

ASSEMBLY, No. 832

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

SYNOPSIS

Authorizes issuance of Kappa Alpha Psi license plates.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** authorizing the issuance of Kappa Alpha Psi license plates
2 and supplementing chapter 3 of Title 39 of the Revised Statutes.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6

7 1. a. Upon proper application, the Chief Administrator of the
8 New Jersey Motor Vehicle Commission shall issue Kappa Alpha
9 Psi license plates for any motor vehicle owned or leased and
10 registered in this State. In addition to the registration number and
11 other markings or identification otherwise prescribed by law, the
12 license plates shall display appropriate words or a slogan and
13 emblem honoring the Kappa Alpha Psi Fraternity, Inc. The chief
14 administrator shall, in consultation with the Northeastern Province
15 Polemarch of Kappa Alpha Psi Fraternity, Inc., select the design
16 and color scheme of the Kappa Alpha Psi license plates. The Kappa
17 Alpha Psi license plates shall be subject to the provisions of chapter
18 3 of Title 39 of the Revised Statutes, except as hereinafter otherwise
19 provided.

20 b. Application for issuance of Kappa Alpha Psi license plates
21 shall be made to the chief administrator on forms and in a manner
22 prescribed by the chief administrator. In order to be deemed
23 complete, an application shall be accompanied by a fee of \$50,
24 payable to the New Jersey Motor Vehicle Commission, which shall
25 be in addition to the fees otherwise prescribed by law for the
26 registration of a motor vehicle. The chief administrator shall collect
27 annually, subsequent to the year of issuance of the Kappa Alpha Psi
28 license plates, a \$10 fee for the license plates in addition to the fees
29 otherwise prescribed by law for the registration of a motor vehicle.
30 The additional fees required by this subsection shall be deposited in
31 the “Kappa Alpha Psi License Plate Fund” created pursuant to
32 subsection c. of this section.

33 c. There is created in the Department of Treasury a special
34 non-lapsing fund to be known as the “Kappa Alpha Psi License
35 Plate Fund.” There shall be deposited in the fund the amount
36 collected from all license plate fees collected pursuant to subsection
37 b. of this section, less the amounts necessary to reimburse
38 commission for administrative costs pursuant to subsection d. of
39 this section. Monies deposited in the fund shall be appropriated
40 annually to the Kappa Alpha Psi Fraternity, Inc. to be used to
41 support the organization’s mission and programs. Monies deposited
42 in the fund shall be held in interest-bearing accounts in public
43 depositories as defined pursuant to section 1 of P.L.1970, c.236
44 (C.17:9-41), and may be invested or reinvested in securities
45 approved by the State Treasurer. Interest or other income earned on
46 monies deposited into the fund, and any monies which may be
47 appropriated or otherwise become available for purposes of the

1 fund, shall be credited to and deposited in the fund for use as set
2 forth in P.L. , c. (C.) (pending before the Legislature as
3 this bill).

4 d. Prior to the deposit of the additional fees collected pursuant
5 to subsection b. of this section into the “Kappa Alpha Psi License
6 Plate Fund,” amounts thereof as are necessary shall be used to
7 reimburse the commission for all costs reasonably and actually
8 incurred, as stipulated by the chief administrator for:

9 (1) designing, producing, issuing, renewing, and publicizing the
10 availability of the Kappa Alpha Psi license plates; and

11 (2) any computer programming changes that may be initially
12 necessary to implement the Kappa Alpha Psi license plate program
13 in an amount not to exceed \$150,000.

14 The chief administrator shall annually certify to the State
15 Treasurer the average cost per license plate incurred in the
16 immediately preceding year by the commission in producing,
17 issuing, renewing, and publicizing the availability of the Kappa
18 Alpha Psi license plates. The annual certification of the average
19 cost per license plate shall be approved by the Joint Budget
20 Oversight Committee, or its successor.

21 In the event that the average cost per license plate as certified by
22 the chief administrator and approved by the Joint Budget Oversight
23 Committee, or its successor, is greater than the \$50 application fee
24 established in subsection b. of this section in two consecutive fiscal
25 years, the chief administrator may discontinue the issuance of
26 Kappa Alpha Psi license plates.

