

10665

I N A S S E M B L Y

June 10, 2016

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Paulin) --
read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to the issuance
of a distinctive license plate for Iraq War and War in Afghanistan
veterans

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, 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. DISTINCTIVE PLATES FOR IRAQ WAR AND WAR IN AFGHANISTAN VETER-
4 ANS. 1. ANY IRAQ WAR OR WAR IN AFGHANISTAN VETERAN OR THE SPOUSE OF ANY
5 SUCH VETERAN SHALL, UPON REQUEST, BE ISSUED A LICENSE PLATE BEARING THE
6 WORDS "IRAQ WAR VETERAN" OR "WAR IN AFGHANISTAN VETERAN". IF A DISTINC-
7 TIVE PLATE IS ISSUED TO A VETERAN PURSUANT TO THIS SECTION, SUCH A
8 DISTINCTIVE PLATE SHALL NOT BE ISSUED TO THE SPOUSE OF SUCH VETERAN.
9 APPLICATION FOR SAID LICENSE PLATE SHALL BE FILED WITH THE COMMISSIONER
10 IN SUCH FORM AND DETAIL AS THE COMMISSIONER SHALL PRESCRIBE.
11 2. THE DISTINCTIVE PLATES AUTHORIZED IN SUBDIVISION ONE OF THIS
12 SECTION SHALL BE ISSUED UPON PROOF, SATISFACTORY TO THE COMMISSIONER,
13 THAT THE APPLICANT OR THE SPOUSE OF THE APPLICANT IS AN IRAQ WAR OR WAR
14 IN AFGHANISTAN VETERAN.
15 3. FOR THE PURPOSES OF THIS SECTION, "IRAQ WAR VETERAN" SHALL MEAN A
16 PERSON WHO IS A RESIDENT OF THIS STATE, WHO SERVED IN THE ARMED FORCES
17 OF THE UNITED STATES IN THE HOSTILITIES THAT OCCURRED IN IRAQ FROM THE
18 TWENTIETH DAY OF MARCH, TWO THOUSAND THREE TO THE EIGHTEENTH DAY OF
19 DECEMBER, TWO THOUSAND ELEVEN, AND WAS HONORABLY DISCHARGED FROM THE
20 MILITARY.
21 4. "WAR IN AFGHANISTAN VETERAN" SHALL MEAN A PERSON WHO IS A RESIDENT
22 OF THIS STATE, WHO SERVED IN THE ARMED FORCES OF THE UNITED STATES IN
23 THE HOSTILITIES THAT OCCURRED IN AFGHANISTAN FROM THE TWENTIETH DAY OF
24 SEPTEMBER, TWO THOUSAND ONE TO THE END OF SUCH HOSTILITIES AND WAS
25 HONORABLY DISCHARGED BY THE MILITARY.
26 5. A DISTINCTIVE PLATE ISSUED PURSUANT TO THIS SECTION SHALL BE ISSUED
27 IN THE SAME MANNER AS OTHER NUMBER PLATES UPON PAYMENT OF THE REGULAR

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

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1 REGISTRATION FEE PRESCRIBED BY SECTION FOUR HUNDRED ONE OF THIS ARTICLE
2 PROVIDED, HOWEVER, THAT AN ADDITIONAL ONE TIME SERVICE CHARGE OF TEN
3 DOLLARS SHALL BE CHARGED FOR SUCH PLATE.

4 6. NOTHING CONTAINED IN THIS SECTION SHALL REQUIRE THE ISSUANCE OF A
5 SPECIAL NUMBER PLATE UNDER THIS SECTION UNLESS THE COMMISSIONER IS
6 SATISFIED THAT THE AGGREGATE AMOUNT OF ANNUAL SERVICE CHARGES COLLECTED
7 PURSUANT TO SUBDIVISION FIVE OF THIS SECTION WILL BE SUFFICIENT TO
8 RECOVER THE COSTS OF THE DESIGN AND MANUFACTURE OF SUCH SPECIAL PLATES.

9 S 2. 1. A distinctive plate established pursuant to section 404-x of
10 the vehicle and traffic law shall only be designed, produced and issued
11 upon the delivery to the department of motor vehicles of a surety bond
12 in the amount of six thousand dollars, which shall be executed by a
13 surety company authorized by the department of financial services to
14 transact business in this state. Provided, however, that if the commis-
15 sioner of motor vehicles shall have received prior to plate design,
16 production and issuance at least two hundred orders for such distinctive
17 plate together with the additional annual service charge applicable to
18 each such order, which shall be non-refundable, no such surety bond
19 shall be required. All service charges collected pursuant to this
20 section shall be deposited pursuant to the provisions of section 404-oo
21 of the vehicle and traffic law to the credit of the department of motor
22 vehicles distinctive plate development fund established by section 95-g
23 of the state finance law and shall be used for the design, production,
24 advertising and distribution of distinctive license plates in accordance
25 with such section 95-g.

26 2. If, upon the expiration of two years following the date upon which
27 distinctive plates in the series are first available for sale two
28 hundred or more sets of such plates are sold, a bond delivered pursuant
29 to this section shall be discontinued. If fewer than two hundred sets of
30 such plates are sold by such time, the department of motor vehicles
31 shall be entitled to recover against the bond in an amount proportionate
32 to such shortfall.

33 S 3. This act shall take effect immediately; provided, however, that
34 section one of this act shall take effect on the one hundred eightieth
35 day after it shall have become a law; and provided further, that effec-
36 tive immediately, the addition, amendment and/or repeal of any rule or
37 regulation necessary for the implementation of this act on its effective
38 date are authorized and directed to be made and completed on or before
39 such effective date.