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

1584--A

Cal. No. 205

2015-2016 Regular Sessions

I N S E N A T E

January 13, 2015

Introduced by Sens. NOZZOLIO, LARKIN -- 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 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the vehicle and traffic law, in relation to creating the New York state veterans remembrance license plate

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 NEW YORK STATE VETERANS REMEMBRANCE. 1. ANY VETERAN OR THE SPOUSE OF ANY SUCH VETERAN SHALL, UPON REQUEST, BE ISSUED A LICENSE PLATE BEARING THE WORDS "NYS VETERANS REMEMBRANCE". 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 SUCH LICENSE PLATE SHALL BE FILED WITH THE COMMISSIONER IN SUCH FORM AND DETAIL AS THE COMMISSIONER SHALL PRESCRIBE.

2. THE DISTINCTIVE PLATE 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 A VETERAN.

3. A DISTINCTIVE PLATE ISSUED PURSUANT TO THIS SECTION SHALL BE ISSUED IN THE SAME MANNER AS OTHER NUMBER PLATES UPON THE PAYMENT OF THE REGULAR REGISTRATION FEE PRESCRIBED BY SECTION FOUR HUNDRED ONE OF THIS ARTICLE; PROVIDED, HOWEVER, THAT AN ADDITIONAL ANNUAL SERVICE CHARGE OF TWENTY-FIVE DOLLARS SHALL BE CHARGED FOR SUCH PLATES. SUCH ANNUAL SERVICE CHARGE SHALL BE DEPOSITED PURSUANT TO THE PROVISIONS OF SECTION

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

LBD07280-02-6

FOUR HUNDRED FOUR-OO OF THIS ARTICLE, TO THE CREDIT OF THE DEPARTMENT OF MOTOR VEHICLES DISTINCTIVE PLATE DEVELOPMENT FUND ESTABLISHED BY SECTION NINETY-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 SIX THOUSAND DOLLARS SHALL BE DEPOSITED TO THE CREDIT OF THE VETERANS REMEMBRANCE AND CEMETERY MAINTENANCE OPERATION FUND AND SHALL BE USED FOR FURTHERANCE OF THE MAINTENANCE AND OPERATION OF STATE VETERANS CEMETERIES, PURSUANT TO SECTION NINETY-SEVEN-MMMM OF THE STATE FINANCE LAW.

S 2. 1. A distinctive plate established pursuant to section 404-x of the vehicle and traffic law as added by section one of this act 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 such service charges 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, such department 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; provided further, however, 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 is authorized and directed to be made and completed on or before such effective date.