27 e. The chief administrator shall notify eligible motorists of the
28 opportunity to obtain Kappa Alpha Psi license plates by publicizing
29 the availability of the license plates on the commission’s website.
30 The Northeastern Province of Kappa Alpha Psi Fraternity, Inc., and
31 any other individual or entity designated by the Northeastern
32 Province of Kappa Alpha Psi Fraternity, Inc., may publicize the
33 availability of the Kappa Alpha Psi license plates in any manner
34 that the Northeastern Province of Kappa Alpha Psi Fraternity, Inc.
35 deems appropriate.

36 f. The chief administrator and the Northeastern Province
37 Polemarch of Kappa Alpha Psi Fraternity, Inc. shall develop and
38 enter into a memorandum of agreement setting forth the procedures
39 to be followed in carrying out their respective responsibilities under
40 P.L. , c., (C.) (pending before the Legislature as this bill).

41 g. The Northeastern Province Polemarch of Kappa Alpha Psi
42 Fraternity, Inc. shall appoint a representative who shall act as a
43 liaison between the Northeastern Province of Kappa Alpha Psi
44 Fraternity, Inc. and the commission. The liaison shall represent the
45 Northeastern Province of Kappa Alpha Psi Fraternity, Inc. in any
46 and all communications with the commission regarding the Kappa

1 Alpha Psi license plates established by P.L. , c. (C.)
2 (pending before the Legislature as this bill).

3

4 2. a. State or public funds shall not be used by the commission
5 for the initial cost of:

6 (1) designing, producing, issuing, and publicizing the
7 availability of Kappa Alpha Psi license plates; or

8 (2) any computer programming changes which may be
9 necessary to implement the Kappa Alpha Psi license plate program
10 established by P.L. , c. (C.) (pending before the
11 Legislature as this bill).

12 b. The Northeastern Province of Kappa Alpha Psi Fraternity,
13 Inc. or an individual or entity designated by the Northeastern
14 Province of Kappa Alpha Psi Fraternity, Inc., shall contribute non-
15 public monies in an amount to be determined by the chief
16 administrator, not to exceed a total of \$25,000, to be used to offset
17 the initial costs incurred by the commission for designing,
18 producing, issuing, and publicizing the availability of Kappa Alpha
19 Psi license plates, and any computer programming which may be
20 necessary to implement the program. Concerned organizations and
21 individual donors may contribute monies to the Northeastern
22 Province of Kappa Alpha Psi Fraternity, Inc. to be used to offset the
23 initial costs incurred by the commission for the Kappa Alpha Psi
24 license plates authorized by P.L. , c. (C.) (pending before
25 the Legislature as this bill). Any amount remaining after the
26 payment of the initial cost shall be deposited in the “Kappa Alpha
27 Psi License Plate Fund” established pursuant to subsection c. of
28 section 1 of P.L. , c. (C.) (pending before the Legislature
29 as this bill).

30 c. The commission shall not begin designing, producing,
31 issuing, or publicizing the availability of Kappa Alpha Psi license
32 plates, or making any necessary programming changes, until the
33 following requirements have been met:

34 (1) The Northeastern Province of Kappa Alpha Psi Fraternity,
35 Inc. or an individual or entity designated by the Northeastern
36 Province of Kappa Alpha Psi Fraternity Inc., has provided the
37 commission with the money necessary, as determined by the chief
38 administrator pursuant to subsection b. of this section, to offset the
39 initial costs incurred by the commission in establishing the Kappa
40 Alpha Psi license plate program; and

41 (2) The liaison appointed by the Northeastern Province
42 Polemarch of Kappa Alpha Psi Fraternity, Inc. pursuant to
43 subsection g. of section 1 of P.L. , c. (C.) (pending before
44 the Legislature as this bill) has provided the commission with not
45 less than 500 completed applications for Kappa Alpha Psi license
46 plates. These applications shall constitute the initial order for Kappa
47 Alpha Psi license plates and shall be accompanied by a fee

1 representing the total cost of the initial order. The fee shall be
2 determined by multiplying the number of sets of license plates
3 being ordered by the applicable initial fee for each set of license
4 plates as set forth in subsection b. of section 1 of
5 P.L. , c. (C.) (pending before the Legislature as this bill).

6
7 3. This act shall take effect immediately, but shall remain
8 inoperative until the first day of the seventh month following the
9 date on which the conditions set forth in paragraphs (1) and (2) of
10 subsection c. of section 2 of this act have been satisfied. The chief
11 administrator may take anticipatory acts in advance of that date as
12 may be necessary for the timely implementation of this act. This act
13 shall expire if the conditions set forth in paragraphs (1) and (2) of
14 subsection c. of section 2 of this act are not satisfied by the last day
15 of the 12th month following enactment.

