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

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

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

4. A distinctive plate issued pursuant to this section shall be issued in the same manner as other number plates upon payment of the regular 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.

LBD02924-01-3

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

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

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

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

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