

STATE OF NEW YORK

860--A

Cal. No. 535

2017-2018 Regular Sessions

IN SENATE

January 5, 2017

Introduced by Sen. RITCHIE -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- reported favorably from said committee, ordered to first and second report, amended on second report, ordered to a third reading, and to be reprinted as amended, retaining its place in the order of third reading

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 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 plates for the United States army 10th mountain division. 1. a. Any member of the United States army 10th mountain division residing in this state, shall, upon request, be issued a license plate bearing the 10th mountain division insignia and the words "Member of the United States Army 10th Mountain Division". Application for such license plate shall be filed with the commissioner in such form and detail as the commissioner shall prescribe. No license plate shall be issued to an applicant without verification that such applicant is a member of the 10th mountain division of the United States army.

b. Any person residing in this state, shall, upon request, be issued a license plate bearing the 10th mountain division insignia and the words "Supporter of the United States Army 10th Mountain Division". Application for such license plate shall be filed with the commissioner in such form and detail as the commissioner shall prescribe.

c. Any veteran of the United States army 10th mountain division residing in this state, shall, upon request, be issued a license plate bearing the 10th mountain division insignia and the words "Veteran of the United States Army 10th Mountain Division". Application for such license

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

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1 plate shall be filed with the commissioner in such form and detail as
2 the commissioner shall prescribe. No license plate shall be issued to
3 an applicant without verification that such applicant owns a registered
4 motor vehicle pursuant to section four hundred one of this article.

5 2. A distinctive plate issued pursuant to this section shall be issued
6 in the same manner as such other number plates upon the payment of the
7 regular registration fee prescribed by section four hundred one of this
8 article, provided, however, that an additional annual service charge of
9 twenty dollars shall be charged for such plate. Such annual service
10 charge shall be deposited pursuant to the provisions of section four
11 hundred four-oo of this article to the credit of the department of motor
12 vehicles distinctive plate development fund established by section nine-
13 ty-five-g of the state finance law and shall be used for the production,
14 design, advertising and marketing of distinctive license plates pursuant
15 to such section ninety-five-g provided, however, that annual service
16 charges collected in excess of twenty-five hundred dollars shall be paid
17 by the state comptroller to the tenth mountain division foundation for
18 their scholarship program.

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

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

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