

CHAPTER 281

AN ACT concerning special "Breast Cancer Awareness" 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.39:3-27.156 "Breast Cancer Awareness" license plates.

1. a. Upon proper application, the Chief Administrator of the New Jersey Motor Vehicle Commission shall issue special license plates supporting Breast Cancer Awareness 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 plates shall display the slogan "Early Detection Saves Lives." The chief administrator shall select the design, including an emblem and color scheme, in consultation with a breast cancer awareness organization selected by the Governor. Breast Cancer Awareness 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 Breast Cancer Awareness 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 Breast Cancer Awareness 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 "Breast Cancer Awareness 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 "Breast Cancer Awareness 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 equally distributed for the purpose of funding breast cancer research and mammograms for uninsured women in New Jersey. Of the amount of monies distributed in the fund for the purpose of funding breast cancer research, 30 percent of those monies deposited shall be distributed for the purpose of funding metastatic breast cancer research. 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 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.2019, c.281 (C.39:3-27.156 et seq.).

d. Prior to the deposit into the fund of the additional fees collected pursuant to subsection b. of this section, 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 Breast Cancer Awareness license plates; and

(2) any computer programming changes that may be initially necessary to implement the Breast Cancer Awareness license plate program established by P.L.2019, c.281 (C.39:3-27.156 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 Breast Cancer Awareness 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 Breast Cancer Awareness license plates.

e. The chief administrator shall notify eligible motorists of the opportunity to obtain Breast Cancer Awareness license plates by publicizing the availability of the license plates on the website of the commission. The breast cancer awareness organization selected by the Governor pursuant to subsection a. of this section, and any other individual or entity designated by that organization, may publicize the availability of Breast Cancer Awareness license plates in any manner the organization deems appropriate.

f. The chief administrator and the breast cancer awareness organization selected by the Governor pursuant to subsection a. of this section 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.2019, c.281 (C.39:3-27.156 et seq.).

g. The breast cancer awareness organization selected by the Governor pursuant to subsection a. of this section shall appoint a representative who shall act as a liaison between the organization and the commission. The liaison shall represent the breast cancer awareness organization in any and all communications with the commission regarding the Breast Cancer Awareness license plates established by P.L.2019, c.281 (C.39:3-27.156 et seq.).

C.39:3-27.157 Funding for "Breast Cancer Awareness" license plates.

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

(1) designing, producing, issuing, and publicizing the availability of Breast Cancer Awareness license plates; or

(2) any computer programming changes which may be necessary to implement the Breast Cancer Awareness license plate program established by P.L.2019, c.281 (C.39:3-27.156 et seq.).

b. A representative designated by the breast cancer awareness organization selected by the Governor pursuant to subsection a. of section 1 of P.L.2019, c.281 (C.39:3-27.156) 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 Breast Cancer Awareness license plates, and any computer programming which may be necessary to implement the program. To further offset the initial costs incurred by the commission for the Breast Cancer Awareness license plates authorized by P.L.2019, c.281 (C.39:3-27.156 et seq.), other concerned organizations and individual donors may contribute monies to the breast cancer awareness organization selected by the Governor pursuant to subsection a. of section 1 of P.L.2019, c.281 (C.39:3-27.156), or the individual or entity designated by that breast cancer awareness organization, for this purpose. Any amount remaining after the payment of the initial costs shall be deposited in the "Breast Cancer Awareness License Plate Fund" established pursuant to subsection c. of section 1 of P.L.2019, c.281 (C.39:3-27.156).

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

(1) The representative designated by the breast cancer awareness organization selected by the Governor pursuant to subsection a. of section 1 of P.L.2019, c.281 (C.39:3-27.156) 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 Breast Cancer Awareness license plate program; and

(2) The liaison appointed pursuant to subsection g. of section 1 of P.L.2019, c.281 (C.39:3-27.156) by the breast cancer awareness organization selected by the Governor pursuant to subsection a. of section 1 of P.L.2019, c.281 (C.39:3-27.156) has provided the commission with not less than 500 completed applications for Breast Cancer Awareness license plates. These applications shall constitute the initial order for Breast Cancer Awareness 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.2019, c.281 (C.39:3-27.156).

3. This act shall take effect immediately, and the Governor shall select a breast cancer awareness organization in accordance with subsection a. of section 1 of this act upon enactment, provided, however, that the remainder of the act 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 this act have been satisfied. The chief administrator may take anticipatory actions 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 January 9, 2020.