

4230

2013-2014 Regular Sessions

I N A S S E M B L Y

February 1, 2013

Introduced by M. of A. PRETLOW -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to the production of and the assessment of a surcharge for distinctive "The Westchester Way" license plates; and to amend the state finance law, in relation to establishing the New York state "Westchester Way 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-x to read as follows:

3 S 404-X. ISSUANCE OF DISTINCTIVE "THE WESTCHESTER WAY" LICENSE PLATES.
4 1. ANY PERSON RESIDING IN THIS STATE SHALL, UPON REQUEST, BE ISSUED A
5 DISTINCTIVE "THE WESTCHESTER WAY" LICENSE PLATE. THE DESIGN OF SUCH
6 DISTINCTIVE PLATE SHALL BE DEVELOPED BY THE COMMISSIONER IN COOPERATION
7 WITH THE WESTCHESTER COUNTY OFFICE OF TOURISM, A RECOGNIZED TOURISM
8 PROMOTION AGENCY PURSUANT TO SECTION ONE HUNDRED SIXTY-THREE OF THE
9 ECONOMIC DEVELOPMENT LAW, AND SHALL UTILIZE THE "THE WESTCHESTER WAY"
10 LOGO, AS WELL AS ANY OTHER LANGUAGE OR INFORMATION APPROPRIATE TO THE
11 PROMOTION OF TOURISM FOR THE COUNTY OF WESTCHESTER. APPLICATION FOR
12 SAID LICENSE PLATE SHALL BE FILED WITH THE COMMISSIONER IN SUCH FORM AND
13 DETAIL AS THE COMMISSIONER SHALL PRESCRIBE.

14 2. A DISTINCTIVE "THE WESTCHESTER WAY" LICENSE PLATE ISSUED PURSUANT
15 TO THIS SECTION SHALL BE ISSUED IN THE SAME MANNER AS OTHER NUMBER
16 PLATES UPON THE PAYMENT OF THE REGULAR REGISTRATION FEES PRESCRIBED BY
17 SECTION FOUR HUNDRED ONE OF THIS ARTICLE; PROVIDED, HOWEVER, THAT AN
18 ADDITIONAL ANNUAL SERVICE CHARGE OF TWENTY-FIVE DOLLARS SHALL BE CHARGED
19 FOR SUCH PLATE. SUCH ANNUAL SERVICE CHARGE SHALL BE DEPOSITED PURSUANT
20 TO THE PROVISIONS OF SECTION FOUR HUNDRED FOUR-00 OF THIS ARTICLE, TO
21 THE CREDIT OF THE DEPARTMENT OF MOTOR VEHICLES DISTINCTIVE PLATE DEVELOPMENT
22 FUND ESTABLISHED BY SECTION NINETY-FIVE-G OF THE STATE FINANCE
23 LAW, AND SHALL BE USED FOR THE PRODUCTION, DESIGN, ADVERTISING AND

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

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1 MARKETING OF DISTINCTIVE LICENSE PLATES PURSUANT TO SUCH SECTION NINE-
2 TY-FIVE-G; PROVIDED, HOWEVER, THAT ANNUAL SERVICE CHARGES COLLECTED IN
3 EXCESS OF SIX THOUSAND DOLLARS SHALL BE DEPOSITED TO THE CREDIT OF "THE
4 NEW YORK STATE 'THE WESTCHESTER WAY' FUND" ESTABLISHED PURSUANT TO
5 SECTION NINETY-SEVEN-LLLL OF THE STATE FINANCE LAW AND SHALL BE USED FOR
6 TOURISM PROMOTION PROJECTS PURSUANT TO SUCH SECTION NINETY-SEVEN-LLLL
7 WITHIN THE COUNTY OF WESTCHESTER.

8 S 2. The state finance law is amended by adding a new section 97-1111
9 to read as follows:

10 S 97-LLLL. THE NEW YORK STATE "THE WESTCHESTER WAY FUND". 1. THERE IS
11 HEREBY ESTABLISHED IN THE JOINT CUSTODY OF THE COMMISSIONER OF TAXATION
12 AND FINANCE AND THE COMPTROLLER A SPECIAL FUND TO BE KNOWN AS THE NEW
13 YORK STATE "THE WESTCHESTER WAY FUND".

14 2. SUCH FUND SHALL CONSIST OF ALL REVENUES RECEIVED PURSUANT TO THE
15 PROVISIONS OF SECTION FOUR HUNDRED FOUR-X OF THE VEHICLE AND TRAFFIC LAW
16 AND ALL OTHER MONEYS APPROPRIATED, CREDITED, OR TRANSFERRED THERETO FROM
17 ANY OTHER FUND OR SOURCE PURSUANT TO LAW. NOTHING CONTAINED IN THIS
18 SECTION SHALL PREVENT THE STATE FROM RECEIVING GRANTS, GIFTS, OR
19 REQUESTS FOR THE PURPOSES OF THE FUND, AS DEFINED IN THIS SECTION, AND
20 DEPOSITING THEM INTO THE FUND ACCORDING TO LAW.

21 3. MONIES OF THE FUND SHALL BE EXPENDED ONLY FOR TOURISM PROMOTION
22 PROJECTS WHICH PROMOTE TOURISM IN THE COUNTY OF WESTCHESTER. MONIES OF
23 THE FUND SHALL BE AVAILABLE FOR TOURISM PROMOTION PURPOSES, EXCLUSIVE OF
24 ADMINISTRATIVE EXPENSES, TO AN ENTITY DESIGNATED BY LOCAL LAW OF THE
25 COUNTY OF WESTCHESTER AS RESPONSIBLE FOR TOURISM PROMOTION FOR THE COUN-
26 TY OF WESTCHESTER; PROVIDED, HOWEVER, THAT SUCH DESIGNATED ENTITY SHALL
27 CAUSE TO BE DEVELOPED ANNUALLY A PLAN FOR TOURISM PROMOTION APPROVED BY
28 THE COMMISSIONER OF THE DEPARTMENT OF ECONOMIC DEVELOPMENT. SUCH TOURISM
29 PROMOTION PLAN SHALL INCLUDE, BUT NOT BE LIMITED TO, PROPOSED EXPENDI-
30 TURES FOR TOURISM PROMOTION PROJECTS PROMOTING TOURISM IN THE COUNTY OF
31 WESTCHESTER AND EVIDENCE THAT SUCH PLAN WILL NOT DUPLICATE TOURISM
32 PROMOTION CONDUCTED BY THE LOCAL TOURISM PROMOTION AGENCY.

33 4. MONIES SHALL BE PAYABLE FROM THE FUND ON THE AUDIT AND WARRANT OF
34 THE COMPTROLLER, ON VOUCHERS APPROVED AND CERTIFIED BY THE COMMISSIONER
35 OF THE DEPARTMENT OF ECONOMIC DEVELOPMENT.

36 5. TO THE EXTENT PRACTICABLE, THE COMMISSIONER OF THE DEPARTMENT OF
37 ECONOMIC DEVELOPMENT SHALL ENSURE THAT ALL MONIES RECEIVED DURING A
38 FISCAL YEAR ARE EXPENDED PRIOR TO THE END OF THAT FISCAL YEAR.

39 S 3. This act shall take effect on the one hundred twentieth day after
40 it shall have become a law; provided that any and all rules and regu-
41 lations necessary to implement any provision of this act on its effec-
42 tive date may be promulgated on or before the effective date of such
43 provision.