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

4480

2015-2016 Regular Sessions

I N S E N A T E

March 23, 2015

Introduced by Sen. FARLEY -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to prohibiting the sale of covered license plate frames

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

Section 1. The general business law is amended by adding a new section 391-t to read as follows:

S 391-T. SALE OR PROMOTIONAL DISTRIBUTION OF COVERED LICENSE PLATE FRAMES. 1. NO PERSON, FIRM, CORPORATION, PARTNERSHIP, ASSOCIATION, LIMITED LIABILITY COMPANY, OR OTHER ENTITY SHALL SELL OR OFFER TO SELL OR GIVE AWAY, AS EITHER A RETAIL OR WHOLESALE PROMOTION, A COVERED LICENSE PLATE FRAME WITHIN NEW YORK STATE.

2. FOR PURPOSES OF THIS SECTION, "COVERED LICENSE PLATE FRAME" MEANS ANY GLASS OR PLASTIC MATERIAL, ARTIFICIAL OR SYNTHETIC MATERIAL OR SUBSTANCE THAT CONCEALS OR OBSCURES A LICENSE PLATE OR THAT DISTORTS A RECORDED OR PHOTOGRAPHIC IMAGE OF SUCH LICENSE PLATE.

3. ANY PERSON, FIRM, CORPORATION, PARTNERSHIP, ASSOCIATION, LIMITED LIABILITY COMPANY, OR OTHER ENTITY THAT VIOLATES THE PROVISIONS OF THIS SECTION BY SELLING, OFFERING TO SELL, OR GIVING AWAY AS EITHER A RETAIL OR WHOLESALE PROMOTION, A COVERED LICENSE PLATE FRAME SHALL BE SUBJECT TO A CIVIL PENALTY OF NOT MORE THAN FIVE HUNDRED DOLLARS PER VIOLATION, RECOVERABLE IN AN ACTION BY ANY ENFORCEMENT AUTHORITY DESIGNATED BY ANY MUNICIPALITY OR POLITICAL SUBDIVISION.

S 2. This act shall take effect immediately.

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

LBD04404-01-5