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

8005--B

2015-2016 Regular Sessions

I N A S S E M B L Y

June 4, 2015

Introduced by M. of A. BLANKENBUSH -- read once and referred to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, 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:

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 THE UNITED STATES ARMY 10TH MOUNTAIN DIVISION. 1. A. ANY MEMBER OF THE UNITED STATES ARMY 10TH MOUNTAIN DIVISION RESIDING IN THIS STATE, SHALL, UPON REQUEST, BE ISSUED A LICENSE PLATE BEARING THE 10TH MOUNTAIN DIVISION INSIGNIA AND THE WORDS "MEMBER OF THE UNITED STATES ARMY 10TH MOUNTAIN DIVISION". APPLICATION FOR SUCH LICENSE PLATE SHALL BE FILED WITH THE COMMISSIONER IN SUCH FORM AND DETAIL AS THE COMMISSIONER SHALL PRESCRIBE, AND SHALL BE VERIFIED ANNUALLY BY THE APPLICANT. NO LICENSE PLATE SHALL BE ISSUED TO AN APPLICANT WITHOUT VERIFICATION THAT SUCH APPLICANT IS A MEMBER OF THE 10TH MOUNTAIN DIVISION OF THE UNITED STATES ARMY.

B. ANY PERSON RESIDING IN THIS STATE, SHALL, UPON REQUEST, BE ISSUED A LICENSE PLATE BEARING THE 10TH MOUNTAIN DIVISION INSIGNIA AND THE WORDS "SUPPORTER OF THE UNITED STATES ARMY 10TH MOUNTAIN DIVISION". APPLICATION FOR SUCH LICENSE PLATE SHALL BE FILED WITH THE COMMISSIONER IN SUCH FORM AND DETAIL AS THE COMMISSIONER SHALL PRESCRIBE, AND SHALL BE VERIFIED ANNUALLY BY THE APPLICANT.

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

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

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REGULAR REGISTRATION FEE PRESCRIBED BY SECTION FOUR HUNDRED ONE OF THIS ARTICLE, PROVIDED, HOWEVER, THAT AN ADDITIONAL ANNUAL SERVICE CHARGE OF TWENTY DOLLARS SHALL BE CHARGED FOR SUCH PLATE. SUCH ANNUAL SERVICE CHARGE SHALL BE DEPOSITED PURSUANT TO THE PROVISIONS OF SECTION FOUR HUNDRED FOUR-OO OF THIS ARTICLE TO THE CREDIT OF THE DEPARTMENT OF MOTOR VEHICLES DISTINCTIVE PLATE DEVELOPMENT FUND ESTABLISHED BY SECTION NINE-TY-FIVE-G OF THE STATE FINANCE LAW AND SHALL BE USED FOR THE PRODUCTION, DESIGN, ADVERTISING AND MARKETING OF DISTINCTIVE LICENSE PLATES PURSUANT TO SUCH SECTION NINETY-FIVE-G PROVIDED, HOWEVER, THAT ANNUAL SERVICE CHARGES COLLECTED IN EXCESS OF TWENTY-FIVE HUNDRED DOLLARS SHALL BE PAID BY THE STATE COMPTROLLER TO THE TENTH MOUNTAIN DIVISION FOUNDATION FOR THEIR SCHOLARSHIP PROGRAM.

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 commis-sioner 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 effec-tive 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.