STATE OF NEW YORK

219--A

2017-2018 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 4, 2017

Introduced by M. of A. SANTABARBARA -- read once and referred to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Assembly Rule 3, sec. 2 -- 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 the issuance of a distinctive license plate for members of the New York state Elks association of the benevolent and protective order of the Elks

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-z to read as follows:

§ 404-z. Distinctive "Elks Association" license plates. 1. Any member of the New York state Elks association of the benevolent and protective order of the Elks residing in this state shall, upon request, be issued a license plate bearing the words "Elks Association". Application for said license plate 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 this section shall be issued upon proof, satisfactory to the commissioner, that the applicant is presently an active member of the New York state Elks association of the benevolent and protective order of the Elks.

3. A distinctive plate issued pursuant to this section 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 annual service charge of twenty-five dollars shall be charged for such plate.

§ 2. 1. A distinctive plate established pursuant to section 404-z of the vehicle and traffic law shall only be designed, produced and issued

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

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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 service charges collected pursuant to this section 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.

§ 3. 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. 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 to be made and completed on or before such effective date.