ASSEMBLY, No. 5585

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MAY 5, 2021

Sponsored by:
Assemblyman RAJ MUKHERJI
District 33 (Hudson)
Assemblyman JAMES J. KENNEDY
District 22 (Middlesex, Somerset and Union)
Assemblywoman VALERIE VAINIERI HUTTLE
District 37 (Bergen)

SYNOPSIS

Authorizes creation of Student Movement Against Cancer license plates.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 5/5/2021)

AN ACT authorizing the creation of Student Movement Against Cancer license plates and supplementing Title 39 of the Revised Statutes.

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

1. a. Upon proper application, the Chief Administrator of the New Jersey Motor Vehicle Commission shall issue Student Movement Against Cancer license plates for any motor vehicle owned or leased and registered in this State. In addition to the registration number and other markings or identification otherwise prescribed by law, the license plates shall display the words "Peace Out, Cancer" and an emblem signifying support for the Student Movement Against Cancer foundation. The chief administrator shall, in consultation with the Student Movement Against Cancer foundation, select the design and color scheme of the Student Movement Against Cancer license plates. The Student Movement Against Cancer license plates shall be subject to the provisions of chapter 3 of Title 39 of the Revised Statutes, except as hereinafter otherwise provided.

b. Application for issuance of Student Movement Against Cancer license plates shall be made to the chief administrator on forms and in a manner prescribed by the chief administrator. In order to be deemed complete, an application shall be accompanied by a fee of $50, payable to the New Jersey Motor Vehicle Commission, which shall be in addition to the fees otherwise prescribed by law for the registration of a motor vehicle. The chief administrator shall collect annually, subsequent to the year of issuance of the Student Movement Against Cancer license plates, a $10 fee for the license plates in addition to the fees otherwise prescribed by law for the registration of a motor vehicle. The additional fees required by this subsection shall be deposited in the "Student Movement Against Cancer License Plate Fund" created pursuant to subsection c. of this section.

c. There is created in the Department of the Treasury a special non-lapsing fund to be known as the "Student Movement Against Cancer License Plate Fund." There shall be deposited in the fund the amount collected from all license plate fees collected pursuant to subsection b. of this section, less the amounts necessary to reimburse the commission for administrative costs pursuant to subsection d. of this section. Monies deposited in the fund shall be appropriated annually to the Student Movement Against Cancer foundation to be used to support the organization's mission and programs. Monies deposited in the fund shall be held in interest-bearing accounts in public depositories as defined pursuant to section 1 of P.L.1970, c.236 (C.17:9-41), and may be invested or reinvested in securities approved by the State Treasurer. Interest or

other income earned on monies deposited into the fund, and any monies which may be appropriated or otherwise become available for purposes of the fund, shall be credited to and deposited in the fund for use as set forth in P.L. , c. (C.) (pending before the Legislature as this bill).

d. Prior to the deposit of the additional fees collected pursuant to subsection b. of this section into the "Student Movement Against Cancer License Plate Fund," amounts thereof as are necessary shall be used to reimburse the commission for all costs reasonably and actually incurred, as stipulated by the chief administrator for:

(1) designing, producing, issuing, renewing, and publicizing the availability of the Student Movement Against Cancer license plates; and

(2) any computer programming changes that may be initially necessary to implement the Student Movement Against Cancer license plate program in an amount not to exceed $150,000.

The chief administrator shall annually certify to the State Treasurer the average cost per license plate incurred in the immediately preceding year by the commission in producing, issuing, renewing, and publicizing the availability of the Student Movement Against Cancer license plates. The annual certification of the average cost per license plate shall be approved by the Joint Budget Oversight Committee, or its successor.

In the event that the average cost per license plate as certified by the chief administrator and approved by the Joint Budget Oversight Committee, or its successor, is greater than the $50 application fee established in subsection b. of this section in two consecutive fiscal years, the chief administrator may discontinue the issuance of Student Movement Against Cancer license plates.

e. The chief administrator shall notify eligible motorists of the opportunity to obtain Student Movement Against Cancer license plates by publicizing the availability of the license plates on the commission's website. The Student Movement Against Cancer foundation and any other individual or entity designated by the Student Movement Against Cancer foundation, may publicize the availability of the Student Movement Against Cancer license plates in any manner that the Student Movement Against Cancer foundation deems appropriate.

f. The chief administrator and the Student Movement Against Cancer foundation shall develop and enter into a memorandum of agreement setting forth the procedures to be followed in carrying out their respective responsibilities under P.L. , c., (C.) (pending before the Legislature as this bill).

g. The Student Movement Against Cancer foundation shall appoint a representative who shall act as a liaison between the Student Movement Against Cancer foundation and the commission.

The liaison shall represent the Student Movement Against Cancer foundation in any and all communications with the commission regarding the Student Movement Against Cancer license plates established by P.L. , c. (C.) (pending before the Legislature as this bill).

