

STATE OF NEW YORK

S. 6072--A

A. 7715--A

2017-2018 Regular Sessions

SENATE - ASSEMBLY

May 10, 2017

IN SENATE -- Introduced by Sens. LAVALLE, GALLIVAN, GOLDEN, LARKIN, PHILLIPS, RANZENHOFER -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

IN ASSEMBLY -- Introduced by M. of A. THIELE -- 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 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-ee to read as follows:

3 § 404-ee. 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

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

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1 service charge shall be deposited pursuant to the provisions of section
2 four hundred four-oo of this article, to the credit of the department of
3 motor vehicles distinctive plate development fund established by section
4 ninety-five-g of the state finance law, and shall be used for the
5 production, design, advertising and marketing of distinctive license
6 plates pursuant to such section ninety-five-g; provided, however, that
7 annual service charges collected in excess of six thousand dollars shall
8 be deposited to the credit of "The September eleventh, two thousand one
9 scholarship fund" established pursuant to section ninety-six of the
10 state finance law and shall be used for higher education of victims who
11 lost an immediate family member as a result of the September eleventh,
12 two thousand one terrorist attacks in New York, pursuant to section
13 ninety-six of the state finance law.

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

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

20 2. Such fund shall consist of all revenues received pursuant to the
21 provisions of section four hundred four-ee of the vehicle and traffic
22 law and all other moneys appropriated, credited, or transferred thereto
23 from any other fund or source pursuant to law. Nothing contained in this
24 section shall prevent the state from receiving grants, gifts, or
25 bequests for the purposes of the fund, as defined in this section, and
26 depositing them into the fund according to law.

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

30 4. Monies shall be payable from the fund on the audit and warrant of
31 the comptroller on vouchers approved and certified by the commissioner
32 of education.

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

36 § 3. 1. A distinctive plate established pursuant to section 404-ee of
37 the vehicle and traffic law shall only be designed, produced and issued
38 upon the delivery to the department of motor vehicles of a surety bond
39 in the amount of \$6,000, which shall be executed by a surety company
40 authorized by the department of financial services to transact business
41 in this state. Provided, however, that if the commissioner of motor
42 vehicles shall have received prior to plate design, production and iss-
43 uance at least 200 orders for such distinctive plate together with the
44 additional annual service charge applicable to each such order, which
45 shall be non-refundable, no such surety bond shall be required. All
46 service charges collected pursuant to this section shall be deposited
47 pursuant to the provisions of section 404-oo of the vehicle and traffic
48 law to the credit of the department of motor vehicles distinctive plate
49 development fund established by section 95-g of the state finance law
50 and shall be used for the design, production, advertising and distrib-
51 ution of distinctive license plates in accordance with such section
52 95-g.

53 2. If, upon the expiration of two years following the date upon which
54 distinctive plates in the series are first available for sale, 200 or
55 more sets of such plates are sold, a bond delivered pursuant to this
56 section shall be discontinued. If fewer than 200 sets of such plates are

1 sold by such time, the department of motor vehicle shall be entitled to
2 recover against the bond in an amount proportionate to such shortfall.
3 § 4. This act shall take effect on the one hundred eightieth day after
4 it shall have become a law.