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

1952--A

2015-2016 Regular Sessions

I N  S E N A T E

January 15, 2015

Introduced by Sen. NOZZOLIO -- 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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to creating the "4-H member" distinctive license plate; and to amend the state finance law, in relation to establishing the 4-H foundation fund

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 4-H MEMBER LICENSE PLATES. 1. ANY PERSON RESIDING IN THIS STATE SHALL, UPON REQUEST, BE ISSUED A DISTINCTIVE "4-H MEMBER" LICENSE PLATE. APPLICATION FOR SUCH LICENSE PLATE SHALL BE FILED WITH THE COMMISSIONER IN SUCH FORM AND DETAIL AS THE COMMISSIONER SHALL PRESCRIBE.

2. 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 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 NEW YORK 4-H FOUNDATION AND SHALL BE

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

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USED FOR FURTHERANCE OF THE 4-H PROGRAM, PURSUANT TO SECTION NINETY-SIX OF THE STATE FINANCE LAW.

S 2. The state finance law is amended by adding a new section 96 to read as follows:

S 96. THE 4-H FOUNDATION FUND. 1. THERE IS HEREBY ESTABLISHED, IN THE JOINT CUSTODY OF THE COMMISSIONER OF TAXATION AND FINANCE AND THE COMPTROLLER, A SPECIAL FUND TO BE KNOWN AS THE 4-H FOUNDATION FUND.

2. SUCH FUND SHALL CONSIST OF ALL REVENUES RECEIVED PURSUANT TO THE PROVISIONS OF SECTION FOUR HUNDRED FOUR-X OF THE VEHICLE AND TRAFFIC LAW AND ALL OTHER MONEYS APPROPRIATED, CREDITED, OR TRANSFERRED THERETO FROM ANY OTHER FUND OR SOURCE PURSUANT TO LAW. NOTHING CONTAINED IN THIS SECTION SHALL PREVENT THE STATE FROM RECEIVING GRANTS, GIFTS, OR BEQUESTS FOR THE PURPOSES OF THE FUND, AS DEFINED IN THIS SECTION, AND DEPOSITING THEM INTO THE FUND ACCORDING TO LAW.

3. MONIES OF THE FUND SHALL BE EXPENDED ONLY FOR THE BENEFIT AND PROGRAMS OF THE 4-H FOUNDATION.

4. MONIES SHALL BE PAYABLE FROM THE FUND ON THE AUDIT AND WARRANT OF THE COMPTROLLER ON VOUCHERS APPROVED AND CERTIFIED BY THE COMMISSIONER OF AGRICULTURE AND MARKETS.

5. TO THE EXTENT POSSIBLE, THE COMMISSIONER OF AGRICULTURE AND MARKETS SHALL ENSURE THAT ALL MONIES RECEIVED DURING A FISCAL YEAR ARE EXPENDED PRIOR TO THE END OF THAT FISCAL YEAR.

S 3. 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 the plate design, production and issuance of 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, the department of motor vehicles shall be entitled to recover against the bond in an amount proportionate to such shortfall.

S 4. This act shall take effect immediately; provided, however, that sections one and three of this act shall take effect on the one hundred eightieth day after it shall have become a law; 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.