

ASSEMBLY, No. 3412

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

Sponsored by:

Assemblywoman AURA K. DUNN

District 25 (Morris and Somerset)

SYNOPSIS

Authorizes creation of American Legion Auxiliary license plates.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the creation of special American Legion
2 Auxiliary license plates and supplementing Title 39 of the
3 Revised Statutes.

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

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8 1. a. Upon proper application, the Chief Administrator of the
9 New Jersey Motor Vehicle Commission shall issue American
10 Legion Auxiliary license plates for any motor vehicle owned or
11 leased and registered in the State. In addition to the registration
12 number and other markings or identification otherwise prescribed
13 by law, the license plate shall display appropriate words or a slogan
14 and an emblem representative of the American Legion Auxiliary.
15 The chief administrator shall select the design, including an emblem
16 and color scheme, in consultation with the American Legion
17 Auxiliary Department of New Jersey. American Legion Auxiliary
18 license plates shall be subject to the provisions of chapter 3 of Title
19 39 of the Revised Statutes, except as hereinafter otherwise
20 specifically provided.

21 b. Application for issuance of American Legion Auxiliary
22 license plates shall be made to the chief administrator on forms and
23 in a manner prescribed by the chief administrator. In order to be
24 deemed complete, an application shall be accompanied by a fee of
25 \$50, payable to the commission, which shall be in addition to the
26 fees otherwise prescribed by law for the registration of a motor
27 vehicle.

28 The chief administrator shall collect annually, subsequent to the
29 year of issuance of the American Legion Auxiliary license plates, a
30 \$10 fee for the license plates in addition to the fees otherwise
31 prescribed by law for the registration of a motor vehicle. The
32 additional fees required by this subsection shall be deposited in the
33 “American Legion Auxiliary License Plate Fund” created pursuant
34 to subsection c. of this section.

35 c. There is created in the Department of the Treasury a special
36 non-lapsing fund to be known as the “American Legion Auxiliary
37 License Plate Fund.” There shall be deposited in the fund the
38 amount collected from all license plate fees collected pursuant to
39 subsection b. of this section, less the amounts necessary to
40 reimburse the commission for the administrative costs pursuant to
41 subsection d. of this section. Monies deposited in the fund shall be
42 appropriated annually to the American Legion Auxiliary
43 Department of New Jersey. Monies deposited in the fund shall be
44 held in interest bearing accounts in public depositories as defined
45 pursuant to section 1 of P.L.1970, c.236 (C.17:9-41), and may be
46 invested or reinvested in such securities as are approved by the
47 State Treasurer. Interest or other income earned on monies
48 deposited in the fund, and any monies which may be appropriated

1 or otherwise become available for the purposes of the fund, shall be
2 credited to and deposited in the fund for use as set forth in this
3 section.

4 d. Prior to the deposit of the additional fees collected pursuant
5 to subsection b. of this section into the “American Legion Auxiliary
6 License Plate Fund,” amounts thereof as are necessary shall be used
7 to 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 American Legion Auxiliary license plates; and

11 (2) any computer programming changes that may be initially
12 necessary to implement the American Legion Auxiliary license
13 plate program 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 American
18 Legion Auxiliary license plates. The annual certification of the
19 average 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 American Legion Auxiliary license plates.

27 e. The chief administrator shall notify eligible motorists of the
28 opportunity to obtain American Legion Auxiliary license plates by
29 publicizing the availability of the license plates on the website of
30 the commission. The American Legion Auxiliary Department of
31 New Jersey, and any other individual or entity designated by the
32 organization, may publicize the availability of the license plates in
33 any manner the organization deems appropriate.

34 f. The chief administrator and the Department President of the
35 American Legion Auxiliary Department of New Jersey shall
36 develop and enter into a memorandum of agreement setting forth
37 the procedures to be followed in carrying out their respective
38 responsibilities under P.L. , c. (C.) (pending before the
39 Legislature as this bill).

40 g. The Department President of the American Legion Auxiliary
41 Department of New Jersey shall appoint a representative who shall
42 act as a liaison between the organization and the commission. The
43 liaison shall represent the organization in any and all
44 communications with the commission regarding the license plates
45 established by P.L. , c. (C.) (pending before the Legislature
46 as this bill).

