

# STATE OF NEW YORK

828--A

2017-2018 Regular Sessions

## IN ASSEMBLY

January 9, 2017

Introduced by M. of A. GUNTHER, BENEDETTO, SCHIMMINGER, DenDEKKER, GALEF, HOOPER, JAFFEE, COLTON, BARRETT, MONTESANO, RAIA, WALTER, LUPINACCI -- Multi-Sponsored by -- M. of A. BARCLAY, BLANKENBUSH, COOK, CROUCH, FINCH, HAWLEY, KOLB, McDONOUGH, McLAUGHLIN, MOSLEY, RIVERA, THIELE, TITONE -- read once and referred to the Committee on Transportation -- 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 establishing distinctive "Pink Ribbon" plates; and to amend the state finance law, in relation to establishing the "breast cancer education and support fund"

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 "Pink Ribbon" license plates. 1. Any person residing in this state shall, upon request, be issued a distinctive "Pink Ribbon" license plate of a design approved by the commissioner. Application for said license plate shall be filed with the form and detail as the commissioner shall prescribe.

2. A distinctive plate issued pursuant to this section shall be issued in the same manner as other number plates upon the 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. Such additional service charge shall be deposited pursuant to section four hundred four-oo of this article 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 production, design, advertising and marketing of distinctive number plates; provided, however, that additional annual service charges collected in excess of six

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

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1 thousand dollars shall be deposited to the credit of the breast cancer  
2 education and support fund established pursuant to section ninety-five-i  
3 of the state finance law.

4 § 2. The state finance law is amended by adding a new section 95-i to  
5 read as follows:

6 § 95-i. Breast cancer education and support fund. 1. There is hereby  
7 established in the joint custody of the commissioner of taxation and  
8 finance and the comptroller, a special fund to be known as the "breast  
9 cancer education and support fund".

10 2. Such fund shall consist of all moneys collected pursuant to section  
11 four hundred four-y of the vehicle and traffic law, and all other moneys  
12 appropriated, credited or transferred thereto from any other fund or  
13 source pursuant to law.

14 3. Moneys of the fund shall be expended by the department for breast  
15 cancer education and support projects and grants to community-based  
16 organizations pursuant to section twenty-four hundred six-a of the  
17 public health law.

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

35 2. If, upon the expiration of two years following the date upon which  
36 distinctive plates in the series are first available for sale two  
37 hundred or more sets of such plates are sold, a bond delivered pursuant  
38 to this section shall be discontinued. If fewer than two hundred sets of  
39 such plates are sold by such time, the department of motor vehicles  
40 shall be entitled to recover against the bond an amount proportionate to  
41 such shortfall.

42 § 4. This act shall take effect on the one hundred eightieth day after  
43 it shall have become a law; provided, however, that section three of  
44 this act shall take effect immediately; provided further, however, that  
45 effective immediately, the addition, amendment and/or repeal of any rule  
46 or regulation necessary for the implementation of this act on its effec-  
47 tive date are authorized and directed to be made and completed on or  
48 before such effective date.