

# STATE OF NEW YORK

3492

2019-2020 Regular Sessions

## IN ASSEMBLY

January 29, 2019

Introduced by M. of A. PRETLOW -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to authorizing distinctive license plates for New York state licensed mental health counselors

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-ff to read as follows:

3 § 404-ff. Distinctive plates for New York state licensed mental health  
4 counselors. 1. Any New York state licensed mental health counselor  
5 residing in this state shall, upon request, be issued a license plate  
6 formatted at the discretion of the department bearing the letters "MHC".  
7 If a distinctive plate is issued to a New York state licensed mental  
8 health counselor pursuant to this section, such distinctive plate shall  
9 not be issued to the spouse of such person unless such spouse is a  
10 mental health counselor as well. Application for such license shall be  
11 filed with the commissioner in such form and detail as the commissioner  
12 shall prescribe, and shall be verified annually by the applicant.

13 2. The distinctive plate authorized in subdivision one of this section  
14 shall be issued upon proof, satisfactory to the commissioner, that the  
15 applicant is presently a mental health counselor licensed to practice in  
16 the state of New York and shall be issued in the same manner as other  
17 number plates upon payment of the regular registration fee prescribed by  
18 section four hundred one of this article; provided, however, that an  
19 additional service charge of twenty-five dollars shall be charged for  
20 such plate on an annual basis.

21 3. The commissioner may set an additional fee, not to exceed fifteen  
22 dollars, to the annual service charge, established in subdivision two of  
23 this section, and such fee shall be deposited to the credit of the  
24 department of motor vehicles distinctive plate development fund estab-

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

LBD04661-01-9

1 lished by section ninety-five-g of the state finance law. Such fee shall  
2 be used for the production, design, advertising and marketing of  
3 distinctive license plates pursuant to such section ninety-five-g.

4 § 2. 1. A distinctive plate established pursuant to section 404-ff of  
5 the vehicle and traffic law, as added by section one of this act, shall  
6 only be designed, produced and issued upon the delivery to the depart-  
7 ment of motor vehicles of a surety bond in the amount of six thousand  
8 dollars, which shall be executed by a surety company authorized by the  
9 department of financial services to transact business in this state.  
10 Provided, however, that if the commissioner of motor vehicles shall have  
11 received prior to the plate design, production and issuance at least two  
12 hundred orders for such distinctive plate together with the additional  
13 annual service charge applicable to each such order, which shall be  
14 non-refundable, no such surety bond shall be required. All such service  
15 charges shall be deposited pursuant to the provisions of section four  
16 hundred four-oo of article fourteen of the vehicle and traffic law to  
17 the credit of the department of motor vehicles distinctive plate devel-  
18 opment fund established by section ninety-five-g of the state finance  
19 law and shall be used for the design, production, advertising and  
20 distribution of distinctive license plates in accordance with such  
21 section ninety-five-g.

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

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