STATE OF NEW YORK

1122

2017-2018 Regular Sessions

IN ASSEMBLY

January 10, 2017

Introduced by M. of A. PRETLOW -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to authorizing distinctive license plates for New York state licensed mental health counselors

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-y to read as follows:

§ 404-y. Distinctive plates for New York state licensed mental health counselors. 1. Any New York state licensed mental health counselor residing in this state shall, upon request, be issued a license plate formatted at the discretion of the department bearing the letters "MHC". If a distinctive plate is issued to a New York state licensed mental health counselor pursuant to this section, such distinctive plate shall not be issued to the spouse of such person unless such spouse is a mental health counselor as well. Application for such license shall be filed with the commissioner in such form and detail as the commissioner shall prescribe, and shall be verified annually by the applicant.

2. The distinctive plate authorized in subdivision one of this section shall be issued upon proof, satisfactory to the commissioner, that the applicant is presently a mental health counselor licensed to practice in the state of New York and shall be issued in the same manner as other number plates upon payment of the regular registration fee prescribed by section four hundred one of this article; provided, however, that an additional service charge of twenty-five dollars shall be charged for such plate on an annual basis.

3. The commissioner may set an additional fee, not to exceed fifteen dollars, to the annual service charge, established in subdivision two of this section, and such fee shall be deposited to the credit of the department of motor vehicles distinctive plate development fund estab-

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

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lished by section ninety-five-g of the state finance law. Such fee shall be used for the production, design, advertising and marketing of distinctive license plates pursuant to such section ninety-five-g.

§ 2. 1. A distinctive plate established pursuant to section 404-y of the vehicle and traffic law as added by section one of the chapter of laws of 2017 enacting this section shall only be designed, produced and issued upon the delivery to the department 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 shall have received prior to the 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 four hundred four-oo of article fourteen of the vehicle and traffic law 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 design, production, advertising and distribution of distinctive license plates in accordance with such section ninety-five-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 shall be entitled to recover against the bond in an amount proportionate to such shortfall.

§ 3. This act shall take effect on the one hundred eightieth day after it shall become a law; provided, however, that section two of this act shall take effect immediately; 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.