

CHAPTER 273

AN ACT concerning special Omega Psi Phi Fraternity 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:*

C.39:3-27.144 Omega Psi Phi license plates.

1. a. Upon proper application, the Chief Administrator of the New Jersey Motor Vehicle Commission shall issue Omega Psi Phi license plates 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 and an emblem representative of Omega Psi Phi. The chief administrator shall select the design, including an emblem and color scheme, in consultation with the National President of Omega Psi Phi. Omega Psi Phi 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 Omega Psi Phi 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 Omega Psi Phi license plate, a \$10 fee for the license plate 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 "Omega Psi Phi 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 "Omega Psi Phi 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 Omega Psi Phi Fraternity, Inc. and be used to support the organization's mission and programs which include scholarships, social action programs, college endowment funding, and health initiatives. 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 P.L.2013, c.273 (C.39:3-27.144 et seq.).

d. Prior to the deposit of the additional fees collected pursuant to subsection b. of this section into the 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) producing, issuing, renewing, and publicizing the availability of the Omega Psi Phi license plates; and

(2) any computer programming changes that may be initially necessary to implement the Omega Psi Phi license plate program established by P.L.2013, c.273 (C.39:3-27.144 et seq.), 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 Omega Psi Phi 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 Omega Psi Phi license plates.

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

f. The chief administrator and the National President of Omega Psi Phi 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.2013, c.273 (C.39:3-27.144 et seq.).

g. Omega Psi Phi shall appoint a representative who shall act as a liaison between the agency and the commission. The liaison shall represent Omega Psi Phi in any and all communications with the commission regarding the Omega Psi Phi license plates established by P.L.2013, c.273 (C.39:3-27.144 et seq.).

C.39:3-27.145 Cost of producing, issuing, publicizing Omega Psi Phi license plates.

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

(1) producing, issuing, and publicizing the availability of Omega Psi Phi license plates;

or

(2) any computer programming changes which may be necessary to implement the Omega Psi Phi license plate program established by P.L.2013, c.273 (C.39:3-27.144 et seq.).

b. Omega Psi Phi, or other individual or entity designated by Omega Psi Phi, shall contribute 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 producing, issuing, and publicizing the availability of Omega Psi Phi license plates, and any computer programming which may be necessary to implement the program. To further help offset the initial costs incurred by the commission for the Omega Psi Phi license plates authorized by P.L.2013, c.273 (C.39:3-27.144 et seq.), other concerned organizations and individual donors may contribute monies to Omega Psi Phi, or an individual or entity designated by Omega Psi Phi, for this purpose. Any amount remaining after the payment of the initial costs shall be deposited in the "Omega Psi Phi License Plate Fund" established pursuant to subsection c. of section 1 of P.L.2013, c.273 (C.39:3-27.144).

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

(1) Omega Psi Phi or the individual or entity designated by Omega Psi Phi, 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 Omega Psi Phi license plate program; and

(2) The liaison appointed by Omega Psi Phi pursuant to subsection g. of section 1 of P.L.2013, c.273 (C.39:3-27.144) has provided the commission with not less than 500

completed applications for Omega Psi Phi license plates. These applications shall constitute the initial order for Omega Psi Phi license plates and shall be accompanied by a fee representing the total cost of the initial order. Such fee shall be determined by multiplying the number of sets of plates being ordered by the applicable initial fee for each set of plates as set forth in subsection b. of section 1 of P.L.2013, c.273 (C.39:3-27.144).

3. This act shall take effect immediately, but shall remain inoperable 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 P.L.2013, c.273 (C.39:3-27.145) have been satisfied. The chief administrator may take such anticipatory acts in advance of that date as may be necessary for the timely implementation of P.L.2013, c.273 (C.39:3-27.144 et seq.). P.L.2013, c.273 (C.39:3-27.144 et seq.) shall expire if the conditions set forth in paragraphs (1) and (2) of subsection c. of section 2 of P.L.2013, c.273 (C.39:3-27.145) are not satisfied by the last day of the 12th month following enactment.

Approved January 17, 2014.