STATE OF NEW YORK

4418

2019-2020 Regular Sessions

IN ASSEMBLY

February 4, 2019

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

AN ACT to amend the vehicle and traffic law, in relation to the issuance of specialty plates for Clean Pass vehicles

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 plates for Clean Pass vehicles. 1. Any person residing in this state shall, upon request, be issued a distinctive plate bearing the words "Clean Pass Vehicle". Application for such plates shall be filed with the commissioner in such form and detail as the commissioner shall prescribe.

2. The distinctive plate authorized herein shall be issued upon proof, satisfactory to the commissioner, that the vehicle is eligible for certification as a clean pass vehicle.

3. 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, provided, however, that an additional one-time service charge of ten dollars shall be charged for such plate.

4. For the purposes of this section, "Clean Pass Vehicle" shall mean a vehicle designated as such by the department of environmental conservation, the department of transportation or the department of motor vehicles for the purpose of eligibility to use certain high occupancy vehicle lanes pursuant to the clean pass program.

§ 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

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

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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 one-time 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, the department of motor vehicles 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. 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 to be made and completed on or before such effective date.