

8222

I N   S E N A T E

December 23, 2016

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Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the vehicle and traffic law, in relation to the issuance of license plates bearing the words "Cure Childhood Cancer"; and to amend a chapter of the laws of 2016, amending the vehicle and traffic law and other laws relating to authorizing the issuance of license plates bearing the words "Cure Childhood Cancer", as proposed in legislative bills numbers S. 1485-A and A. 1683-A, in relation to the issuance of license plates bearing the words "Cure Childhood Cancer" and the effectiveness thereof

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

1     Section 1. Subdivision 2 of section 404-cc of the vehicle and traffic  
2 law, as added by a chapter of the laws of 2016, amending the vehicle and  
3 traffic law and other laws relating to authorizing the issuance of  
4 license plates bearing the words "Cure Childhood Cancer", as proposed in  
5 legislative bills numbers S. 1485-A and A. 1683-A, is amended to read as  
6 follows:  
7     2. [Any] A distinctive plate issued pursuant to this section shall be  
8 issued in the same manner as other number plates upon the payment of the  
9 regular registration fee prescribed by section four hundred one of this  
10 article; provided, however, that an additional annual service charge of  
11 twenty-five dollars shall be charged for such plate. [Such service  
12 charge shall be deposited pursuant to the provisions of section four  
13 hundred four-oo of this article to the credit of the department of motor  
14 vehicles distinctive plate development fund established by section nine-  
15 ty-five-g of the state finance law and shall be used for the design,  
16 production, advertising and distribution of distinctive license plates  
17 in accordance with such section ninety-five-g. Provided, however, that  
18 annual surcharges collected in excess of six thousand dollars]  
19     3. EACH TWENTY-FIVE DOLLARS RECEIVED AS THE ANNUAL SERVICE CHARGE  
20 UNDER THIS SECTION shall be deposited to the credit of the "cure child-  
21 hood cancer research fund" established pursuant to section ninety-nine-z

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

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1 of the state finance law and shall be used for research programs under-  
2 taken pursuant to section ninety-nine-z of the state finance law.

3 S 2. A chapter of the laws of 2016, amending the vehicle and traffic  
4 law and other laws relating to authorizing the issuance of license  
5 plates bearing the words "Cure Childhood Cancer", as proposed in legis-  
6 lative bills numbers S. 1485-A and A. 1683-A, is amended by adding a new  
7 section 3 to read as follows:

8 S 3. 1. A DISTINCTIVE PLATE ESTABLISHED PURSUANT TO SECTION 404-CC OF  
9 THE VEHICLE AND TRAFFIC LAW SHALL ONLY BE DESIGNED, PRODUCED AND ISSUED  
10 UPON THE DELIVERY TO THE DEPARTMENT OF MOTOR VEHICLES OF A SURETY BOND  
11 IN THE AMOUNT OF SIX THOUSAND DOLLARS, WHICH SHALL BE EXECUTED BY A  
12 SURETY COMPANY AUTHORIZED BY THE DEPARTMENT OF FINANCIAL SERVICES TO  
13 TRANSACT BUSINESS IN THIS STATE. PROVIDED, HOWEVER, THAT IF THE COMMIS-  
14 SIONER OF MOTOR VEHICLES SHALL HAVE RECEIVED PRIOR TO PLATE DESIGN,  
15 PRODUCTION AND ISSUANCE AT LEAST TWO HUNDRED ORDERS FOR SUCH DISTINCTIVE  
16 PLATE TOGETHER WITH THE ADDITIONAL ANNUAL SERVICE CHARGE APPLICABLE TO  
17 EACH SUCH ORDER, WHICH SHALL BE NON-REFUNDABLE, NO SUCH SURETY BOND  
18 SHALL BE REQUIRED. ALL SERVICE CHARGES COLLECTED PURSUANT TO THIS  
19 SECTION SHALL BE DEPOSITED PURSUANT TO THE PROVISIONS OF SECTION 404-OO  
20 OF THE VEHICLE AND TRAFFIC LAW TO THE CREDIT OF THE DEPARTMENT OF MOTOR  
21 VEHICLES DISTINCTIVE PLATE DEVELOPMENT FUND ESTABLISHED BY SECTION 95-G  
22 OF THE STATE FINANCE LAW AND SHALL BE USED FOR THE DESIGN, PRODUCTION,  
23 ADVERTISING AND DISTRIBUTION OF DISTINCTIVE LICENSE PLATES IN ACCORDANCE  
24 WITH SUCH SECTION 95-G.

25 2. IF, UPON THE EXPIRATION OF TWO YEARS FOLLOWING THE DATE UPON WHICH  
26 DISTINCTIVE PLATES IN THE SERIES ARE FIRST AVAILABLE FOR SALE TWO  
27 HUNDRED OR MORE SETS OF SUCH PLATES ARE SOLD, A BOND DELIVERED PURSUANT  
28 TO THIS SECTION SHALL BE DISCONTINUED. IF FEWER THAN TWO HUNDRED SETS OF  
29 SUCH PLATES ARE SOLD BY SUCH TIME, THE DEPARTMENT OF MOTOR VEHICLES  
30 SHALL BE ENTITLED TO RECOVER AGAINST THE BOND IN AN AMOUNT PROPORTIONATE  
31 TO SUCH SHORTFALL.

32 S 3. Section 3 of a chapter of the laws of 2016, amending the vehicle  
33 and traffic law and other laws relating to authorizing the issuance of  
34 license plates bearing the words "Cure Childhood Cancer", as proposed in  
35 legislative bills numbers S. 1485-A and A. 1683-A, is amended to read as  
36 follows:

37 S [3] 4. This act shall take effect IMMEDIATELY; PROVIDED, HOWEVER,  
38 THAT SECTIONS ONE AND TWO OF THIS ACT SHALL TAKE EFFECT on the one  
39 hundred eightieth day after it shall have become a law; provided[,  
40 however,] FURTHER, that effective immediately, the addition, amendment  
41 and/or repeal of any rule or regulation necessary for the implementation  
42 of this act on its effective date are authorized and directed to be made  
43 and completed on or before such effective date.

44 S 4. This act shall take effect immediately; provided, however,  
45 sections one and two of this act shall take effect on the same date and  
46 in the same manner as a chapter of the laws of 2016, amending the vehi-  
47 cle and traffic law and other laws relating to authorizing the issuance  
48 of license plates bearing the words "Cure Childhood Cancer", as proposed  
49 in legislative bills numbers S. 1485-A and A. 1683-A, takes effect.