

SENATE, No. 2036

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:
Senator TROY SINGLETON
District 7 (Burlington)

SYNOPSIS

Authorizes creation of special Phi Beta Sigma license plates.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** concerning special Phi Beta Sigma license plates and
2 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 Phi Beta Sigma
9 license plates for any motor vehicle owned or leased and registered
10 in the State. In addition to the registration number and other
11 markings or identification otherwise prescribed by law, the license
12 plates shall display appropriate words or a slogan and an emblem
13 representative of the Phi Beta Sigma Fraternity, Inc. The chief
14 administrator shall select the design, including an emblem and color
15 scheme, in consultation with the International President of Phi Beta
16 Sigma Fraternity, Inc. Phi Beta Sigma license plates shall be subject
17 to the provisions of chapter 3 of Title 39 of the Revised Statutes,
18 except as hereinafter otherwise specifically provided.

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

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

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

3 d. Prior to the deposit of the additional fees collected pursuant
4 to subsection b. of this section into the fund, amounts thereof as are
5 necessary shall be used to reimburse the commission for all costs
6 reasonably and actually incurred, as stipulated by the chief
7 administrator, for:

8 (1) designing, producing, issuing, renewing, and publicizing the
9 availability of the Phi Beta Sigma license plates; and

10 (2) any computer programming changes that may be initially
11 necessary to implement the Phi Beta Sigma license plate program
12 established by P.L. , c. (C.) (pending before the Legislature
13 as this bill), 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 Phi Beta
18 Sigma license plates. The annual certification of the average cost
19 per license plate shall be approved by the Joint Budget Oversight
20 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 Phi
26 Beta Sigma license plates.

27 e. The chief administrator shall notify eligible motorists of the
28 opportunity to obtain Phi Beta Sigma license plates by publicizing
29 the availability of the license plates on the website of the
30 commission. The Phi Beta Sigma Fraternity, Inc., and any other
31 individual or entity designated by the International President of Phi
32 Beta Sigma Fraternity, Inc., may publicize the availability of Phi
33 Beta Sigma license plates in any manner the organization deems
34 appropriate.

35 f. The chief administrator and the International President of
36 Phi Beta Sigma Fraternity, Inc. shall develop and enter into a
37 memorandum of agreement setting forth the procedures to be
38 followed in carrying out their respective responsibilities under
39 P.L. , c. (C.) (pending before the Legislature as this bill).

40 g. The Phi Beta Sigma Fraternity, Inc. shall appoint a
41 representative who shall act as a liaison between the organization
42 and the commission. The liaison shall represent the Phi Beta Sigma
43 Fraternity, Inc. in any and all communications with the commission
44 regarding the Phi Beta Sigma license plates established by P.L. ,
45 c. (C.) (pending before the Legislature as this bill).

46
47 2. a. No State or other public funds shall be used by the
48 commission for the initial cost of:

1 (1) designing, producing, issuing, and publicizing the
2 availability of Phi Beta Sigma license plates; or

3 (2) any computer programming changes which may be
4 necessary to implement the Phi Beta Sigma license plate program
5 established by P.L. , c. (C.) (pending before the Legislature
6 as this bill).

7 b. The Phi Beta Sigma Fraternity, Inc., or the representative
8 designated by the Phi Beta Sigma Fraternity, Inc., shall contribute
9 monies in an amount to be determined by the chief administrator,
10 not to exceed a total of \$25,000, to be used to offset the initial costs
11 incurred by the commission for designing, producing, issuing, and
12 publicizing the availability of Phi Beta Sigma license plates, and
13 any computer programming which may be necessary to implement
14 the program. To further offset the initial costs incurred by the
15 commission for the Phi Beta Sigma license plates authorized by
16 P.L. , c. (C.) (pending before the Legislature as this bill),
17 other concerned organizations and individual donors may contribute
18 monies to the Phi Beta Sigma Fraternity, Inc., or an individual or
19 entity designated by the Phi Beta Sigma Fraternity, Inc., for this
20 purpose. Any amount remaining after the payment of the initial
21 costs shall be deposited in the "Phi Beta Sigma License Plate Fund"
22 established pursuant to subsection c. of section 1 of P.L. ,
23 c. (C.) (pending before the Legislature as this bill).

