§ 427. Disposition of registration fees. 1. The commissioner of motor vehicles shall deposit all fees collected under this chapter, except as otherwise provided in subdivision twenty-one of section four hundred one of this chapter, in a responsible bank, banking house or trust company in the city of Albany, which shall pay the highest rate of interest to the state for such deposit, to the credit of the comptroller on account of the motor vehicle law. Every such bank, banking house or trust company shall execute and file in the office of the department of audit and control an undertaking to the state, in the sum, and with such sureties, as are required and approved by the comptroller for the safe keeping and prompt payment on legal demand therefor of all such moneys held by or on deposit in such bank, banking house, or trust company, with interest thereon on daily balances at such rate as the comptroller may fix. Every such undertaking shall have endorsed thereon or annexed thereto the approval of the attorney-general as to its form. The comptroller shall on the first day of each month make a verified return to the department of taxation and finance, of all fees received by him under this chapter during the preceding calendar months, stating from what county received and by whom and when paid.

2. The comptroller, after reserving sufficient to provide at all times a fund in his hands of five thousand dollars out of which he shall pay any refund under this chapter, approved by him and by the commissioner, shall on or before the tenth day of each month pay to the department of taxation and finance the balance to his credit in such bank, banking house or trust company, on account of fees collected under this chapter at the close of business on the last day of the preceding month and such department shall pay such balance into the general fund of the state treasury.

3. An amount equal to ninety per centum of the fees specified in subdivision two of this section shall be appropriated and used for the construction, reconstruction, maintenance and repair of highways and bridges, under the direction of the department of transportation; and for inspection, regulation, and research in the control of motor vehicle exhaust emissions under the direction of the department of environmental conservation. The amount available for control of motor vehicle exhaust

emissions from said ninety per centum of the fees collected shall be computed at the rate of five cents per registration issued and shall be available for payment to the state purposes fund for repayment of advances made in the first instance from that fund for control of motor vehicle emissions.