

8222

I N S E N A T E

December 23, 2016

Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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:

1 Section 1. Subdivision 2 of section 404-cc of the vehicle and traffic
2 law, as added by a chapter of the laws of 2016, amending the vehicle and
3 traffic law and other laws relating to authorizing the issuance of
4 license plates bearing the words "Cure Childhood Cancer", as proposed in
5 legislative bills numbers S. 1485-A and A. 1683-A, is amended to read as
6 follows:
7 2. [Any] A distinctive plate issued pursuant to this section shall be
8 issued in the same manner as other number plates upon the payment of the
9 regular registration fee prescribed by section four hundred one of this
10 article; provided, however, that an additional annual service charge of
11 twenty-five dollars shall be charged for such plate. [Such service
12 charge shall be deposited pursuant to the provisions of section four
13 hundred four-oo of this article to the credit of the department of motor
14 vehicles distinctive plate development fund established by section nine-
15 ty-five-g of the state finance law and shall be used for the design,
16 production, advertising and distribution of distinctive license plates
17 in accordance with such section ninety-five-g. Provided, however, that
18 annual surcharges collected in excess of six thousand dollars]
19 3. EACH TWENTY-FIVE DOLLARS RECEIVED AS THE ANNUAL SERVICE CHARGE
20 UNDER THIS SECTION shall be deposited to the credit of the "cure child-
21 hood 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

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

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

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

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

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

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

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