S T A T E O F N E W Y O R K

4569

2009-2010 Regular Sessions

I N A S S E M B L Y

February 5, 2009

Introduced by M. of A. MORELLE, KOON -- 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 severely disabled volunteer firefighters

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

Section 1. Subdivision 2 of section 404-a of the vehicle and traffic law, as amended by chapter 191 of the laws of 1991, is amended to read as follows:

2. Registration of vehicles owned by severely disabled persons. The commissioner shall assign to such motor vehicles, including any van or pick-up truck used for transporting persons with disabilities which is not used for commercial purposes, owned by such persons, a distinctive number and issue and deliver in such manner as the commissioner may select to the owner a certification of registration, in such form as the commissioner shall prescribe and two number plates, called disabled person plates. Said disabled person plates shall conform to the requirements of section four hundred one of this chapter, but shall bear distinctive marks to distinguish them from number plates to be issued to other persons, qualifying under this chapter. PROVIDED, HOWEVER, THAT NO SUCH PLATES SHALL BE ISSUED TO ANY PERSON TO WHOM THE COMMISSIONER HAS ISSUED DISTINCTIVE SEVERELY DISABLED VOLUNTEER FIREFIGHTER PLATES PURSUANT TO PARAGRAPH (B) OF SUBDIVISION ONE OF SECTION FOUR HUNDRED FOUR-X OF THIS ARTICLE. The commissioner, in his OR HER discretion, may issue, for any registration year, only one plate as a set for a motor vehicle, in which event a set of disabled person plates for a motor vehicle shall consist of one plate. Where a severely disabled person owns more than one vehicle and such vehicle or vehicles is or are used by severely disabled members of the owner's family who reside with the owner, the commissioner shall issue one set of plates for each addi-

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

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tional vehicle used by such severely disabled person, provided that such user qualifies as a severely disabled person in the manner required by this section.

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

S 404-X. DISTINCTIVE PLATES FOR SEVERELY DISABLED VOLUNTEER FIREFIGHTERS. 1. (A) ANY SEVERELY DISABLED VOLUNTEER FIREFIGHTER SHALL, UPON REQUEST, BE ISSUED A LICENSE PLATE BEARING THE WORDS "NEW YORK STATE" ON THE TOP OF SAID LICENSE PLATE AND "SEVERELY DISABLED VOLUNTEER FIREFIGHTER" ON THE BOTTOM OF SAID LICENSE PLATE.

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

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

2. THE DISTINCTIVE PLATE AUTHORIZED IN PARAGRAPH (A) OF SUBDIVISION ONE OF THIS SECTION SHALL BE ISSUED UPON PROOF, SATISFACTORY TO THE COMMISSIONER, THAT THE APPLICANT IS PRESENTLY A VOLUNTEER FIREFIGHTER WHO RECEIVES PERMANENT TOTAL DISABILITY BENEFITS UNDER SECTION EIGHT OF THE VOLUNTEER FIREFIGHTERS' BENEFIT LAW. THE DISTINCTIVE PLATE AUTHORIZED IN PARAGRAPH (B) OF SUBDIVISION ONE OF THIS SECTION SHALL BE ISSUED UPON PROOF, SATISFACTORY TO THE COMMISSIONER, THAT THE APPLICANT IS PRESENTLY A SEVERELY DISABLED VOLUNTEER FIREFIGHTER WHO RECEIVES PERMANENT TOTAL DISABILITY BENEFITS UNDER SECTION EIGHT OF THE VOLUNTEER FIREFIGHTERS' BENEFIT LAW AND WHOSE DISABILITY QUALIFIES HIM OR HER AS A SEVERELY DISABLED PERSON WITHIN THE MEANING OF SUCH TERM AS DEFINED IN SUBDIVISION FOUR OF SECTION FOUR HUNDRED FOUR-A OF THIS ARTICLE AND WHO HAS REGISTERED HIS OR HER MOTOR VEHICLE PURSUANT TO SECTION FOUR HUNDRED FOUR-A OF THIS ARTICLE.

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

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