

# STATE OF NEW YORK

6964

2023-2024 Regular Sessions

## IN ASSEMBLY

May 9, 2023

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

AN ACT to amend the vehicle and traffic law, in relation to establishing distinctive "Alzheimer's Awareness" license plates; and to amend the state finance law, in relation to providing for further funding for the "Alzheimer's disease assistance 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 "Alzheimer's Awareness" license plates. 1. Any  
4 person residing in this state shall, upon request, be issued a distinc-  
5 tive "Alzheimer's Awareness" license plate of a design approved by the  
6 commissioner. Application for said license plate shall be filed with the  
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 Alzheimer's  
20 disease assistance fund established pursuant to section eighty-nine-e of  
21 the state finance law.

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

LBD08559-01-3

1 § 2. Subdivision 2 of section 89-e of the state finance law, as  
2 amended by chapter 359 of the laws of 2002, is amended to read as  
3 follows:

4 2. Such fund shall consist of all revenues received by the department  
5 of taxation and finance, pursuant to the provisions of section six  
6 hundred twenty-nine of the tax law, revenues received pursuant to the  
7 provisions of section four hundred four-ff of the vehicle and traffic  
8 law and all other moneys appropriated, credited, or transferred thereto  
9 from any other fund or source pursuant to law. For each state fiscal  
10 year, there shall be appropriated to the fund by the state, in addition  
11 to all other moneys required to be deposited into such fund, an amount  
12 equal to the amounts of monies collected and deposited into the fund  
13 pursuant to section six hundred twenty-nine of the tax law during the  
14 preceding calendar year, as certified by the comptroller. Nothing  
15 contained herein shall prevent the state from receiving grants, gifts or  
16 bequests for the purposes of the fund as defined in this section and  
17 depositing them into the fund according to law.

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 at least 200  
26 orders for such distinctive plate together with the additional annual  
27 service charge applicable to each such order, which shall be non-refund-  
28 able, no such surety bond shall be required. All such service charges  
29 shall be deposited pursuant to the provisions of section 404-oo of the  
30 vehicle and traffic law to the credit of the department of motor vehi-  
31 cles distinctive plate development fund established by section 95-g of  
32 the state finance law and shall be used for the design, production,  
33 advertising and distribution of distinctive license plates in accordance  
34 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, 200 or  
37 more sets of such plates are sold, a bond delivered pursuant to this  
38 section shall be discontinued. If fewer than 200 sets of such plates are  
39 sold by such time, the department of motor vehicles shall be entitled to  
40 recover against the bond an amount proportionate to 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. 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.