STATE OF NEW YORK

1276

2019-2020 Regular Sessions

IN ASSEMBLY

January 14, 2019

Introduced by M. of A. CUSICK, ABBATE, BENEDETTO, COLTON, ENGLEBRIGHT, SCHIMMINGER, RA -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to authorizing the issuance of distinctive license plates for family members of paid professional firefighters who died in the line-of-duty

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-ff to read as follows:

§ 404-ff. Distinctive license plates for family members of paid professional firefighters who died in the line-of-duty. 1. For purposes of this section, "family members of a paid professional firefighter who died in the line-of-duty" shall mean a spouse, registered domestic partner, parent, sibling or child of a paid professional firefighter who died in the course of his or her employment or performance of duties as a firefighter.

2. Any family member of a paid professional firefighter who died in the line-of-duty and who resides in this state shall, upon request, be issued a distinctive license plate bearing the words "Survivor of the Bravest" of a design approved by the commissioner. Application for such license plate shall be filed with the commissioner in such form and detail as the commissioner shall prescribe and shall be verified annually by the applicant.

3. A distinctive plate authorized pursuant to subdivision two of this section shall be issued upon proof, satisfactory to the commissioner, that the applicant is a family member of a paid professional firefighter who died in the line-of-duty.

4. A distinctive plate issued pursuant to this section shall be issued in the same manner as other number plates upon payment of the regular registration fee prescribed by section four hundred one of this article,

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

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provided, however, that an additional annual service charge of twenty-five dollars shall be charged for such plate. Such annual service charge shall be deposited pursuant to the provisions of 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 license plates pursuant to such section ninety-five-g.

§ 2. 1. A distinctive plate established pursuant to section 404-ff of the vehicle and traffic law as added by section one of this act shall only be designed, produced and issued upon the delivery to the department of motor vehicles of a surety bond in the amount of six thousand dollars, which shall be executed by a surety company authorized by the department of financial services to transact business in this state. Provided, however, that if the commissioner of motor vehicles shall have received prior to plate design, production and issuance at least two hundred orders for such distinctive plate together with the additional annual service charge applicable to each such order, which shall be non-refundable, no such surety bond shall be required. All service charges collected pursuant to this section shall be deposited pursuant to the provisions of section 404-oo of the vehicle and traffic law to the credit of the department of motor vehicles distinctive plate development fund established by section 95-g of the state finance law and shall be used for the design, production, advertising and distribution of distinctive license plates in accordance with such section 95-g.

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

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