

1584--A

Cal. No. 205

2015-2016 Regular Sessions

I N S E N A T E

January 13, 2015

Introduced by Sens. NOZZOLIO, LARKIN -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the vehicle and traffic law, in relation to creating the New York state veterans remembrance license plate

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. DISTINCTIVE PLATES FOR THE NEW YORK STATE VETERANS REMEM-  
4 BRANCE. 1. ANY VETERAN OR THE SPOUSE OF ANY SUCH VETERAN SHALL, UPON  
5 REQUEST, BE ISSUED A LICENSE PLATE BEARING THE WORDS "NYS VETERANS  
6 REMEMBRANCE". IF A DISTINCTIVE PLATE IS ISSUED TO A VETERAN PURSUANT TO  
7 THIS SECTION, SUCH A DISTINCTIVE PLATE SHALL NOT BE ISSUED TO THE SPOUSE  
8 OF SUCH VETERAN. APPLICATION FOR SUCH LICENSE PLATE SHALL BE FILED WITH  
9 THE COMMISSIONER IN SUCH FORM AND DETAIL AS THE COMMISSIONER SHALL  
10 PRESCRIBE.  
11 2. THE DISTINCTIVE PLATE AUTHORIZED IN SUBDIVISION ONE OF THIS SECTION  
12 SHALL BE ISSUED UPON PROOF, SATISFACTORY TO THE COMMISSIONER, THAT THE  
13 APPLICANT OR THE SPOUSE OF THE APPLICANT IS A VETERAN.  
14 3. A DISTINCTIVE PLATE ISSUED PURSUANT TO THIS SECTION SHALL BE ISSUED  
15 IN THE SAME MANNER AS OTHER NUMBER PLATES UPON THE PAYMENT OF THE REGU-  
16 LAR REGISTRATION FEE PRESCRIBED BY SECTION FOUR HUNDRED ONE OF THIS  
17 ARTICLE; PROVIDED, HOWEVER, THAT AN ADDITIONAL ANNUAL SERVICE CHARGE OF  
18 TWENTY-FIVE DOLLARS SHALL BE CHARGED FOR SUCH PLATES. SUCH ANNUAL  
19 SERVICE CHARGE SHALL BE DEPOSITED PURSUANT TO THE PROVISIONS OF SECTION

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

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1 FOUR HUNDRED FOUR-00 OF THIS ARTICLE, TO THE CREDIT OF THE DEPARTMENT OF  
2 MOTOR VEHICLES DISTINCTIVE PLATE DEVELOPMENT FUND ESTABLISHED BY SECTION  
3 NINETY-FIVE-G OF THE STATE FINANCE LAW, AND SHALL BE USED FOR THE  
4 PRODUCTION, DESIGN, ADVERTISING AND MARKETING OF DISTINCTIVE LICENSE  
5 PLATES PURSUANT TO SUCH SECTION NINETY-FIVE-G; PROVIDED, HOWEVER, THAT  
6 ANNUAL SERVICE CHARGES COLLECTED IN EXCESS OF SIX THOUSAND DOLLARS SHALL  
7 BE DEPOSITED TO THE CREDIT OF THE VETERANS REMEMBRANCE AND CEMETERY  
8 MAINTENANCE OPERATION FUND AND SHALL BE USED FOR FURTHERANCE OF THE  
9 MAINTENANCE AND OPERATION OF STATE VETERANS CEMETERIES, PURSUANT TO  
10 SECTION NINETY-SEVEN-MMMM OF THE STATE FINANCE LAW.

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

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

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