

CHAPTER 109

AN ACT authorizing the issuance of Delta Sigma Theta 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.39:3-27.152 Issuance of Delta Sigma Theta license plates.

1. a. Upon proper application, the Chief Administrator of the New Jersey Motor Vehicle Commission shall issue Delta Sigma Theta 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 Delta Sigma Theta Sorority, Inc. The chief administrator shall, in consultation with the Eastern Regional Director of Delta Sigma Theta Sorority, Inc., select the design and color scheme of the Delta Sigma Theta license plates. The Delta Sigma Theta 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 Delta Sigma Theta 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 Delta Sigma Theta 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 "Delta Sigma Theta 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 "Delta Sigma Theta 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 Delta Sigma Theta Sorority, Inc. to be used to support the organization's mission and programs, which include educational development programs for youth and economic development, social action, and health initiatives for disadvantaged communities. 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 the purposes of the fund, shall be credited to and deposited in the fund for use as set forth in P.L.2018, c.109 (C.39:3-27.152 et seq.).

d. Prior to the deposit of the additional fees collected pursuant to subsection b. of this section into the "Delta Sigma Theta 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 Delta Sigma Theta license plates; and
- (2) any computer programming changes that may be initially necessary to implement the Delta Sigma Theta 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 Delta Sigma Theta 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 Delta Sigma Theta license plates.

e. The chief administrator shall notify eligible motorists of the opportunity to obtain Delta Sigma Theta license plates by publicizing the availability of the license plates on the commission's website. The Eastern Region of Delta Sigma Theta Sorority, Inc., and any other individual or entity designated by the Eastern Region of Delta Sigma Theta Sorority, Inc., may publicize the availability of the Delta Sigma Theta license plates in any manner that the Eastern Region of Delta Sigma Theta Sorority, Inc. deems appropriate.

f. The chief administrator and the Eastern Regional Director of Delta Sigma Theta Sorority, 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.2018, c.109 (C.39:3-27.152 et seq.).

g. The Eastern Regional Director of Delta Sigma Theta Sorority, Inc. shall appoint a representative who shall act as a liaison between the Eastern Region of Delta Sigma Theta Sorority, Inc. and the commission. The liaison shall represent the Eastern Region of Delta Sigma Theta Sorority, Inc. in any and all communications with the commission regarding the Delta Sigma Theta license plates established by P.L.2018, c.109 (C.39:3-27.152 et seq.).

C.39:3-27.153 Funds for production of Delta Sigma Theta license plates.

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 Delta Sigma Theta license plates; or

(2) any computer programming changes which may be necessary to implement the Delta Sigma Theta license plate program established by P.L.2018, c.109 (C.39:3-27.152 et seq.).

b. The Eastern Region of Delta Sigma Theta Sorority, Inc. or an individual or entity designated by the Eastern Region of Delta Sigma Theta Sorority, 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 Delta Sigma Theta license plates, and any computer programming which may be necessary to implement the program. Concerned organizations and individual donors may contribute monies to the Eastern Region of Delta Sigma Theta Sorority, Inc. to be used to offset the initial costs incurred by the commission for the Delta Sigma Theta license plates authorized by P.L.2018, c.109 (C.39:3-27.152 et seq.). Any amount remaining after the payment of the initial cost shall be deposited in the "Delta Sigma Theta License Plate Fund" established pursuant to subsection c. of section 1 of P.L.2018, c.109 (C.39:3-27.152).

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

(1) The Eastern Region of Delta Sigma Theta Sorority, Inc. or an individual or entity designated by the Eastern Region of Delta Sigma Theta Sorority, 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 Delta Sigma Theta license plate program; and

(2) The liaison appointed by the Eastern Regional Director of Delta Sigma Theta Sorority, Inc. pursuant to subsection g. of section 1 of P.L.2018, c.109 (C.39:3-27.152) has provided the commission with not less than 500 completed applications for Delta Sigma Theta license plates. These applications shall constitute the initial order for Delta Sigma Theta 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.2018, c.109 (C.39:3-27.152).

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.

Approved August 24, 2018.