STATE OF NEW YORK

5551

2019-2020 Regular Sessions

IN ASSEMBLY

February 13, 2019

Introduced by M. of A. GALEF, ORTIZ, GUNTHER, D'URSO, RAIA, BRABENEC -- Multi-Sponsored by -- M. of A. HYNDMAN -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to authorizing the commissioner of motor vehicles to establish gift cards for distinctive and special number license plates

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 404-oo of the vehicle and traffic law, as added by chapter 406 of the laws of 2006, is amended to read as follows:

§ 404-oo. Deposit of service charges for distinctive license plates**; issuance of gift cards**. **1.** Notwithstanding any inconsistent provision of this chapter or of any other law, the first six thousand dollars of service charges collected for issuance of distinctive license plates established pursuant to this article on or after the effective date of this section and, unless otherwise specified, any amounts in excess of such six thousand dollars, shall be deposited to the credit of the department of motor vehicles distinctive plate development fund established pursuant to section ninety-five-g of the state finance law and shall be used for the production, design, advertising and distribution of such distinctive license plates established pursuant to this article on or after the effective date of this section.

2. The commissioner shall promulgate rules and regulations establishing gift cards for distinctive and special number license plates. Such gift cards shall be redeemable upon presentation to the commissioner with an application for the issuance or renewal of distinctive and/or special number license plates established pursuant to this article. No fee shall be charged for the issuance of such gift cards, nor shall any fees, including but not limited to service fees and dormancy or inactivity fees, be imposed upon such gift cards. For the purposes of this subdivision, the following terms shall have the following meanings:

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

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"dormancy or inactivity fee" shall mean a fee for non-use of, or inactivity on, a gift card; "gift card" shall mean a card, code or other device issued to a person on a prepaid basis in a specified amount in exchange for payment, and which is redeemable upon presentation to the commissioner with an application for the issuance or renewal of distinctive and/or special number license plates established pursuant to this article; and "service fee" shall mean a periodic fee for holding or using a gift card.

§ 2. This act shall take effect one year after it shall have become a law.