24 c. The commission shall not begin designing, producing,
25 issuing, or publicizing the availability of Phi Beta Sigma license
26 plates, or making any necessary programming changes, until the
27 following requirements have been met:

28 (1) The Phi Beta Sigma Fraternity, Inc., or the individual or
29 entity designated by the Phi Beta Sigma Fraternity, Inc., has
30 provided the commission with the money necessary, as determined
31 by the chief administrator pursuant to subsection b. of this section,
32 to offset the initial costs incurred by the commission in establishing
33 the Phi Beta Sigma license plate program; and

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

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46 3. This act shall take effect immediately, but shall remain
47 inoperative until the first day of the 13th month following the date
48 on which the conditions set forth in paragraphs (1) and (2) of

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

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STATEMENT

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15 This bill authorizes the Chief Administrator (chief administrator)
16 of the New Jersey Motor Vehicle Commission (commission) to
17 issue Phi Beta Sigma license plates. The design of the license plates
18 is to be chosen by the chief administrator in consultation with the
19 International President of Phi Beta Sigma Fraternity, Inc. (Phi Beta
20 Sigma).

21 In addition to all fees otherwise required by law for the
22 registration of a motor vehicle, there is an application fee of \$50
23 and an annual renewal fee of \$10 for the Phi Beta Sigma license
24 plates. The additional fees, after the deduction of the cost of
25 designing, producing, issuing, renewing, and publicizing the plates
26 and of any computer programming changes that are necessary to
27 implement the license plate program, will be deposited into a
28 special non-lapsing fund known as the "Phi Beta Sigma License
29 Plate Fund." The proceeds of the fund are to be annually
30 appropriated to the Phi Beta Sigma Fraternity and used to support
31 the organization's mission and programs, which include
32 scholarships, social action programs, college endowment funding,
33 and health initiatives.

34 The chief administrator is required to annually certify the
35 average cost of producing, issuing, renewing, and publicizing the
36 Phi Beta Sigma license plates. If the average cost per plate exceeds
37 \$50 for two consecutive fiscal years, the chief administrator may
38 discontinue the license plate program. The bill requires Phi Beta
39 Sigma to appoint a liaison to represent the organization in all
40 communications with the commission regarding the Phi Beta Sigma
41 license plates.

42 The bill provides that State or other public funds are not to be
43 used by the commission for the initial cost of designing, producing,
44 issuing, and publicizing the availability of Phi Beta Sigma license
45 plates or any computer programming changes which may be
46 necessary to implement the Phi Beta Sigma license plate program.

47 The bill requires that Phi Beta Sigma, or an individual or entity
48 designated by the organization, contribute monies in an amount to

1 be determined by the chief administrator, not to exceed \$25,000, to
2 be used to offset the initial costs incurred by the commission for
3 designing, producing, issuing, and publicizing the availability of
4 Phi Beta Sigma license plates, and any computer programming
5 which may be necessary to implement the program. The bill
6 authorizes Phi Beta Sigma to receive funds from private sources to
7 be used to offset the initial costs.

8 The bill prohibits the commission from designing, producing,
9 issuing, or publicizing the availability of Phi Beta Sigma license
10 plates, or making any necessary programming changes, until: (1)
11 Phi Beta Sigma, or its designee, has provided the commission with
12 the money necessary to offset the initial costs incurred by the
13 commission in establishing the Phi Beta Sigma license plate
14 program; and (2) the Phi Beta Sigma liaison has provided the
15 commission with a minimum of 500 completed applications for Phi
16 Beta Sigma license plates.

17 The chief administrator is responsible for publicizing the
18 availability of the license plates on the website of the commission.
19 Phi Beta Sigma, or any individual or entity designated by the
20 organization, may also publicize the availability of Phi Beta Sigma
21 license plates in any manner the organization deems appropriate.

22 The provisions of the bill remain inoperative until the first day of
23 the 13th month after the date on which the appropriate applications
24 and fees required to offset the initial costs incurred by the
25 commission are provided to the commission. The bill expires on the
26 last day of the 12th month if sufficient applications and fees to
27 offset the initial costs are not received.