

# STATE OF NEW YORK

361

2017-2018 Regular Sessions

## IN ASSEMBLY

January 5, 2017

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

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]~~

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

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1 3. Each twenty-five dollars received as the annual service charge  
 2 under this section shall be deposited to the credit of the "cure child-  
 3 hood cancer research fund" established pursuant to section ninety-nine-z  
 4 of the state finance law and shall be used for research programs under-  
 5 taken pursuant to section ninety-nine-z of the state finance law.

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

11 § 3. 1. A distinctive plate established pursuant to section 404-cc of  
 12 the vehicle and traffic law shall only be designed, produced and issued  
 13 upon the delivery to the department of motor vehicles of a surety bond  
 14 in the amount of six thousand dollars, which shall be executed by a  
 15 surety company authorized by the department of financial services to  
 16 transact business in this state. Provided, however, that if the commis-  
 17 sioner of motor vehicles shall have received prior to plate design,  
 18 production and issuance at least two hundred orders for such distinctive  
 19 plate together with the additional annual service charge applicable to  
 20 each such order, which shall be non-refundable, no such surety bond  
 21 shall be required. All service charges collected pursuant to this  
 22 section shall be deposited pursuant to the provisions of section 404-oo  
 23 of the vehicle and traffic law to the credit of the department of motor  
 24 vehicles distinctive plate development fund established by section 95-g  
 25 of the state finance law and shall be used for the design, production,  
 26 advertising and distribution of distinctive license plates in accordance  
 27 with such section 95-g.

28 2. If, upon the expiration of two years following the date upon which  
 29 distinctive plates in the series are first available for sale two  
 30 hundred or more sets of such plates are sold, a bond delivered pursuant  
 31 to this section shall be discontinued. If fewer than two hundred sets of  
 32 such plates are sold by such time, the department of motor vehicles  
 33 shall be entitled to recover against the bond in an amount proportionate  
 34 to such shortfall.

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

40 § [3] 4. This act shall take effect immediately; provided, however,  
 41 that sections one and two of this act shall take effect on the one  
 42 hundred eightieth day after it shall have become a law; provided[  
 43 ~~however,~~] further, that effective immediately, the addition, amendment  
 44 and/or repeal of any rule or regulation necessary for the implementation  
 45 of this act on its effective date are authorized and directed to be made  
 46 and completed on or before such effective date.

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