

# STATE OF NEW YORK

5657

2023-2024 Regular Sessions

## IN SENATE

March 10, 2023

Introduced by Sens. RIVERA, KENNEDY -- read twice and ordered printed,  
and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to creating a  
distinctive license plate for veterans honoring Borinqueneers

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 license plates for veterans honoring Borinqueneers.  
4 1. Any veteran or the spouse of any such veteran shall, upon  
5 request, be issued a distinctive Borinqueneers license plate. If a  
6 distinctive plate is issued to a veteran pursuant to this section, such  
7 distinctive plate shall not be issued to the spouse of such veteran.  
8 Application for such license plate shall be filed with the commissioner  
9 in such form and detail as the commissioner shall prescribe.

10 2. The distinctive plate authorized in subdivision one of this section  
11 shall be issued upon proof, satisfactory to the commissioner, that the  
12 applicant or the spouse of the applicant is a veteran.

13 3. For the purposes of this section, "veteran" shall mean a person who  
14 is a resident of this state, who served in the armed forces of the  
15 United States, and was (a) honorably discharged from the armed forces,  
16 or (b) has a qualifying condition, as defined in section one of the  
17 veterans' services law, and has received a discharge other than bad  
18 conduct or dishonorable from such service, or (c) is a discharged LGBT  
19 veteran, as defined in section one of the veterans' services law, and  
20 has received a discharge other than bad conduct or dishonorable from  
21 such service.

22 4. A distinctive plate issued pursuant to this section shall be issued  
23 in the same manner as other number plates upon payment of the regular  
24 registration fee prescribed by section four hundred one of this article

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

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1 provided, however, that an additional one time service charge of twenty-five dollars shall be charged for such plates.  
2

3 5. Nothing contained herein shall require the issuance of a special  
4 number plate under this section unless the commissioner is satisfied  
5 that the aggregate amount of annual service charges collected pursuant  
6 to subdivision four of this section will be sufficient to recover the  
7 costs of the design and manufacture of such special plates.

8 § 2. 1. A distinctive plate established pursuant to section 404-ff of  
9 the vehicle and traffic law as added by section one of this act shall  
10 only be designed, produced and issued upon the delivery to the depart-  
11 ment of a surety bond in the amount of six thousand dollars, which shall  
12 be executed by a surety company authorized by the department of finan-  
13 cial services to transact business in this state. Provided, however,  
14 that if the commissioner of motor vehicles shall have received prior to  
15 plate design, production and issuance at least two hundred orders for  
16 such distinctive plate together with the additional annual service  
17 charge applicable to each such order, which shall be non-refundable, no  
18 such surety bond shall be required. All such service charges shall be  
19 deposited pursuant to the provisions of section 404-oo of the vehicle  
20 and traffic law to the credit of the department of motor vehicles  
21 distinctive plate development fund established by section 95-g of the  
22 state finance law and shall be used for the design, production, adver-  
23 tising and distribution of distinctive license plates in accordance with  
24 such section 95-g.

25 2. If, upon the expiration of two years following the date upon which  
26 distinctive plates in the series are first available for sale two  
27 hundred or more sets of such plates are sold, a bond delivered pursuant  
28 to this section shall be discontinued. If fewer than two hundred sets of  
29 such plates are sold by such time, such department shall be entitled to  
30 recover against the bond in an amount proportionate to such shortfall.

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