

3311--B

2015-2016 Regular Sessions

I N   S E N A T E

February 5, 2015

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Introduced by Sen. RITCHIE -- 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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to creating distinctive license plates for the United States army 10th mountain division

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 UNITED STATES ARMY 10TH MOUNTAIN  
4     DIVISION. 1. A. ANY MEMBER OF THE UNITED STATES ARMY 10TH MOUNTAIN DIVI-  
5     SION RESIDING IN THIS STATE, SHALL, UPON REQUEST, BE ISSUED A LICENSE  
6     PLATE BEARING THE 10TH MOUNTAIN DIVISION INSIGNIA AND THE WORDS "MEMBER  
7     OF THE UNITED STATES ARMY 10TH MOUNTAIN DIVISION". APPLICATION FOR SUCH  
8     LICENSE PLATE SHALL BE FILED WITH THE COMMISSIONER IN SUCH FORM AND  
9     DETAIL AS THE COMMISSIONER SHALL PRESCRIBE, AND SHALL BE VERIFIED ANNU-  
10    ALLY BY THE APPLICANT. NO LICENSE PLATE SHALL BE ISSUED TO AN APPLICANT  
11    WITHOUT VERIFICATION THAT SUCH APPLICANT IS A MEMBER OF THE 10TH MOUN-  
12    TAIN DIVISION OF THE UNITED STATES ARMY.  
13    B. ANY PERSON RESIDING IN THIS STATE, SHALL, UPON REQUEST, BE ISSUED A  
14    LICENSE PLATE BEARING THE 10TH MOUNTAIN DIVISION INSIGNIA AND THE WORDS  
15    "SUPPORTER OF THE UNITED STATES ARMY 10TH MOUNTAIN DIVISION". APPLICA-  
16    TION FOR SUCH LICENSE PLATE SHALL BE FILED WITH THE COMMISSIONER IN SUCH  
17    FORM AND DETAIL AS THE COMMISSIONER SHALL PRESCRIBE, AND SHALL BE VERI-  
18    FIED ANNUALLY BY THE APPLICANT.

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

LBD07651-10-6

1 2. A DISTINCTIVE PLATE ISSUED PURSUANT TO THIS SECTION SHALL BE ISSUED  
2 IN THE SAME MANNER AS SUCH OTHER NUMBER PLATES UPON THE PAYMENT OF THE  
3 REGULAR REGISTRATION FEE PRESCRIBED BY SECTION FOUR HUNDRED ONE OF THIS  
4 ARTICLE, PROVIDED, HOWEVER, THAT AN ADDITIONAL ANNUAL SERVICE CHARGE OF  
5 TWENTY DOLLARS SHALL BE CHARGED FOR SUCH PLATE. SUCH ANNUAL SERVICE  
6 CHARGE SHALL BE DEPOSITED PURSUANT TO THE PROVISIONS OF SECTION FOUR  
7 HUNDRED FOUR-00 OF THIS ARTICLE TO THE CREDIT OF THE DEPARTMENT OF MOTOR  
8 VEHICLES DISTINCTIVE PLATE DEVELOPMENT FUND ESTABLISHED BY SECTION NINE-  
9 TY-FIVE-G OF THE STATE FINANCE LAW AND SHALL BE USED FOR THE PRODUCTION,  
10 DESIGN, ADVERTISING AND MARKETING OF DISTINCTIVE LICENSE PLATES PURSUANT  
11 TO SUCH SECTION NINETY-FIVE-G PROVIDED, HOWEVER, THAT ANNUAL SERVICE  
12 CHARGES COLLECTED IN EXCESS OF TWENTY-FIVE HUNDRED DOLLARS SHALL BE PAID  
13 BY THE STATE COMPTROLLER TO THE TENTH MOUNTAIN DIVISION FOUNDATION FOR  
14 THEIR SCHOLARSHIP PROGRAM.

15 S 2. 1. A distinctive plate established pursuant to section 404-x of  
16 the vehicle and traffic law shall only be designed, produced and issued  
17 upon the delivery to the department of motor vehicles of a surety bond  
18 in the amount of six thousand dollars, which shall be executed by a  
19 surety company authorized by the department of financial services to  
20 transact business in this state. Provided, however, that if the commis-  
21 sioner of motor vehicles shall have received prior to plate design,  
22 production and issuance at least two hundred orders for such distinctive  
23 plate together with the additional annual service charge applicable to  
24 each such order, which shall be non-refundable, no such surety bond  
25 shall be required. All service charges collected pursuant to this  
26 section shall be deposited pursuant to the provisions of section 404-00  
27 of the vehicle and traffic law to the credit of the department of motor  
28 vehicles distinctive plate development fund established by section 95-g  
29 of the state finance law and shall be used for the design, production,  
30 advertising and distribution of distinctive license plates in accordance  
31 with such section 95-g.

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

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