§ 402. Distinctive number; form of number plates; trailers. 1. (a) No person shall operate, drive or park a motor vehicle on the public highways of this state unless such vehicle shall have a distinctive number assigned to it by the commissioner and a set of number plates issued by the commissioner with a number and other identification matter if any, corresponding to that of the certificate of registration conspicuously displayed, one on the front and one on the rear of such vehicle, each securely fastened so as to prevent the same from swinging and placed, whenever reasonably possible, not higher than forty-eight inches and not lower than twelve inches from the ground; provided, however, that in any registration year for which only one number plate is issued, such number plate shall constitute a set of number plates for the time in which such use is authorized, shall be displayed on the rear of the vehicle and none shall be displayed on its front, except in case of a tractor, when such number plate shall be displayed on the front of the vehicle and none shall be displayed on its rear.

(b) (i) Number plates shall be kept clean and in a condition so as to be easily readable.

(ii) Number plates shall not be knowingly covered or coated with any material or substance that conceals or obscures such number plates or that distorts a recorded or photographic image of such number plates.

(ii-a) Number plates shall not be covered by glass or any plastic material, nor shall they be covered with a material appearing to be a number plate for display as proof of lawful registration but which has not been lawfully issued by the commissioner, the commissioner's agent, or the equivalent official or agents from another state, territory, district, province, nation or other jurisdiction.

(iii) The view of such number plates shall not be obstructed by any part of the vehicle or by anything carried thereon, except for a receiver-transmitter issued by a publicly owned tolling facility in connection with electronic toll collection when such receiver-transmitter is affixed to the exterior of a vehicle in accordance with mounting instructions provided by the tolling facility.

2. Such number plates shall be of such material, form, design and dimensions and contain or set forth such distinguishing number or other identification marks as the commissioner shall prescribe, provided,

however, that there shall be at all times a marked contrast between the color of the number plates and that of the numerals or letters thereon, and provided further that no vehicle shall display the number plates of more than one state at a time except where the vehicle is required to be registered in more than one state, and provided further that the number plates of a rental vehicle shall not display any indication of the rental status of such vehicle nor shall any plate be used other than those issued by the commissioner.

3. No person shall operate or drive a motor vehicle drawing a trailer on the public highways of the state, unless such trailer shall have a distinctive number assigned to it by the commissioner and a number plate issued by such commissioner with a number corresponding to that of the certificate of registration displayed and fastened on the rear in the manner provided for number plates on the rear of a motor vehicle. The provisions of subdivision two of this section relating to number plates for motor vehicles shall apply to number plates for any such trailer. The provisions of this subdivision shall not apply when a newly constructed trailer is being drawn to or from a weighing station solely for the purpose of determining the weight thereof.

4. No person shall operate or drive a motor vehicle upon the public highways of this state having displayed thereon number plates not proper for such vehicle under the provisions of this chapter and, upon a conviction for this offense, the number plates shall be surrendered to the court for delivery to the commissioner. The failure to produce the certificate of registration or registration renewal stub of a vehicle shall be presumptive evidence of displaying number plates not proper for the vehicle. Every annual number plate issued shall remain the property of the state until the correct registration fee is paid. Every number plate of a permanent nature for use with a removable date tag which shall be issued shall remain the property of the state unless and until the commissioner finds that the state no longer has use for it. Number plates belonging to the state shall be under the control of the commissioner.

5. No person shall knowingly authorize or permit a number plate issued

for a motor vehicle or trailer owned and registered by him to be displayed on any motor vehicle or trailer other than a motor vehicle or trailer to which such number plate has been assigned by the commissioner, or upon which such number plate may legally be displayed under a temporary certificate of registration issued by a dealer under the provisions of section four hundred twenty of this chapter.

6. No owner shall knowingly cause or permit a vehicle owned by him to be operated, driven or parked upon the public highways of this state in violation of this section. Any violation of this section that occurs while a motor vehicle is parked on the public highways of this state shall constitute a parking violation.

7. It shall be unlawful for any person, firm, partnership, association, limited liability company or corporation to sell, offer for sale or distribute any:

(a) artificial or synthetic material or substance for the purpose of application to a number plate that will, upon application to a number plate, distort a recorded or photographic image of such number plate; or

(b) plate cover, material or device for the purpose of installation on, near or around a number plate that will, upon installation on, near or around a number plate, obstruct or obscure all or any part of the distinguishing number or other identification marks of such number plate; or

(c) a material appearing to be a number plate for display as proof of lawful registration but which has not been lawfully issued by the commissioner, the commissioner's agent, or the equivalent official or agents from another state, territory, district, province, nation or other jurisdiction.

8. A violation of this section shall be punishable by a fine of not less than twenty-five nor more than two hundred dollars, except that:

(a) A violation of subparagraph (ii), subparagraph (ii-a) or subparagraph (iii) of paragraph (b) of subdivision one of this section shall be punishable by a fine of not less than one hundred nor more than five hundred dollars.

(b) A person convicted of a violation of subparagraph (ii-a) of

paragraph (b) of subdivision one of this section shall surrender the glass or plastic covering or material appearing to be a number plate, as applicable, to the court or administrative tribunal for delivery to the commissioner.

(c) Upon conviction of a violation of subparagraph (ii) of paragraph (b) of subdivision one of this section, the court or administrative tribunal having jurisdiction may, in addition to any penalty that may be imposed for such violation, order the removal of any material or substance that conceals or obscures such number plates or the replacement of such number plates.