

# STATE OF NEW YORK

S. 6072

A. 7715

2017-2018 Regular Sessions

## SENATE - ASSEMBLY

May 10, 2017

IN SENATE -- Introduced by Sens. LAVALLE, GALLIVAN, GOLDEN, LARKIN, RANZENHOFER -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

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

AN ACT to amend the vehicle and traffic law and the state finance law, in relation to creating the "September eleventh, two thousand one remembrance" distinctive license plate 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-dd to read as follows:

3 § 404-dd. Distinctive "September eleventh, two thousand one remem-  
4 brance" license plates. 1. Any person residing in this state shall, upon  
5 request, be issued a distinctive "September eleventh, two thousand one  
6 remembrance" license plate. Application for such license plate shall be  
7 filed with the commissioner in such form and detail as the commissioner  
8 shall prescribe.

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 plates. 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 such section ninety-five-g; provided, however, that  
20 annual service charges collected in excess of six thousand dollars shall

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

LBD07167-02-7

1 be deposited to the credit of "The September eleventh, two thousand one  
2 scholarship fund" established pursuant to section ninety-six of the  
3 state finance law and shall be used for higher education of victims who  
4 lost an immediate family member as a result of the September eleventh,  
5 two thousand one terrorist attacks in New York, pursuant to section  
6 ninety-six of the state finance law.

7 § 2. The state finance law is amended by adding a new section 96 to  
8 read as follows:

9 § 96. The September eleventh, two thousand one scholarship fund. 1.  
10 There is hereby established, in the joint custody of the commissioner of  
11 taxation and finance and the comptroller, a special fund to be known as  
12 the September eleventh, two thousand one scholarship fund.

13 2. Such fund shall consist of all revenues received pursuant to the  
14 provisions of section four hundred four-dd of the vehicle and traffic  
15 law and all other moneys appropriated, credited, or transferred thereto  
16 from any other fund or source pursuant to law. Nothing contained in this  
17 section shall prevent the state from receiving grants, gifts, or  
18 bequests for the purposes of the fund, as defined in this section, and  
19 depositing them into the fund according to law.

20 3. Monies of the fund shall be expended only for higher education of  
21 victims who lost an immediate family member as a result of the September  
22 eleventh, two thousand one terrorist attacks in New York.

23 4. Monies shall be payable from the fund on the audit and warrant of  
24 the comptroller on vouchers approved and certified by the commissioner  
25 of education.

26 5. To the extent possible, the commissioner of education shall ensure  
27 that all monies received during a fiscal year are expended prior to the  
28 end of that fiscal year.

29 § 3. 1. A distinctive plate established pursuant to section 404-dd of  
30 the vehicle and traffic law shall only be designed, produced and issued  
31 upon the delivery to the department of motor vehicles of a surety bond  
32 in the amount of \$6,000, which shall be executed by a surety company  
33 authorized by the department of financial services to transact business  
34 in this state. Provided, however, that if the commissioner of motor  
35 vehicles shall have received prior to plate design, production and issu-  
36 ance at least 200 orders for such distinctive plate together with the  
37 additional annual service charge applicable to each such order, which  
38 shall be non-refundable, no such surety bond shall be required. All  
39 service charges collected pursuant to this section shall be deposited  
40 pursuant to the provisions of section 404-oo of the vehicle and traffic  
41 law to the credit of the department of motor vehicles distinctive plate  
42 development fund established by section 95-g of the state finance law  
43 and shall be used for the design, production, advertising and distrib-  
44 ution of distinctive license plates in accordance with such section  
45 95-g.

46 2. If, upon the expiration of two years following the date upon which  
47 distinctive plates in the series are first available for sale, 200 or  
48 more sets of such plates are sold, a bond delivered pursuant to this  
49 section shall be discontinued. If fewer than 200 sets of such plates are  
50 sold by such time, the department of motor vehicle shall be entitled to  
51 recover against the bond in an amount proportionate to such shortfall.

52 § 4. This act shall take effect on the one hundred eightieth day after  
53 it shall have become a law.