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

10746

I N A S S E M B L Y

December 23, 2016

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

AN ACT to amend the vehicle and traffic law, in relation to the issuance of license plates bearing the words "Cure Childhood Cancer"; and to amend a chapter of the laws of 2016, amending the vehicle and traffic law and other laws relating to authorizing the issuance of license plates bearing the words "Cure Childhood Cancer", as proposed in legislative bills numbers S. 1485-A and A. 1683-A, in relation to the issuance of license plates bearing the words "Cure Childhood Cancer" and the effectiveness thereof

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

Section 1. Subdivision 2 of section 404-cc of the vehicle and traffic law, as added by a chapter of the laws of 2016, amending the vehicle and traffic law and other laws relating to authorizing the issuance of license plates bearing the words "Cure Childhood Cancer", as proposed in legislative bills numbers S. 1485-A and A. 1683-A, is amended to read as follows:

2. [Any] A distinctive plate issued pursuant to this section shall be issued in the same manner as other number plates upon the payment of the regular registration fee prescribed by section four hundred one of this article; provided, however, that an additional annual service charge of twenty-five dollars shall be charged for such plate. [Such 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 design, production, advertising and distribution of distinctive license plates in accordance with such section ninety-five-g. Provided, however, that annual surcharges collected in excess of six thousand dollars]

3. EACH TWENTY-FIVE DOLLARS RECEIVED AS THE ANNUAL SERVICE CHARGE UNDER THIS SECTION shall be deposited to the credit of the "cure childhood cancer research fund" established pursuant to section ninety-nine-z

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

LBD00872-05-6

of the state finance law and shall be used for research programs undertaken pursuant to section ninety-nine-z of the state finance law.

S 2. A chapter of the laws of 2016, amending the vehicle and traffic law and other laws relating to authorizing the issuance of license plates bearing the words "Cure Childhood Cancer", as proposed in legislative bills numbers S. 1485-A and A. 1683-A, is amended by adding a new section 3 to read as follows:

S 3. 1. A DISTINCTIVE PLATE ESTABLISHED PURSUANT TO SECTION 404-CC OF THE VEHICLE AND TRAFFIC LAW SHALL ONLY BE DESIGNED, PRODUCED AND ISSUED UPON THE DELIVERY TO THE DEPARTMENT OF MOTOR VEHICLES OF A SURETY BOND IN THE AMOUNT OF SIX THOUSAND DOLLARS, WHICH SHALL BE EXECUTED BY A SURETY COMPANY AUTHORIZED BY THE DEPARTMENT OF FINANCIAL SERVICES TO TRANSACT BUSINESS IN THIS STATE. PROVIDED, HOWEVER, THAT IF THE COMMISSIONER OF MOTOR VEHICLES SHALL HAVE RECEIVED PRIOR TO PLATE DESIGN, PRODUCTION AND ISSUANCE AT LEAST TWO HUNDRED ORDERS FOR SUCH DISTINCTIVE PLATE TOGETHER WITH THE ADDITIONAL ANNUAL SERVICE CHARGE APPLICABLE TO EACH SUCH ORDER, WHICH SHALL BE NON-REFUNDABLE, NO SUCH SURETY BOND SHALL BE REQUIRED. ALL SERVICE CHARGES COLLECTED PURSUANT TO THIS SECTION SHALL BE DEPOSITED PURSUANT TO THE PROVISIONS OF SECTION 404-OO OF THE VEHICLE AND TRAFFIC LAW TO THE CREDIT OF THE DEPARTMENT OF MOTOR VEHICLES DISTINCTIVE PLATE DEVELOPMENT FUND ESTABLISHED BY SECTION 95-G OF THE STATE FINANCE LAW AND SHALL BE USED FOR THE DESIGN, PRODUCTION, ADVERTISING AND DISTRIBUTION OF DISTINCTIVE LICENSE PLATES IN ACCORDANCE WITH SUCH SECTION 95-G.

2. IF, UPON THE EXPIRATION OF TWO YEARS FOLLOWING THE DATE UPON WHICH DISTINCTIVE PLATES IN THE SERIES ARE FIRST AVAILABLE FOR SALE TWO HUNDRED OR MORE SETS OF SUCH PLATES ARE SOLD, A BOND DELIVERED PURSUANT TO THIS SECTION SHALL BE DISCONTINUED. IF FEWER THAN TWO HUNDRED SETS OF SUCH PLATES ARE SOLD BY SUCH TIME, THE DEPARTMENT OF MOTOR VEHICLES SHALL BE ENTITLED TO RECOVER AGAINST THE BOND IN AN AMOUNT PROPORTIONATE TO SUCH SHORTFALL.

S 3. Section 3 of a chapter of the laws of 2016, amending the vehicle and traffic law and other laws relating to authorizing the issuance of license plates bearing the words "Cure Childhood Cancer", as proposed in legislative bills numbers S. 1485-A and A. 1683-A, is amended to read as follows:

S [3] 4. This act shall take effect IMMEDIATELY; PROVIDED, HOWEVER, THAT SECTIONS ONE AND TWO OF THIS ACT SHALL TAKE EFFECT on the one hundred eightieth day after it shall have become a law; provided[, however,] FURTHER, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.

S 4. This act shall take effect immediately; provided, however, sections one and two of this act shall take effect on the same date and in the same manner as a chapter of the laws of 2016, amending the vehicle and traffic law and other laws relating to authorizing the issuance of license plates bearing the words "Cure Childhood Cancer", as proposed in legislative bills numbers S. 1485-A and A. 1683-A, takes effect.