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

3 (1) designing, producing, issuing, and publicizing the
4 availability of American Legion Auxiliary license plates; or

5 (2) any computer programming changes which may be
6 necessary to implement the American Legion Auxiliary license
7 plate program established by P.L. , c. (C.) (pending before
8 the Legislature as this bill).

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

26 c. The commission shall not begin designing, producing,
27 issuing, or publicizing the availability of American Legion
28 Auxiliary license plates, or making any necessary programming
29 changes, until the following requirements have been met:

30 (1) The American Legion Auxiliary Department of New Jersey,
31 or the individual or entity designated by the organization, has
32 provided the commission with the money necessary, as determined
33 by the chief administrator pursuant to subsection b. of this section,
34 to offset the initial costs incurred by the commission in establishing
35 the American Legion Auxiliary license plate program; and

36 (2) The liaison appointed by the Department President of the
37 American Legion Auxiliary Department of New Jersey pursuant to
38 subsection g. of section 1 of P.L. , c. (C.) (pending before
39 the Legislature as this bill) has provided the commission with not
40 less than 500 completed applications for American Legion
41 Auxiliary license plates. These applications shall constitute the
42 initial order for the American Legion Auxiliary license plates and
43 shall be accompanied by a fee representing the total cost of the
44 initial order. The fee shall be determined by multiplying the
45 number of sets of license plates being ordered by the applicable
46 initial fee for each set of license plates as set forth in subsection b.
47 of section 1 of P.L. , c. (C.) (pending before the
48 Legislature as this bill).

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

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STATEMENT

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18 This bill authorizes the Chief Administrator (chief administrator)
19 of the New Jersey Motor Vehicle Commission (MVC) to issue
20 American Legion Auxiliary license plates. The design of the
21 license plate is to be chosen by the chief administrator, in
22 consultation with the American Legion Auxiliary Department of
23 New Jersey (ALANJ).

24 In addition to the required motor vehicle registration fees, there
25 is an application fee of \$50 and an annual renewal fee of \$10 for the
26 license plates. After deducting the costs to implement the plates,
27 the additional fees collected are to be deposited into the "American
28 Legion Auxiliary License Plate Fund." The proceeds of the fund
29 are to be appropriated annually to the ALANJ.

30 The chief administrator is required to annually certify the
31 average cost of producing, issuing, and publicizing the availability
32 of the specialty license plates. If the average cost per plate exceeds
33 \$50 in two consecutive fiscal years, the chief administrator may
34 discontinue the license plate program. The bill also requires that
35 the Department President of the ALANJ appoint a liaison to
36 represent the ALANJ in all communications with the MVC
37 regarding the license plates.

38 The bill provides that State or other public funds may not be
39 used by the MVC for the initial cost to implement the license plate
40 program. The bill requires the ALANJ, or an individual or entity
41 designated by the ALANJ, to contribute non-public monies, not to
42 exceed \$25,000, to offset the initial costs to design, produce, issue,
43 and publicize the license plates and for any computer programming
44 necessary to implement the program. The bill authorizes the
45 ALANJ to receive funds from private sources to be used to offset
46 the initial costs.

47 The chief administrator is not required to design, produce, issue,
48 or publicize the availability of the license plates, or make any

1 necessary programming changes, until: (1) the ALANJ, or an
2 individual or entity designated by the ALANJ, has provided the
3 MVC with the money necessary to offset the initial costs incurred
4 by the MVC in establishing the license plate program; and (2) the
5 ALANJ, or its designee, has provided the MVC with a minimum of
6 500 completed applications for the license plates, upon the
7 availability for purchase of those license plates.

8 The provisions of the bill will remain inoperative until the
9 appropriate applications and fees required to offset the initial costs
10 incurred by the MVC are provided by the ALANJ or its designee.
11 The bill expires after 12 months if sufficient applications and fees
12 to offset the initial costs are not received.

13 Following World War I, members of the armed forces banded
14 together to form the American Legion to carry forward their service
15 to the country in peacetime. At the first National Convention of the
16 American Legion in 1919, a women's Auxiliary to the American
17 Legion was established to support the women who supported those
18 who served on the battlefield. Since then, the American Legion
19 Auxiliary has grown to approximately 800,000 members with 52
20 state departments, which include departments in Puerto Rico and
21 the District of Columbia, as well as the ALANJ. Today, American
22 Legion Auxiliary members continue to advance the mission of
23 service to members of the military, veterans, and their families with
24 members across the country helping military families cope with the
25 effects of deployments on military families.