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

(1) designing, producing, issuing, and publicizing the availability of Student Movement Against Cancer license plates; or

(2) any computer programming changes which may be necessary to implement the Student Movement Against Cancer license plate program established by P.L. , c. (C.) (pending before the Legislature as this bill).

b. The Student Movement Against Cancer foundation or an individual or entity designated by the Student Movement Against Cancer foundation, shall contribute non-public monies in an amount to be determined by the chief administrator, not to exceed a total of $25,000, to be used to offset the initial costs incurred by the commission for designing, producing, issuing, and publicizing the availability of Student Movement Against Cancer license plates, and any computer programming which may be necessary to implement the program. Concerned organizations and individual donors may contribute monies to the Student Movement Against Cancer foundation to be used to offset the initial costs incurred by the commission for the Student Movement Against Cancer license plates authorized by P.L. , c. (C.) (pending before the Legislature as this bill).

c. The commission shall not begin designing, producing, issuing, or publicizing the availability of Student Movement Against Cancer license plates, or making any necessary programming changes, until the following requirements have been met:

(1) The Student Movement Against Cancer foundation or an individual or entity designated by the Student Movement Against Cancer foundation, has provided the commission with the non-public monies necessary, as determined by the chief administrator pursuant to subsection b. of this section, to offset the initial costs incurred by the commission in establishing the Student Movement Against Cancer license plate program; and

(2) The liaison appointed by the Student Movement Against Cancer foundation pursuant to subsection g. of section 1 of P.L. , c. (C.) (pending before the Legislature as this bill) has provided the commission with not less than 500 completed applications for Student Movement Against Cancer license plates. These applications shall constitute the initial order for Student Movement Against Cancer license plates and shall be accompanied by a fee representing the total cost of the initial order. The fee shall

be determined by multiplying the number of sets of license plates being ordered by the applicable initial fee for each set of license plates as set forth in subsection b. of section 1 of P.L. , c. (C.) (pending before the Legislature as this bill).

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

STATEMENT

This bill authorizes the Chief Administrator of the New Jersey Motor Vehicle Commission (commission) to issue special Student Movement Against Cancer (SMAC) license plates.

The bill provides that the design of the SMAC license plate is to display the words "Peace Out, Cancer" and an emblem signifying support for the SMAC foundation. The chief administrator, in consultation with the SMAC foundation, is to select the design and color scheme of the SMAC license plates.

In addition to all fees otherwise required by law for the registration of a motor vehicle, there is an application fee of $50 and an annual renewal fee of $10 for the SMAC license plates. After the deduction of the cost of designing, producing, issuing, renewing, and publicizing the plates and of any computer programming changes that are necessary to implement the license plate program, additional fees will be deposited into a special non-lapsing fund known as the "Student Movement Against Cancer License Plate Fund." The proceeds of the fund are to be annually appropriated to the SMAC foundation to be used to support the organization's mission and programs.

The chief administrator is required to annually certify the average cost of producing, issuing, renewing, and publicizing the availability of the specialty license plates. If the average cost per plate exceeds $50 in two consecutive fiscal years, the chief administrator may discontinue the license plate program. The bill also requires that the SMAC foundation appoint a liaison to represent the SMAC foundation in all communications with the commission regarding the SMAC license plates.

The bill provides that State or other public funds are not to be used by the commission for the initial cost to implement the SMAC license plate program. The bill requires the SMAC foundation or an

individual or entity designated by the SMAC foundation to contribute non-public monies, not to exceed $25,000, to offset the initial costs to design, produce, issue, and publicize the license plates and for computer programming changes which may be necessary to implement the program. The bill authorizes SMAC foundation to receive funds from private sources to be used to offset the initial costs.

The chief administrator is not required to design, produce, issue, or publicize the availability of the license plates, until: (1) the SMAC foundation or the individual or entity designated by the SMAC foundation has provided the commission with the money necessary to offset the initial costs incurred by the commission in establishing the license plate program; and (2) the SMAC foundation liaison has provided the commission with a minimum of 500 completed applications for the license plates.

The provisions of the bill will remain inoperative until the first day of the 13th month to allow the SMAC foundation time to provide the commission with the completed applications and fees required pursuant to the bill. The bill expires on the last day of the 12th month if sufficient applications and fees to offset the initial costs are not received by that date.

SMAC was founded at Scotch Plains - Fanwood High School in 2001. When Rob Mattar, then a junior in high school, was diagnosed with testicular cancer, his friends and classmates rallied around him by shaving their heads, raising money, and ultimately launching the solely student-run foundation. Since inception, SMAC has remained the largest club at Scotch Plains - Fanwood High School and now has chapters in 13 schools.

SMAC has collectively raised more than $2 million, which has been donated to local hospitals, national cancer research and awareness organizations, the Rob Mattar Scholarship Fund, and SMAC Cancer Fighter Scholarships for graduating high school seniors. The goal of SMAC is to empower the next generation of cancer fighters.