SENATE, No. 1607

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:
Senator RICHARD J. CODEY
District 27 (Essex and Morris)

SYNOPSIS

Authorizes creation of special license plates for sea turtle recovery.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning the creation of special license plates for sea turtle recovery 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 special license plates for sea turtle recovery for any motor vehicle owned or leased and registered in the State. In addition to the registration number and other markings or identification otherwise prescribed by law, the license plate shall display appropriate words or a slogan indicating support for the rehabilitation, preservation, and conservation of sea turtles. The chief administrator shall select the design, including an emblem and color scheme, in consultation with Sea Turtle Recovery, Inc.. The Sea Turtle Recovery, Inc. license plates shall be subject to the provisions of chapter 3 of Title 39 of the Revised Statutes, except as hereinafter otherwise specifically provided.

b. Application for issuance of Sea Turtle Recovery 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 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 Sea Turtle Recovery 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 "Sea Turtle Recovery 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 "Sea Turtle Recovery 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 Sea Turtle Recovery, Inc. to be used for the rehabilitation of sea turtles and education of the public on the important ecological role of sea turtles. 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 such securities as are approved by the State Treasurer. Interest or other income earned on monies

deposited in the fund, and any monies which may be appropriated or otherwise become available for the purposes of the fund, shall be credited to and deposited in the fund for use as set forth in this section.

d. Prior to the deposit of the additional fees collected pursuant to subsection b. of this section into the "Sea Turtle Recovery 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 Sea Turtle Recovery license plates; and

(2) any computer programming changes that may be initially necessary to implement the Sea Turtle Recovery 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 Sea Turtle Recovery 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 Sea Turtle Recovery license plates.

e. The chief administrator shall notify eligible motorists of the opportunity to obtain Sea Turtle Recovery license plates by publicizing the availability of the license plates on the website of the commission. Sea Turtle Recovery, Inc., and any other individual or entity designated by the organization, may publicize the availability of the license plates in any manner the organization deems appropriate.

f. The chief administrator and the executive officer of Sea Turtle Recovery, Inc. 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 executive officer of Sea Turtle Recovery, Inc. shall appoint a representative who shall act as a liaison between the organization and the commission. The liaison shall represent the organization in any and all communications with the commission regarding the 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 Sea Turtle Recovery license plates; or

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

b. Sea Turtle Recovery, Inc., or an individual or entity designated by the organization, 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 Sea Turtle Recovery license plates, and any computer programming which may be necessary to implement the program. Concerned organizations and individual donors may contribute monies to the organization to be used to offset the initial costs incurred by the commission for the Sea Turtle Recovery license plates authorized by P.L. , c. (C.) (pending before the Legislature as this bill). Any amount remaining after the payment of the initial cost shall be deposited in the "Sea Turtle Recovery License Plate Fund" established pursuant to subsection c. of section 1 of 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 Sea Turtle Recovery license plates, or making any necessary programming changes, until the following requirements have been met:

(1) Sea Turtle Recovery, Inc., or the individual or entity designated by the organization, has provided the commission with the money 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 Sea Turtle Recovery license plate program; and

(2) The liaison appointed by the executive officer of Sea Turtle Recovery, Inc. 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 Sea Turtle Recovery license plates. These applications shall constitute the initial order for the Sea Turtle Recovery 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 P.L. , c. (C.) (pending before the Legislature as this bill) have been satisfied. The chief administrator may take such anticipatory actions in advance of that date as may be necessary for the timely implementation of P.L. , c. (C.) (pending before the Legislature as this bill). P.L. , c. (C.) (pending before the Legislature as this bill) shall expire if the conditions set forth in paragraphs (1) and (2) of subsection c. of section 2 of P.L. , c. (C.) (pending before the Legislature as this bill) are not satisfied by the last day of the 12th month following enactment.

STATEMENT

This bill authorizes the Chief Administrator (chief administrator) of the New Jersey Motor Vehicle Commission (MVC) to issue special license plates for sea turtle recovery.

In addition to the registration number and other markings or identification otherwise prescribed by law, the license plate is to display appropriate words or a slogan indicating support for the rehabilitation, preservation, and conservation of sea turtles. The design of the license plate is to be chosen by the chief administrator, in consultation with Sea Turtle Recovery, Inc. (STR), which is a non-profit dedicated to the rehabilitation of sea turtles and the education of the public on the important ecological role of sea turtles, the threats endangering sea turtles and their habitats, and the ways to protect sea turtles and their habitats.

In addition to the required motor vehicle registration fees, there is an application fee of $50 and an annual renewal fee of $10 for the license plates. After deducting the costs to implement the plates, the additional fees collected are to be deposited into the "Sea Turtle Recovery License Plate Fund," the proceeds of which are to be appropriated annually to STR.

The chief administrator is required to annually certify the average cost of producing, issuing, 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 executive officer of STR appoint a liaison to represent STR in all communications with the MVC regarding the license plates.

The bill provides that State or other public funds may not be used by the MVC for the initial cost to implement the license plate program. The bill requires STR, or an individual or entity designated by STR, 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 any computer programming necessary to implement the program. The bill authorizes STR 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, or make any necessary programming changes, until: (1) STR, or an individual or entity designated by STR, has provided the MVC with the money necessary to offset the initial costs incurred by the MVC in establishing the license plate program; and (2) STR, or its designee, has provided the MVC with a minimum of 500 completed applications for the license plates, upon the availability for purchase of those license plates.

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