

2452

2011-2012 Regular Sessions

I N S E N A T E

January 21, 2011

Introduced by Sen. ALESI -- 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 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:

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 SEVERELY DISABLED VOLUNTEER FIREFIGHTER PLATES
17 PURSUANT TO PARAGRAPH (B) OF SUBDIVISION ONE OF SECTION FOUR HUNDRED
18 FOUR-X OF THIS ARTICLE. The commissioner, in his OR HER discretion, may
19 issue, for any registration year, only one plate as a set for a motor
20 vehicle, in which event a set of disabled person plates for a motor
21 vehicle shall consist of one plate. Where a severely disabled person
22 owns more than one vehicle and such vehicle or vehicles is or are used
23 by severely disabled members of the owner's family who reside with the
24 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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1 tional vehicle used by such severely disabled person, provided that such
2 user qualifies as a severely disabled person in the manner required by
3 this section.

4 S 2. The vehicle and traffic law is amended by adding a new section
5 404-x to read as follows:

6 S 404-X. DISTINCTIVE PLATES FOR SEVERELY DISABLED VOLUNTEER FIREFIGHT-
7 ERS. 1. (A) ANY SEVERELY DISABLED VOLUNTEER FIREFIGHTER SHALL, UPON
8 REQUEST, BE ISSUED A LICENSE PLATE BEARING THE WORDS "NEW YORK STATE" ON
9 THE TOP OF SAID LICENSE PLATE AND "SEVERELY DISABLED VOLUNTEER FIRE-
10 FIGHTER" ON THE BOTTOM OF SAID LICENSE PLATE.

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

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

20 2. THE DISTINCTIVE PLATE AUTHORIZED IN PARAGRAPH (A) OF SUBDIVISION
21 ONE OF THIS SECTION SHALL BE ISSUED UPON PROOF, SATISFACTORY TO THE
22 COMMISSIONER, THAT THE APPLICANT IS PRESENTLY A VOLUNTEER FIREFIGHTER
23 WHO RECEIVES PERMANENT TOTAL DISABILITY BENEFITS UNDER SECTION EIGHT OF
24 THE VOLUNTEER FIREFIGHTERS' BENEFIT LAW. THE DISTINCTIVE PLATE AUTHOR-
25 IZED IN PARAGRAPH (B) OF SUBDIVISION ONE OF THIS SECTION SHALL BE ISSUED
26 UPON PROOF, SATISFACTORY TO THE COMMISSIONER, THAT THE APPLICANT IS
27 PRESENTLY A SEVERELY DISABLED VOLUNTEER FIREFIGHTER WHO RECEIVES PERMA-
28 NENT TOTAL DISABILITY BENEFITS UNDER SECTION EIGHT OF THE VOLUNTEER
29 FIREFIGHTERS' BENEFIT LAW AND WHOSE DISABILITY QUALIFIES HIM OR HER AS A
30 SEVERELY DISABLED PERSON WITHIN THE MEANING OF SUCH TERM AS DEFINED IN
31 SUBDIVISION FOUR OF SECTION FOUR HUNDRED FOUR-A OF THIS ARTICLE AND WHO
32 HAS REGISTERED HIS OR HER MOTOR VEHICLE PURSUANT TO SECTION FOUR HUNDRED
33 FOUR-A OF THIS ARTICLE.

34 3. A DISTINCTIVE PLATE ISSUED PURSUANT TO THIS SECTION SHALL BE ISSUED
35 IN THE SAME MANNER AS OTHER NUMBER PLATES UPON PAYMENT OF THE REGULAR
36 REGISTRATION FEE PRESCRIBED BY SECTION FOUR HUNDRED ONE OF THIS ARTICLE,
37 PROVIDED, HOWEVER, THAT AN ADDITIONAL ANNUAL SERVICE CHARGE OF FIFTEEN
38 DOLLARS SHALL BE CHARGED FOR SUCH PLATE. SUCH ANNUAL SERVICE CHARGE
39 SHALL BE DEPOSITED PURSUANT TO THE PROVISIONS OF SECTION FOUR HUNDRED
40 FOUR-00 OF THIS ARTICLE, TO THE CREDIT OF THE DEPARTMENT OF MOTOR VEHI-
41 CLES DISTINCTIVE PLATE DEVELOPMENT FUND ESTABLISHED BY SECTION
42 NINETY-FIVE-G OF THE STATE FINANCE LAW AND SHALL BE USED FOR THE
43 PRODUCTION, DESIGN, ADVERTISING AND MARKETING OF DISTINCTIVE LICENSE
44 PLATES PURSUANT TO SECTION NINETY-FIVE-G OF THE STATE FINANCE LAW.

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