

# STATE OF NEW YORK

5093

2023-2024 Regular Sessions

## IN ASSEMBLY

March 2, 2023

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

AN ACT to amend the vehicle and traffic law, in relation to establishing distinctive "Long Island Sound" license plates; and to amend the state finance law, in relation to establishing the "Long Island Sound environmental 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 "Long Island Sound" license plates. 1. Any  
4 person residing in this state shall, upon request, be issued a distinc-  
5 tive "Long Island Sound" license plate of a design approved by the  
6 commissioner. Application for said license plate shall be filed in such  
7 form and 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 Long Island  
20 Sound environmental fund established pursuant to section ninety-seven-  
21 zzzz of the state finance law.

22 § 2. The state finance law is amended by adding a new section 97-zzzz  
23 to read as follows:

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

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1 § 97-zzzz. Long Island Sound environmental fund. 1. There is hereby  
2 established in the joint custody of the commissioner of taxation and  
3 finance, the state comptroller and the commissioner of environmental  
4 conservation, a special fund to be known as the "Long Island Sound envi-  
5 ronmental fund".

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

10 3. On or before the first day of February each year, the comptroller  
11 shall certify to the governor, temporary president of the senate, speak-  
12 er of the assembly, chair of the senate finance committee and chair of  
13 the assembly ways and means committee, the amount of money deposited in  
14 the Long Island Sound environmental fund during the preceding calendar  
15 year as a result of the revenue derived pursuant to section four hundred  
16 four-ff of the vehicle and traffic law.

17 4. On or before the first day of February each year, the commissioner  
18 of environmental conservation shall provide a written report to the  
19 temporary president of the senate, speaker of the assembly, chair of the  
20 senate finance committee, chair of the assembly ways and means commit-  
21 tee, chair of the senate committee on environmental conservation, chair  
22 of the assembly environmental conservation committee, the state comp-  
23 troller and the public. Such report shall include how the moneys of the  
24 fund were utilized during the preceding calendar year, and shall  
25 include:

26 (a) the amount of money disbursed from the fund and the award process  
27 used for such disbursements;

28 (b) recipients of awards from the fund;

29 (c) the amount awarded to each;

30 (d) the purposes for which such awards were granted; and

31 (e) a summary financial plan for such moneys which shall include esti-  
32 mates of all receipts and all disbursements for the current and succeed-  
33 ing fiscal years, along with the actual results from the prior fiscal  
34 year.

35 5. Moneys of the fund shall be expended only to not-for-profit corpo-  
36 rations, educational organizations or local governments undertaking  
37 projects aimed at the beautification of and environmental improvements  
38 to the Long Island Sound, including but not limited to, water quality  
39 projects, habitat restoration projects, education, research, improving  
40 public access to the Sound, or recreational opportunities.

41 6. Moneys shall be payable from the fund on the audit and warrant of  
42 the comptroller on vouchers approved and certified by the commissioner  
43 of environmental conservation.

44 7. To the extent practicable, the commissioner of environmental  
45 conservation shall ensure that all moneys received during a fiscal year  
46 are expended prior to the end of such fiscal year.

47 § 3. 1. A distinctive plate established pursuant to section 404-ff of  
48 the vehicle and traffic law, as added by section one of this act, shall  
49 only be designed, produced and issued upon the delivery to the depart-  
50 ment of motor vehicles of a surety bond in the amount of six thousand  
51 dollars, which shall be executed by a surety company authorized by the  
52 department of financial services to transact business in this state.  
53 Provided, however, that if the commissioner of motor vehicles shall have  
54 received prior to the plate design, production and issuance at least two  
55 hundred orders for such distinctive plate together with the additional  
56 annual service charge applicable to each such order, which shall be

1 non-refundable, no such surety bond shall be required. All such service  
2 charges shall be deposited pursuant to the provisions of section 404-oo  
3 of the vehicle and traffic law to the credit of the department of motor  
4 vehicles distinctive plate development fund established by section 95-g  
5 of the state finance law and shall be used for the design, production,  
6 advertising and distribution of distinctive license plates in accordance  
7 with such section 95-g.

8 2. If, upon the expiration of two years following the date upon which  
9 distinctive plates in the series are first available for sale, two  
10 hundred or more sets of such plates are sold, a bond delivered pursuant  
11 to this section shall be discontinued. If fewer than two hundred sets of  
12 such plates are sold by such time, the department of motor vehicles  
13 shall be entitled to recover against the bond an amount proportionate to  
14 such shortfall.

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