVES PERMANENT TOTAL DISABILITY BENEFITS. THE DISTINC-
27 TIVE PLATE AUTHORIZED IN PARAGRAPH (B) OF SUBDIVISION ONE OF THIS
28 SECTION SHALL BE ISSUED UPON PROOF, SATISFACTORY TO THE COMMISSIONER,
29 THAT THE APPLICANT IS PRESENTLY A RETIRED DISABLED POLICE OFFICER WHO
30 RECEIVES PERMANENT TOTAL DISABILITY BENEFITS AND WHOSE DISABILITY QUALI-
31 FIES HIM OR HER AS A SEVERELY DISABLED PERSON WITHIN THE MEANING OF SUCH
32 TERM AS DEFINED IN SUBDIVISION FOUR OF SECTION FOUR HUNDRED FOUR-A OF
33 THIS ARTICLE AND WHO HAS REGISTERED HIS OR HER MOTOR VEHICLE PURSUANT TO
34 SECTION FOUR HUNDRED FOUR-A OF THIS ARTICLE.

35 3. A DISTINCTIVE PLATE ISSUED PURSUANT TO THIS SECTION SHALL BE ISSUED
36 IN THE SAME MANNER AS OTHER NUMBER PLATES UPON PAYMENT OF THE REGULAR
37 REGISTRATION FEE PRESCRIBED BY SECTION FOUR HUNDRED ONE OF THIS ARTICLE,
38 PROVIDED, HOWEVER, THAT AN ADDITIONAL ANNUAL SERVICE CHARGE OF FIFTEEN
39 DOLLARS SHALL BE CHARGED FOR SUCH PLATE. SUCH ANNUAL SERVICE CHARGE
40 SHALL BE DEPOSITED PURSUANT TO THE PROVISIONS OF SECTION FOUR HUNDRED
41 FOUR-OO OF THIS ARTICLE, TO THE CREDIT OF THE DEPARTMENT OF MOTOR VEHI-
42 CLES DISTINCTIVE PLATE DEVELOPMENT FUND ESTABLISHED BY SECTION
43 NINETY-FIVE-G OF THE STATE FINANCE LAW, AND SHALL BE USED FOR THE
44 PRODUCTION, DESIGN, ADVERTISING AND MARKETING OF DISTINCTIVE LICENSE
45 PLATES PURSUANT TO SUCH SECTION NINETY-FIVE-G.

46 S 3. This act shall take effect on the one hundred eightieth day after
47 it shall have become a law, except that any rules and regulations neces-
48 sary for the timely implementation of this act on its effective date
49 shall be promulgated on or before such date.