

# STATE OF NEW YORK

1538

2023-2024 Regular Sessions

## IN ASSEMBLY

January 17, 2023

Introduced by M. of A. BLANKENBUSH, ANGELINO, BRABENEC, BYRNES, DeSTEFANO, 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 Assembly, do enact as follows:

Section 1. The vehicle and traffic law is amended by adding a new section 404-ff to read as follows:

§ 404-ff. Distinctive plates for the United States army 10th mountain division. 1. a. Any member of the United States army 10th mountain division residing in this state, shall, upon request, be issued a license plate bearing the 10th mountain division insignia and the words "Member of the United States Army 10th Mountain Division". Application for such license plate shall be filed with the commissioner in such form and detail as the commissioner shall prescribe. No license plate shall be issued to an applicant without verification that such applicant is a member of the 10th mountain division of the United States army.

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

c. Any veteran of the United States army 10th mountain division residing in this state, shall, upon request, be issued a license plate bearing the 10th mountain division insignia and the words "Veteran of the United States Army 10th Mountain Division". Application for such license plate shall be filed with the commissioner in such form and detail as 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.

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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.