

STATE OF NEW YORK

4635

2017-2018 Regular Sessions

IN ASSEMBLY

February 3, 2017

Introduced by M. of A. BLANKENBUSH, GIGLIO, ERRIGO, D'URSO, CASTORINA --
read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to creating
distinctive license plates for the United States army 10th mountain
division

The People of the State of New York, represented in Senate and Assem-
bly, 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 United States army 10th mountain
4 division. 1. a. Any member of the United States army 10th mountain divi-
5 sion residing in this state, shall, upon request, be issued a license
6 plate bearing the 10th mountain division insignia and the words "Member
7 of the United States Army 10th Mountain Division". Application for such
8 license plate shall be filed with the commissioner in such form and
9 detail as the commissioner shall prescribe, and shall be verified annu-
10 ally by the applicant. No license plate shall be issued to an applicant
11 without verification that such applicant is a member of the 10th moun-
12 tain division of the United States army.

13 b. Any person residing in this state, shall, upon request, be issued a
14 license plate bearing the 10th mountain division insignia and the words
15 "Supporter of the United States Army 10th Mountain Division". Applica-
16 tion for such license plate shall be filed with the commissioner in such
17 form and detail as the commissioner shall prescribe, and shall be veri-
18 fied annually by the applicant.

19 2. A distinctive plate issued pursuant to this section shall be issued
20 in the same manner as such other number plates upon the payment of the
21 regular registration fee prescribed by section four hundred one of this
22 article, provided, however, that an additional annual service charge of
23 twenty dollars shall be charged for such plate. Such annual service
24 charge shall be deposited pursuant to the provisions of section four

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

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1 hundred four-oo of this article to the credit of the department of motor
2 vehicles distinctive plate development fund established by section nine-
3 ty-five-g of the state finance law and shall be used for the production,
4 design, advertising and marketing of distinctive license plates pursuant
5 to such section ninety-five-g provided, however, that annual service
6 charges collected in excess of twenty-five hundred dollars shall be paid
7 by the state comptroller to the tenth mountain division foundation for
8 their scholarship program.

9 § 2. 1. A distinctive plate established pursuant to section 404-y of
10 the vehicle and traffic law shall only be designed, produced and issued
11 upon the delivery to the department of motor vehicles of a surety bond
12 in the amount of six thousand dollars, which shall be executed by a
13 surety company authorized by the department of financial services to
14 transact business in this state. Provided, however, that if the commis-
15 sioner of motor vehicles shall have received prior to plate design,
16 production and issuance at least two hundred orders for such distinctive
17 plate together with the additional annual service charge applicable to
18 each such order, which shall be non-refundable, no such surety bond
19 shall be required. All service charges collected pursuant to this
20 section shall be deposited pursuant to the provisions of section 404-oo
21 of the vehicle and traffic law to the credit of the department of motor
22 vehicles distinctive plate development fund established by section 95-g
23 of the state finance law and shall be used for the design, production,
24 advertising and distribution of distinctive license plates in accordance
25 with such section 95-g.

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

33 § 3. This act shall take effect immediately; provided, however, that
34 section one of this act shall take effect on the one hundred eightieth
35 day after it shall have become a law; and provided further, that effec-
36 tive immediately, the addition, amendment and/or repeal of any rule or
37 regulation necessary for the implementation of this act on its effective
38 date are authorized and directed to be made and completed on or before
39 such effective date.