

# STATE OF NEW YORK

3633

2019-2020 Regular Sessions

## IN ASSEMBLY

January 29, 2019

Introduced by M. of A. GUNTHER, BENEDETTO, SCHIMMINGER, DenDEKKER, GALEF, JAFFEE, COLTON, BARRETT, MONTESANO, RAIA -- Multi-Sponsored by -- M. of A. BARCLAY, BLANKENBUSH, COOK, CROUCH, FINCH, HAWLEY, KOLB, McDONOUGH, MOSLEY, RIVERA, THIELE -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to establishing distinctive "Pink Ribbon" plates; and to amend the state finance law, in relation to establishing the "breast cancer education and support fund"

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 "Pink Ribbon" license plates. 1. Any person  
4 residing in this state shall, upon request, be issued a distinctive  
5 "Pink Ribbon" license plate of a design approved by the commissioner.  
6 Application for said license plate shall be filed with the form and  
7 detail as the commissioner shall prescribe.

8 2. A distinctive plate issued pursuant to this section shall be issued  
9 in the same manner as other number plates upon the payment of the regu-  
10 lar registration fee prescribed by section four hundred one of this  
11 article, provided, however, that an additional annual service charge of  
12 twenty-five dollars shall be charged for such plate. Such additional  
13 service charge shall be deposited pursuant to section four hundred four-  
14 oo of this article to the credit of the department of motor vehicles  
15 distinctive plate development fund, established by section ninety-five-g  
16 of the state finance law, and shall be used for the production, design,  
17 advertising and marketing of distinctive number plates; provided, howev-  
18 er, that additional annual service charges collected in excess of six  
19 thousand dollars shall be deposited to the credit of the breast cancer

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

LBD01096-01-9

1 education and support fund established pursuant to section ninety-five-j  
2 of the state finance law.

3 § 2. The state finance law is amended by adding a new section 95-j to  
4 read as follows:

5 § 95-j. Breast cancer education and support fund. 1. There is hereby  
6 established in the joint custody of the commissioner of taxation and  
7 finance and the comptroller, a special fund to be known as the "breast  
8 cancer education and support fund".

9 2. Such fund shall consist of all moneys collected pursuant to section  
10 four hundred four-ff of the vehicle and traffic law, and all other  
11 moneys appropriated, credited or transferred thereto from any other fund  
12 or source pursuant to law.

13 3. Moneys of the fund shall be expended by the department for breast  
14 cancer education and support projects and grants to community-based  
15 organizations pursuant to section twenty-four hundred six-a of the  
16 public health law.

17 § 3. 1. A distinctive plate established pursuant to section 404-ff of  
18 the vehicle and traffic law as added by section one of this act shall  
19 only be designed, produced and issued upon the delivery to the depart-  
20 ment of motor vehicles of a surety bond in the amount of six thousand  
21 dollars, which shall be executed by a surety company authorized by the  
22 department of financial services to transact business in this state.  
23 Provided, however, that if the commissioner shall have received prior to  
24 the plate design, production and issuance at least two hundred orders  
25 for such distinctive plate together with the additional annual service  
26 charge applicable to each such order, which shall be non-refundable, no  
27 such surety bond shall be required. All such service charges shall be  
28 deposited pursuant to the provisions of section 404-oo of the vehicle  
29 and traffic law to the credit of the department of motor vehicles  
30 distinctive plate development fund established by section 95-g of the  
31 state finance law and shall be used for the design, production, adver-  
32 tising and distribution of distinctive license plates in accordance with  
33 such section 95-g.

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

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