

STATE OF NEW YORK

1538

2023-2024 Regular Sessions

IN ASSEMBLY

January 17, 2023

Introduced by M. of A. BLANKENBUSH, ANGELINO, BRABENEC, BYRNES, DeSTEFA-
NO, DURSO, McDONOUGH, MILLER, SMULLEN, TAGUE -- read once and referred
to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to creating
distinctive license plates for the United States army 10th mountain
division

The People of the State of New York, represented in Senate and Assem-
bly, 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 the United States army 10th mountain
4 division. 1. a. Any member of the United States army 10th mountain divi-
5 sion residing in this state, shall, upon request, be issued a license
6 plate bearing the 10th mountain division insignia and the words "Member
7 of the United States Army 10th Mountain Division". Application for such
8 license plate shall be filed with the commissioner in such form and
9 detail as the commissioner shall prescribe. No license plate shall be
10 issued to an applicant without verification that such applicant is a
11 member of the 10th mountain division of the United States army.

12 b. Any person residing in this state, shall, upon request, be issued a
13 license plate bearing the 10th mountain division insignia and the words
14 "Supporter of the United States Army 10th Mountain Division". Applica-
15 tion for such license plate shall be filed with the commissioner in such
16 form and detail as the commissioner shall prescribe.

17 c. Any veteran of the United States army 10th mountain division resid-
18 ing in this state, shall, upon request, be issued a license plate bear-
19 ing the 10th mountain division insignia and the words "Veteran of the
20 United States Army 10th Mountain Division". Application for such license
21 plate shall be filed with the commissioner in such form and detail as
22 the commissioner shall prescribe. No license plate shall be issued to

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

LBD05144-01-3

1 an applicant without verification that such applicant owns a registered
2 motor vehicle pursuant to section four hundred one of this article.

3 2. A distinctive plate issued pursuant to this section shall be issued
4 in the same manner as such other number plates upon the payment of the
5 regular registration fee prescribed by section four hundred one of this
6 article, provided, however, that an additional annual service charge of
7 twenty dollars shall be charged for such plate. Such annual service
8 charge shall be deposited pursuant to the provisions of section four
9 hundred four-oo of this article to the credit of the department of motor
10 vehicles distinctive plate development fund established by section nine-
11 ty-five-g of the state finance law and shall be used for the production,
12 design, advertising and marketing of distinctive license plates pursuant
13 to such section ninety-five-g provided, however, that annual service
14 charges collected in excess of twenty-five hundred dollars shall be paid
15 by the state comptroller to the northern New York community foundation
16 for their scholarship program.

17 § 2. 1. A distinctive plate established pursuant to section 404-ff of
18 the vehicle and traffic law shall only be designed, produced and issued
19 upon the delivery to the department of motor vehicles of a surety bond
20 in the amount of six thousand dollars, which shall be executed by a
21 surety company authorized by the department of financial services to
22 transact business in this state. Provided, however, that if the commis-
23 sioner of motor vehicles shall have received prior to plate design,
24 production and issuance at least two hundred orders for such distinctive
25 plate together with the additional annual service charge applicable to
26 each such order, which shall be non-refundable, no such surety bond
27 shall be required. All service charges collected pursuant to this
28 section shall be deposited pursuant to the provisions of section 404-oo
29 of the vehicle and traffic law to the credit of the department of motor
30 vehicles distinctive plate development fund established by section 95-g
31 of the state finance law and shall be used for the design, production,
32 advertising and distribution of distinctive license plates in accordance
33 with 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 in an amount proportionate
40 to such shortfall.

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