

# STATE OF NEW YORK

4329

2023-2024 Regular Sessions

## IN ASSEMBLY

February 14, 2023

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

AN ACT to amend the vehicle and traffic law and the state finance law,  
in relation to establishing a distinctive "New York recycles" license  
plate

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 "New York recycles" license plates. 1. Any  
4 person residing in this state shall, upon request, be issued a distinc-  
5 tive "New York recycles" license plate of a design developed and  
6 approved by the commissioner, in cooperation with the New York State  
7 Association for Reduction, Reuse and Recycling. Application for such  
8 license shall be filed with the commissioner in such form and detail as  
9 the commissioner shall prescribe.

10 2. A distinctive "New York recycles" license plate issued pursuant to  
11 this section shall be issued in the same manner as other number plates  
12 upon the payment of the regular registration fee prescribed by section  
13 four hundred one of this article, provided, however, that an additional  
14 annual service charge of twenty-five dollars shall be charged for such  
15 plate. Each twenty-five dollars received as an annual service charge  
16 under this section shall be deposited to the credit of the solid waste  
17 account of the environmental protection fund established pursuant to  
18 section ninety-two-s of the state finance law and shall be used for  
19 municipal waste reduction or recycling projects, pursuant to title seven  
20 of article fifty-four of the environmental conservation law. Provided,  
21 however, that one year after the effective date of this section, funds  
22 in the amount of five thousand dollars, or so much thereof as may be  
23 available, shall be allocated from such fund to the department to offset  
24 costs associated with the production of such license plates except that

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

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no such funds shall be so allocated if the department has received funds for such purpose from the New York State Association for Reduction, Reuse and Recycling.

§ 2. Subdivision 3 of section 92-s of the state finance law, as amended by section 3 of part PP of chapter 58 of the laws of 2020, is amended to read as follows:

3. Such fund shall consist of the amount of revenue collected within the state from the amount of revenue, interest and penalties deposited pursuant to section fourteen hundred twenty-one of the tax law, the amount of fees and penalties received from easements or leases pursuant to subdivision fourteen of section seventy-five of the public lands law and the money received as annual service charges pursuant to section four hundred four-n of the vehicle and traffic law, all moneys required to be deposited therein from the contingency reserve fund pursuant to section two hundred ninety-four of chapter fifty-seven of the laws of nineteen hundred ninety-three, the money received as additional annual service charges pursuant to section four hundred four-ff of the vehicle and traffic law (the entirety of which shall be deposited to the credit of the solid waste account), all moneys required to be deposited pursuant to section thirteen of chapter six hundred ten of the laws of nineteen hundred ninety-three, repayments of loans made pursuant to section 54-0511 of the environmental conservation law, all moneys to be deposited from the Northville settlement pursuant to section one hundred twenty-four of chapter three hundred nine of the laws of nineteen hundred ninety-six, provided however, that such moneys shall only be used for the cost of the purchase of private lands in the core area of the central Suffolk pine barrens pursuant to a consent order with the Northville industries signed on October thirteenth, nineteen hundred ninety-four and the related resource restoration and replacement plan, the amount of penalties required to be deposited therein by section 71-2724 of the environmental conservation law, all moneys required to be deposited pursuant to article thirty-three of the environmental conservation law, all fees collected pursuant to subdivision eight of section 70-0117 of the environmental conservation law, all moneys collected pursuant to title thirty-three of article fifteen of the environmental conservation law, beginning with the fiscal year commencing on April first, two thousand thirteen, nineteen million dollars, and all fiscal years thereafter, twenty-three million dollars plus all funds received by the state each fiscal year in excess of the greater of the amount received from April first, two thousand twelve through March thirty-first, two thousand thirteen or one hundred twenty-two million two hundred thousand dollars, from the payments collected pursuant to subdivision four of section 27-1012 of the environmental conservation law and all funds collected pursuant to section 27-1015 of the environmental conservation law, all moneys required to be deposited pursuant to sections 27-2805 and 27-2807 of the environmental conservation law, all moneys collected pursuant to section 71-2730 of the environmental conservation law, and all other moneys credited or transferred thereto from any other fund or source pursuant to law. All such revenue shall be initially deposited into the environmental protection fund, for application as provided in subdivision five of this section.