16 17 18 STATEMENT

19
20 This bill authorizes the Chief Administrator of the New Jersey
21 Motor Vehicle Commission (commission) to issue special Kappa
22 Alpha Psi license plates.

23 Kappa Alpha Psi Fraternity, Inc. was founded on January 5, 1911
24 by 10 collegiate men at Indiana University to sow the seed of a
25 fraternal tree whose fruit is available to college men everywhere
26 regardless of their color, religion, or national origin. During this
27 time, many fraternities and athletic teams excluded people of color.
28 Kappa Alpha Psi gave African-American students an opportunity to
29 network with each other and bond over the discrimination they
30 faced. The fraternity has five core objectives: (1) to unite college
31 men of culture, patriotism, and honor, in a bond of fraternity; (2) to
32 encourage honorable achievement in every field of human
33 endeavor; (3) to promote spiritual, social, intellectual, and moral
34 welfare of its members; (4) to assist in the aims and purposes of
35 colleges and universities; and (5) to inspire service in the public
36 interest.

37 The bill provides that the design of the Kappa Alpha Psi license
38 plate is to display appropriate words or a slogan and an emblem
39 honoring the Kappa Alpha Psi Fraternity, Inc. The chief
40 administrator, in consultation with the Northeastern Province
41 Polemarch of Kappa Alpha Psi Fraternity, Inc., is to select the
42 design and color scheme of the Kappa Alpha Psi license plates.

43 In addition to all fees otherwise required by law for the
44 registration of a motor vehicle, there is an application fee of \$50
45 and an annual renewal fee of \$10 for the Kappa Alpha Psi license
46 plates. After the deduction of the cost of designing, producing,
47 issuing, renewing, and publicizing the plates and of any computer

1 programming changes that are necessary to implement the license
2 plate program, in an amount not to exceed \$150,000, the additional
3 fees will be deposited into a special non-lapsing fund known as the
4 “Kappa Alpha Psi License Plate Fund.” The proceeds of the fund
5 are to be annually appropriated to the Kappa Alpha Psi Fraternity,
6 Inc., to be used to support the organization's mission and programs.

7 The chief administrator is required to annually certify the
8 average cost of producing, issuing, renewing, and publicizing the
9 availability of the specialty license plates. If the average cost per
10 plate exceeds \$50 in two consecutive fiscal years, the chief
11 administrator may discontinue the Kappa Alpha Psi license plate
12 program. The bill also requires that the Northeastern Province
13 Polemarch of Kappa Alpha Psi Fraternity, Inc. appoint a liaison to
14 represent the Northeastern Province of Kappa Alpha Psi Fraternity,
15 Inc. (Northeastern Province) in all communications with the
16 commission regarding the Kappa Alpha Psi license plates.

17 The bill provides that State or other public funds are not to be
18 used by the commission for the initial cost to implement the Kappa
19 Alpha Psi license plate program. The bill requires the Northeastern
20 Province or an individual or entity designated by the Northeastern
21 Province to contribute non-public monies, not to exceed \$25,000, to
22 offset the initial costs to design, produce, issue, and publicize the
23 license plates and for computer programming changes which may
24 be necessary to implement the program. The bill authorizes the
25 Northeastern Province to receive funds from private sources to be
26 used to offset the initial costs.

27 The chief administrator is not required to design, produce, issue,
28 or publicize the availability of the Kappa Alpha Psi license plates,
29 until: (1) the Northeastern Province or the individual or entity
30 designated by the Northeastern Province has provided the
31 commission with the money necessary to offset the initial costs
32 incurred by the commission in establishing the Kappa Alpha Psi
33 license plate program; and (2) the Northeastern Province liaison has
34 provided the commission with a minimum of 500 completed
35 applications for the Kappa Alpha Psi license plates.

36 The provisions of the bill will remain inoperative until the first
37 day of the seventh month after the appropriate applications and fees
38 required to offset the initial costs incurred by the commission are
39 provided by the Northeastern Province liaison. The bill expires on
40 the last day of the 12th month if sufficient applications and fees to
41 offset the initial costs are not received by that date.