SENATE, No. 2038

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:
Senator TROY SINGLETON
District 7 (Burlington)

SYNOPSIS

Authorizes issuance of Kappa Alpha Psi license plates.

CURRENT VERSION OF TEXT

As introduced.

AN ACT authorizing the issuance of Kappa Alpha Psi license plates and supplementing chapter 3 of 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 Kappa Alpha Psi 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 appropriate words or a slogan and emblem honoring the Kappa Alpha Psi Fraternity, Inc. The chief administrator shall, in consultation with the Northeastern Province Polemarch of Kappa Alpha Psi Fraternity, Inc., select the design and color scheme of the Kappa Alpha Psi license plates. The Kappa Alpha Psi 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 Kappa Alpha Psi 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 Kappa Alpha Psi 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 "Kappa Alpha Psi License Plate Fund" created pursuant to subsection c. of this section.

c. There is created in the Department of Treasury a special non-lapsing fund to be known as the "Kappa Alpha Psi 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 commission for administrative costs pursuant to subsection d. of this section. Monies deposited in the fund shall be appropriated annually to the Kappa Alpha Psi Fraternity, Inc. 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 "Kappa Alpha Psi 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 Kappa Alpha Psi license plates; and

(2) any computer programming changes that may be initially necessary to implement the Kappa Alpha Psi 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 Kappa Alpha Psi 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 Kappa Alpha Psi license plates.

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

f. The chief administrator and the Northeastern Province Polemarch of Kappa Alpha Psi Fraternity, 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 Northeastern Province Polemarch of Kappa Alpha Psi Fraternity, Inc. shall appoint a representative who shall act as a liaison between the Northeastern Province of Kappa Alpha Psi Fraternity, Inc. and the commission. The liaison shall represent the Northeastern Province of Kappa Alpha Psi Fraternity, Inc. in any and all communications with the commission regarding the Kappa Alpha Psi 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 Kappa Alpha Psi license plates; or

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

b. The Northeastern Province of Kappa Alpha Psi Fraternity, Inc. or an individual or entity designated by the Northeastern Province of Kappa Alpha Psi Fraternity, Inc., 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 Kappa Alpha Psi license plates, and any computer programming which may be necessary to implement the program. Concerned organizations and individual donors may contribute monies to the Northeastern Province of Kappa Alpha Psi Fraternity, Inc. to be used to offset the initial costs incurred by the commission for the Kappa Alpha Psi 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 "Kappa Alpha Psi 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 Kappa Alpha Psi license plates, or making any necessary programming changes, until the following requirements have been met:

(1) The Northeastern Province of Kappa Alpha Psi Fraternity, Inc. or an individual or entity designated by the Northeastern Province of Kappa Alpha Psi Fraternity Inc., 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 Kappa Alpha Psi license plate program; and

(2) The liaison appointed by the Northeastern Province Polemarch of Kappa Alpha Psi Fraternity, 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 Kappa Alpha Psi license plates. These applications shall constitute the initial order for Kappa Alpha Psi 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 seventh 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 12th month following enactment.

STATEMENT

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

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

The bill provides that the design of the Kappa Alpha Psi license plate is to display appropriate words or a slogan and an emblem honoring the Kappa Alpha Psi Fraternity, Inc. The chief administrator, in consultation with the Northeastern Province Polemarch of Kappa Alpha Psi Fraternity, Inc., is to select the design and color scheme of the Kappa Alpha Psi 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 Kappa Alpha Psi 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, in an amount not to exceed $150,000, the additional fees will be deposited into a special non-lapsing fund known as the "Kappa Alpha Psi License Plate Fund." The proceeds of the fund

are to be annually appropriated to the Kappa Alpha Psi Fraternity, Inc., 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 Kappa Alpha Psi license plate program. The bill also requires that the Northeastern Province Polemarch of Kappa Alpha Psi Fraternity, Inc. appoint a liaison to represent the Northeastern Province of Kappa Alpha Psi Fraternity, Inc. (Northeastern Province) in all communications with the commission regarding the Kappa Alpha Psi 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 Kappa Alpha Psi license plate program. The bill requires the Northeastern Province or an individual or entity designated by the Northeastern Province 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 the Northeastern Province 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 Kappa Alpha Psi license plates, until: (1) the Northeastern Province or the individual or entity designated by the Northeastern Province has provided the commission with the money necessary to offset the initial costs incurred by the commission in establishing the Kappa Alpha Psi license plate program; and (2) the Northeastern Province liaison has provided the commission with a minimum of 500 completed applications for the Kappa Alpha Psi license plates.

The provisions of the bill will remain inoperative until the first day of the seventh month after the appropriate applications and fees required to offset the initial costs incurred by the commission are provided by the Northeastern Province liaison. 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.