

# STATE OF NEW YORK

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860--B

Cal. No. 535

2017-2018 Regular Sessions

## IN SENATE

January 5, 2017

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Introduced by Sens. RITCHIE, CROCI -- 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 -- recommitted to the Committee on Transportation in accordance with Senate Rule 6, sec. 8 -- 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 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:

1 Section 1. The vehicle and traffic law is amended by adding a new  
2 section 404-z to read as follows:

3 § 404-z. 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. No license plate shall be  
10 issued to an applicant without verification that such applicant is a  
11 member of the 10th mountain division of the United States army.

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

17 c. Any veteran of the United States army 10th mountain division resid-  
18 ing in this state, shall, upon request, be issued a license plate bear-

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

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1 ing the 10th mountain division insignia and the words "Veteran of the  
2 United States Army 10th Mountain Division". Application for such license  
3 plate shall be filed with the commissioner in such form and detail as  
4 the commissioner shall prescribe. No license plate shall be issued to  
5 an applicant without verification that such applicant owns a registered  
6 motor vehicle pursuant to section four hundred one of this article.

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

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

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

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