

# STATE OF NEW YORK

8867--A

## IN ASSEMBLY

January 19, 2022

Introduced by M. of A. SIMON, CUSICK, BUTTENSCHON, SAYEGH, RAMOS, CAHILL, GUNTHER, COOK, SMULLEN, GALLAHAN, NORRIS, ASHBY, DeSTEFANO -- read once and referred to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to distinctive YMCA license plates; and to amend the state finance law, in relation to establishing the New York State YMCA foundation 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 YMCA license plates. 1. Any person residing in  
4 this state shall, upon request, be issued a distinctive "YMCA member"  
5 license plate. Application for such license plate shall be filed with  
6 the commissioner in such form and detail as the commissioner shall  
7 prescribe.

8 2. The distinctive plate authorized pursuant to this section shall be  
9 issued upon proof, satisfactory to the commissioner, that the applicant  
10 is a member of the YMCA.

11 3. A distinctive plate issued pursuant to this section shall be issued  
12 in the same manner as other number plates upon the payment of the regu-  
13 lar registration fee prescribed by section four hundred one of this  
14 article; provided, however, that an additional annual service charge of  
15 twenty-five dollars shall be charged for such plates.

16 4. Each twenty-five dollars received as the annual service charge  
17 under this section shall be deposited to the credit of the New York  
18 State YMCA foundation, and shall be used for furtherance of the New York  
19 State YMCA foundation, pursuant to section ninety-five-k of the state  
20 finance law.

21 § 2. The state finance law is amended by adding a new section 95-k to  
22 read as follows:

23 § 95-k. The New York State YMCA foundation fund. 1. There is hereby  
24 established, in the joint custody of the commissioner of taxation and

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

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1 finance and the comptroller, a special fund to be known as the New York  
2 State YMCA foundation fund.

3 2. Such fund shall consist of all revenues received pursuant to the  
4 provisions of section four hundred four-ff of the vehicle and traffic  
5 law and all other moneys appropriated, credited, or transferred thereto  
6 from any other fund or source pursuant to law. Nothing contained in this  
7 section shall prevent the state from receiving grants, gifts, or  
8 bequests for the purposes of the fund, as defined in this section, and  
9 depositing them into the fund according to law.

10 3. Monies of the fund shall be expended only for the benefit and  
11 programs of the New York State YMCA foundation.

12 4. Monies shall be payable from the fund on the audit and warrant of  
13 the comptroller on vouchers approved and certified by the commissioner  
14 of taxation and finance.

15 5. To the extent possible, the commissioner of taxation and finance  
16 shall ensure that all monies received during a fiscal year are expended  
17 prior to the end of that fiscal year.

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

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

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