

STATE OF NEW YORK

2508

2017-2018 Regular Sessions

IN SENATE

January 13, 2017

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

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:

1 Section 1. The vehicle and traffic law is amended by adding a new
2 section 404-y to read as follows:

3 § 404-y. Distinctive plates for the Drug Abuse Resistance Education
4 (D.A.R.E.) program. 1. Any person residing in this state shall, upon
5 request, be issued a distinctive Drug Abuse Resistance Education
6 (D.A.R.E.) program license plate. The design of such distinctive plate
7 shall be developed by the commissioner in consultation with the super-
8 intendent of state police.

9 2. A distinctive plate issued pursuant to this section shall be issued
10 in the same manner as other number plates upon the payment of the regu-
11 lar registration fee prescribed by section four hundred one of this
12 article; provided, however, that an additional annual service charge of
13 twenty-five dollars shall be charged for such plate. Such annual
14 service charge shall be deposited pursuant to the provisions of section
15 four hundred four-oo of this article to the credit of the department of
16 motor vehicles distinctive plate development fund established by section
17 ninety-five-g of the state finance law and shall be used for the
18 production, design, advertising and marketing of distinctive license
19 plates pursuant to section ninety-five-g of the state finance law;
20 provided, however, that annual service charges collected in excess of
21 six thousand dollars shall be deposited to the credit of the Drug Abuse
22 Resistance Education (D.A.R.E.) fund established pursuant to section
23 ninety-seven-pppp of the state finance law and shall be used for public
24 education and outreach costs related to drug abuse resistance education

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

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1 pursuant to section ninety-seven-pppp of the state finance law;
2 provided, however, that one year after the effective date of this
3 section, funds up to a maximum of six thousand dollars, or so much ther-
4 eof as may be available, shall be allocated from such fund to the
5 department to offset costs associated with the production of such
6 license plate.

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

9 § 97-pppp. Drug Abuse Resistance Education (D.A.R.E.) fund. 1. There
10 is hereby established in the joint custody of the state comptroller and
11 the commissioner of taxation and finance a special revenue fund to be
12 known as the Drug Abuse Resistance Education (D.A.R.E.) fund.

13 2. The Drug Abuse Resistance Education (D.A.R.E.) fund shall consist
14 of moneys received by the state pursuant to section four hundred four-y
15 of the vehicle and traffic law, moneys donated or given to the state,
16 and all other moneys appropriated, credited or transferred thereto from
17 any other fund or source.

18 3. Moneys of the Drug Abuse Resistance Education (D.A.R.E.) fund,
19 shall be made available to the superintendent of state police for public
20 education and outreach program costs related to drug abuse resistance
21 education.

22 § 3. 1. A distinctive plate established pursuant to section 404-y of
23 the vehicle and traffic law as added by section one of this act shall
24 only be designed, produced and issued upon the delivery to the depart-
25 ment of motor vehicles of a surety bond in the amount of six thousand
26 dollars, which shall be executed by a surety company authorized by the
27 department of financial services to transact business in this state.
28 Provided, however, that if the commissioner of motor vehicles shall have
29 received prior to plate design, production and issuance at least two
30 hundred orders for such distinctive plate together with the additional
31 annual service charge applicable to each such order, which shall be
32 non-refundable, no such surety bond shall be required. All such service
33 charges shall be deposited pursuant to the provisions of section 404-oo
34 of the vehicle and traffic law to the credit of the department of motor
35 vehicles distinctive plate development fund established by section 95-g
36 of the state finance law and shall be used for the design, production,
37 advertising and distribution of distinctive license plates in accordance
38 with such section 95-g.

39 2. If, upon the expiration of two years following the date upon which
40 distinctive plates in the series are first available for sale two
41 hundred or more sets of such plates are sold, a bond delivered pursuant
42 to this section shall be discontinued. If fewer than two hundred sets of
43 such plates are sold by such time, the department of motor vehicles
44 shall be entitled to recover against the bond in an amount proportionate
45 to such shortfall.

46 § 4. This act shall take effect immediately; provided, however, that
47 section one of this act shall take effect on the one hundred eightieth
48 day after it shall have become a law; provided further, however, that
49 effective immediately, the addition, amendment and/or repeal of any rule
50 or regulation necessary for the implementation of this act on its effec-
51 tive date is authorized and directed to be made and completed on or
52 before such effective date.