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

1956--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 and the state finance law, in relation to creating a distinctive license plate for the Drug Abuse Resistance Education (D.A.R.E.) program

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 DRUG ABUSE RESISTANCE EDUCATION (D.A.R.E.) PROGRAM. 1. ANY PERSON RESIDING IN THIS STATE SHALL, UPON REQUEST, BE ISSUED A DISTINCTIVE DRUG ABUSE RESISTANCE EDUCATION (D.A.R.E.) PROGRAM LICENSE PLATE. THE DESIGN OF SUCH DISTINCTIVE PLATE SHALL BE DEVELOPED BY THE COMMISSIONER IN CONSULTATION WITH THE SUPERINTENDENT OF STATE POLICE.

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 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 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 SECTION NINETY-FIVE-G OF THE STATE FINANCE LAW; PROVIDED, HOWEVER, THAT ANNUAL SERVICE CHARGES COLLECTED IN EXCESS OF SIX THOUSAND DOLLARS SHALL BE DEPOSITED TO THE CREDIT OF THE DRUG ABUSE

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

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RESISTANCE EDUCATION (D.A.R.E.) FUND ESTABLISHED PURSUANT TO SECTION NINETY-SEVEN-PPPP OF THE STATE FINANCE LAW AND SHALL BE USED FOR PUBLIC EDUCATION AND OUTREACH COSTS RELATED TO DRUG ABUSE RESISTANCE EDUCATION PURSUANT TO SECTION NINETY-SEVEN-PPPP OF THE STATE FINANCE LAW; PROVIDED, HOWEVER, THAT ONE YEAR AFTER THE EFFECTIVE DATE OF THIS SECTION, FUNDS UP TO A MAXIMUM OF SIX THOUSAND DOLLARS, OR SO MUCH THEREOF AS MAY BE AVAILABLE, SHALL BE ALLOCATED FROM SUCH FUND TO THE DEPARTMENT TO OFFSET COSTS ASSOCIATED WITH THE PRODUCTION OF SUCH LICENSE PLATE.

S 2. The state finance law is amended by adding a new section 97-pppp to read as follows:

S 97-PPPP. DRUG ABUSE RESISTANCE EDUCATION (D.A.R.E.) FUND. 1. THERE IS HEREBY ESTABLISHED IN THE JOINT CUSTODY OF THE STATE COMPTROLLER AND THE COMMISSIONER OF TAXATION AND FINANCE A SPECIAL REVENUE FUND TO BE KNOWN AS THE DRUG ABUSE RESISTANCE EDUCATION (D.A.R.E.) FUND.

2. THE DRUG ABUSE RESISTANCE EDUCATION (D.A.R.E.) FUND SHALL CONSIST OF MONEYS RECEIVED BY THE STATE PURSUANT TO SECTION FOUR HUNDRED FOUR-X OF THE VEHICLE AND TRAFFIC LAW, MONEYS DONATED OR GIVEN TO THE STATE, AND ALL OTHER MONEYS APPROPRIATED, CREDITED OR TRANSFERRED THERETO FROM ANY OTHER FUND OR SOURCE.

3. MONEYS OF THE DRUG ABUSE RESISTANCE EDUCATION (D.A.R.E.) FUND, SHALL BE MADE AVAILABLE TO THE SUPERINTENDENT OF STATE POLICE FOR PUBLIC EDUCATION AND OUTREACH PROGRAM COSTS RELATED TO DRUG ABUSE RESISTANCE EDUCATION.

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 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, 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 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.