

**ASSEMBLY, No. 978**

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**STATE OF NEW JERSEY**

**220th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

**Sponsored by:**

**Assemblywoman VERLINA REYNOLDS-JACKSON**

**District 15 (Hunterdon and Mercer)**

**Assemblyman BENJIE E. WIMBERLY**

**District 35 (Bergen and Passaic)**

**SYNOPSIS**

Authorizes issuance of Kappa Alpha Psi license plates.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



**(Sponsorship Updated As Of: 3/8/2022)**

1 AN ACT authorizing the issuance of Kappa Alpha Psi license plates  
2 and 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 Kappa Alpha  
9 Psi license plates for any motor vehicle owned or leased and  
10 registered in this State. In addition to the registration number and  
11 other markings or identification otherwise prescribed by law, the  
12 license plates shall display appropriate words or a slogan and  
13 emblem honoring the Kappa Alpha Psi Fraternity, Inc. The chief  
14 administrator shall, in consultation with the Northeastern Province  
15 Polemarch of Kappa Alpha Psi Fraternity, Inc., select the design  
16 and color scheme of the Kappa Alpha Psi license plates. The Kappa  
17 Alpha Psi license plates shall be subject to the provisions of chapter  
18 3 of Title 39 of the Revised Statutes, except as hereinafter otherwise  
19 provided.

20 b. Application for issuance of Kappa Alpha Psi license plates  
21 shall be made to the chief administrator on forms and in a manner  
22 prescribed by the chief administrator. In order to be deemed  
23 complete, an application shall be accompanied by a fee of \$50,  
24 payable to the New Jersey Motor Vehicle Commission, which shall  
25 be in addition to the fees otherwise prescribed by law for the  
26 registration of a motor vehicle. The chief administrator shall collect  
27 annually, subsequent to the year of issuance of the Kappa Alpha Psi  
28 license plates, a \$10 fee for the license plates in addition to the fees  
29 otherwise prescribed by law for the registration of a motor vehicle.  
30 The additional fees required by this subsection shall be deposited in  
31 the "Kappa Alpha Psi License Plate Fund" created pursuant to  
32 subsection c. of this section.

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

1 forth in P.L. , c. (C. ) (pending before the Legislature as  
2 this bill).

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

8 (1) designing, producing, issuing, renewing, and publicizing the  
9 availability of the Kappa Alpha Psi license plates; and

10 (2) any computer programming changes that may be initially  
11 necessary to implement the Kappa Alpha Psi license plate program  
12 in an amount not to exceed \$150,000.

13 The chief administrator shall annually certify to the State  
14 Treasurer the average cost per license plate incurred in the  
15 immediately preceding year by the commission in producing,  
16 issuing, renewing, and publicizing the availability of the Kappa  
17 Alpha Psi license plates. The annual certification of the average  
18 cost per license plate shall be approved by the Joint Budget  
19 Oversight Committee, or its successor.

20 In the event that the average cost per license plate as certified by  
21 the chief administrator and approved by the Joint Budget Oversight  
22 Committee, or its successor, is greater than the \$50 application fee  
23 established in subsection b. of this section in two consecutive fiscal  
24 years, the chief administrator may discontinue the issuance of  
25 Kappa Alpha Psi license plates.

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

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

40 g. The Northeastern Province Polemarch of Kappa Alpha Psi  
41 Fraternity, Inc. shall appoint a representative who shall act as a  
42 liaison between the Northeastern Province of Kappa Alpha Psi  
43 Fraternity, Inc. and the commission. The liaison shall represent the  
44 Northeastern Province of Kappa Alpha Psi Fraternity, Inc. in any  
45 and all communications with the commission regarding the Kappa  
46 Alpha Psi license plates established by P.L. , c. (C. )  
47 (pending before the Legislature as this bill).