§ 2-a. Subdivision 3 of section 92-s of the state finance law, as amended by chapter 734 of the laws of 2021, is amended to read as follows:

3. Such fund shall consist of the amount of revenue collected within the state from the amount of revenue, interest and penalties deposited

1 pursuant to section fourteen hundred twenty-one of the tax law, the  
2 amount of fees and penalties received from easements or leases pursuant  
3 to subdivision fourteen of section seventy-five of the public lands law  
4 and the money received as annual service charges pursuant to section  
5 four hundred four-n of the vehicle and traffic law, all moneys required  
6 to be deposited therein from the contingency reserve fund pursuant to  
7 section two hundred ninety-four of chapter fifty-seven of the laws of  
8 nineteen hundred ninety-three, the money received as additional annual  
9 service charges pursuant to section four hundred four-ff of the vehicle  
10 and traffic law (the entirety of which shall be deposited to the credit  
11 of the solid waste account), all moneys required to be deposited pursu-  
12 ant to section thirteen of chapter six hundred ten of the laws of nine-  
13 teen hundred ninety-three, repayments of loans made pursuant to section  
14 54-0511 of the environmental conservation law, all moneys to be deposit-  
15 ed from the Northville settlement pursuant to section one hundred twen-  
16 ty-four of chapter three hundred nine of the laws of nineteen hundred  
17 ninety-six, provided however, that such moneys shall only be used for  
18 the cost of the purchase of private lands in the core area of the  
19 central Suffolk pine barrens pursuant to a consent order with the North-  
20 ville industries signed on October thirteenth, nineteen hundred ninety-  
21 four and the related resource restoration and replacement plan, the  
22 amount of penalties required to be deposited therein by section 71-2724  
23 of the environmental conservation law, all moneys required to be depos-  
24 ited pursuant to article thirty-three of the environmental conservation  
25 law, all fees collected pursuant to subdivision eight of section 70-0117  
26 of the environmental conservation law, all moneys collected pursuant to  
27 title thirty-three of article fifteen of the environmental conservation  
28 law, beginning with the fiscal year commencing on April first, two thou-  
29 sand thirteen, nineteen million dollars, and all fiscal years thereaft-  
30 er, twenty-three million dollars plus all funds received by the state  
31 each fiscal year in excess of the greater of the amount received from  
32 April first, two thousand twelve through March thirty-first, two thou-  
33 sand thirteen or one hundred twenty-two million two hundred thousand  
34 dollars, from the payments collected pursuant to subdivision four of  
35 section 27-1012 of the environmental conservation law and all funds  
36 collected pursuant to section 27-1015 of the environmental conservation  
37 law, all moneys required to be deposited pursuant to sections 27-2805  
38 and 27-2807 of the environmental conservation law, all moneys collected  
39 pursuant to section 71-2730 of the environmental conservation law, all  
40 moneys required to be deposited pursuant to section 27-3205 of the envi-  
41 ronmental conservation law, and all other moneys credited or transferred  
42 thereto from any other fund or source pursuant to law. All such revenue  
43 shall be initially deposited into the environmental protection fund, for  
44 application as provided in subdivision five of this section.

45 § 3. Paragraph (b) of subdivision 6 of section 92-s of the state  
46 finance law, as amended by section 3 of part U of chapter 58 of the laws  
47 of 2016, is amended to read as follows:

48 (b) Moneys from the solid waste account shall be available, pursuant  
49 to appropriation and upon certificate of approval of availability by the  
50 director of the budget, for any non-hazardous municipal landfill closure  
51 project; municipal waste reduction or recycling project, as defined in  
52 article fifty-four of the environmental conservation law; for the  
53 purposes of section two hundred sixty-one and section two hundred  
54 sixty-four of the economic development law; any project for the develop-  
55 ment, updating or revision of local solid waste management plans pursu-  
56 ant to sections 27-0107 and 27-0109 of the environmental conservation

1 law; environmental justice projects and grants and for the development  
2 of the pesticide sales and use data base pursuant to title twelve of  
3 article thirty-three of the environmental conservation law; provided,  
4 however, that moneys credited to such account from the money received as  
5 additional annual service charges pursuant to section four hundred four-  
6 ff of the vehicle and traffic law shall be made available exclusively  
7 for municipal waste reduction or recycling projects pursuant to title  
8 seven of article fifty-four of the environmental conservation law.

9 § 4. This act shall take effect immediately; provided, however, that  
10 if chapter 734 of the laws of 2021 shall not have taken effect on or  
11 before such date then section two-a of this act shall take effect on the  
12 same date and in the same manner as such chapter of the laws of 2021,  
13 takes effect.