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

10665

I N A S S E M B L Y

June 10, 2016

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

AN ACT to amend the vehicle and traffic law, in relation to the issuance of a distinctive license plate for Iraq War and War in Afghanistan veterans

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

Section 1. The vehicle and traffic law is amended by adding a new section 404-x to read as follows:

S 404-X. DISTINCTIVE PLATES FOR IRAQ WAR AND WAR IN AFGHANISTAN VETERANS. 1. ANY IRAQ WAR OR WAR IN AFGHANISTAN VETERAN OR THE SPOUSE OF ANY SUCH VETERAN SHALL, UPON REQUEST, BE ISSUED A LICENSE PLATE BEARING THE WORDS "IRAQ WAR VETERAN" OR "WAR IN AFGHANISTAN VETERAN". IF A DISTINCTIVE PLATE IS ISSUED TO A VETERAN PURSUANT TO THIS SECTION, SUCH A DISTINCTIVE PLATE SHALL NOT BE ISSUED TO THE SPOUSE OF SUCH VETERAN. APPLICATION FOR SAID LICENSE PLATE SHALL BE FILED WITH THE COMMISSIONER IN SUCH FORM AND DETAIL AS THE COMMISSIONER SHALL PRESCRIBE.

2. THE DISTINCTIVE PLATES AUTHORIZED IN SUBDIVISION ONE OF THIS SECTION SHALL BE ISSUED UPON PROOF, SATISFACTORY TO THE COMMISSIONER, THAT THE APPLICANT OR THE SPOUSE OF THE APPLICANT IS AN IRAQ WAR OR WAR IN AFGHANISTAN VETERAN.

3. FOR THE PURPOSES OF THIS SECTION, "IRAQ WAR VETERAN" SHALL MEAN A PERSON WHO IS A RESIDENT OF THIS STATE, WHO SERVED IN THE ARMED FORCES OF THE UNITED STATES IN THE HOSTILITIES THAT OCCURRED IN IRAQ FROM THE TWENTIETH DAY OF MARCH, TWO THOUSAND THREE TO THE EIGHTEENTH DAY OF DECEMBER, TWO THOUSAND ELEVEN, AND WAS HONORABLY DISCHARGED FROM THE MILITARY.

4. "WAR IN AFGHANISTAN VETERAN" SHALL MEAN A PERSON WHO IS A RESIDENT OF THIS STATE, WHO SERVED IN THE ARMED FORCES OF THE UNITED STATES IN THE HOSTILITIES THAT OCCURRED IN AFGHANISTAN FROM THE TWENTIETH DAY OF SEPTEMBER, TWO THOUSAND ONE TO THE END OF SUCH HOSTILITIES AND WAS HONORABLY DISCHARGED BY THE MILITARY.

5. A DISTINCTIVE PLATE ISSUED PURSUANT TO THIS SECTION SHALL BE ISSUED IN THE SAME MANNER AS OTHER NUMBER PLATES UPON PAYMENT OF THE REGULAR

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

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REGISTRATION FEE PRESCRIBED BY SECTION FOUR HUNDRED ONE OF THIS ARTICLE PROVIDED, HOWEVER, THAT AN ADDITIONAL ONE TIME SERVICE CHARGE OF TEN DOLLARS SHALL BE CHARGED FOR SUCH PLATE.

6. NOTHING CONTAINED IN THIS SECTION SHALL REQUIRE THE ISSUANCE OF A SPECIAL NUMBER PLATE UNDER THIS SECTION UNLESS THE COMMISSIONER IS SATISFIED THAT THE AGGREGATE AMOUNT OF ANNUAL SERVICE CHARGES COLLECTED PURSUANT TO SUBDIVISION FIVE OF THIS SECTION WILL BE SUFFICIENT TO RECOVER THE COSTS OF THE DESIGN AND MANUFACTURE OF SUCH SPECIAL PLATES.

S 2. 1. A distinctive plate established pursuant to section 404-x 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. This act shall take effect immediately; provided, however, that section one of this act shall take effect on the one hundred eightieth day after it shall have become a law; and provided 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.