- 1        2. a. State or public funds shall not be used by the commission  
2 for the initial cost of:
- 3        (1) designing, producing, issuing, and publicizing the  
4 availability of Kappa Alpha Psi license plates; or
- 5        (2) any computer programming changes which may be  
6 necessary to implement the Kappa Alpha Psi license plate program  
7 established by P.L. , c. (C. ) (pending before the  
8 Legislature as this bill).
- 9        b. The Northeastern Province of Kappa Alpha Psi Fraternity,  
10 Inc. or an individual or entity designated by the Northeastern  
11 Province of Kappa Alpha Psi Fraternity, Inc., shall contribute non-  
12 public monies in an amount to be determined by the chief  
13 administrator, not to exceed a total of \$25,000, to be used to offset  
14 the initial costs incurred by the commission for designing,  
15 producing, issuing, and publicizing the availability of Kappa Alpha  
16 Psi license plates, and any computer programming which may be  
17 necessary to implement the program. Concerned organizations and  
18 individual donors may contribute monies to the Northeastern  
19 Province of Kappa Alpha Psi Fraternity, Inc. to be used to offset the  
20 initial costs incurred by the commission for the Kappa Alpha Psi  
21 license plates authorized by P.L. , c. (C. ) (pending before  
22 the Legislature as this bill). Any amount remaining after the  
23 payment of the initial cost shall be deposited in the “Kappa Alpha  
24 Psi License Plate Fund” established pursuant to subsection c. of  
25 section 1 of P.L. , c. (C. ) (pending before the Legislature  
26 as this bill).
- 27        c. The commission shall not begin designing, producing,  
28 issuing, or publicizing the availability of Kappa Alpha Psi license  
29 plates, or making any necessary programming changes, until the  
30 following requirements have been met:
- 31        (1) The Northeastern Province of Kappa Alpha Psi Fraternity,  
32 Inc. or an individual or entity designated by the Northeastern  
33 Province of Kappa Alpha Psi Fraternity Inc., has provided the  
34 commission with the money necessary, as determined by the chief  
35 administrator pursuant to subsection b. of this section, to offset the  
36 initial costs incurred by the commission in establishing the Kappa  
37 Alpha Psi license plate program; and
- 38        (2) The liaison appointed by the Northeastern Province  
39 Polemarch of Kappa Alpha Psi Fraternity, Inc. pursuant to  
40 subsection g. of section 1 of P.L. , c. (C. ) (pending before  
41 the Legislature as this bill) has provided the commission with not  
42 less than 500 completed applications for Kappa Alpha Psi license  
43 plates. These applications shall constitute the initial order for Kappa  
44 Alpha Psi license plates and shall be accompanied by a fee  
45 representing the total cost of the initial order. The fee shall be  
46 determined by multiplying the number of sets of license plates  
47 being ordered by the applicable initial fee for each set of license

1 plates as set forth in subsection b. of section 1 of  
2 P.L. , c. (C. ) (pending before the Legislature as this bill).

3  
4 3. This act shall take effect immediately, but shall remain  
5 inoperative until the first day of the seventh month following the  
6 date on which the conditions set forth in paragraphs (1) and (2) of  
7 subsection c. of section 2 of this act have been satisfied. The chief  
8 administrator may take anticipatory acts in advance of that date as  
9 may be necessary for the timely implementation of this act. This act  
10 shall expire if the conditions set forth in paragraphs (1) and (2) of  
11 subsection c. of section 2 of this act are not satisfied by the last day  
12 of the 12th month following enactment.

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15 STATEMENT

16  
17 This bill authorizes the Chief Administrator of the New Jersey  
18 Motor Vehicle Commission (commission) to issue special Kappa  
19 Alpha Psi license plates.

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

34 The bill provides that the design of the Kappa Alpha Psi license  
35 plate is to display appropriate words or a slogan and an emblem  
36 honoring the Kappa Alpha Psi Fraternity, Inc. The chief  
37 administrator, in consultation with the Northeastern Province  
38 Polemarch of Kappa Alpha Psi Fraternity, Inc., is to select the  
39 design and color scheme of the Kappa Alpha Psi license plates.

40 In addition to all fees otherwise required by law for the  
41 registration of a motor vehicle, there is an application fee of \$50  
42 and an annual renewal fee of \$10 for the Kappa Alpha Psi license  
43 plates. After the deduction of the cost of designing, producing,  
44 issuing, renewing, and publicizing the plates and of any computer  
45 programming changes that are necessary to implement the license  
46 plate program, in an amount not to exceed \$150,000, the additional  
47 fees will be deposited into a special non-lapsing fund known as the  
48 “Kappa Alpha Psi License Plate Fund.” The proceeds of the fund

1 are to be annually appropriated to the Kappa Alpha Psi Fraternity,  
2 Inc., to be used to support the organization's mission and programs.

3 The chief administrator is required to annually certify the  
4 average cost of producing, issuing, renewing, and publicizing the  
5 availability of the specialty license plates. If the average cost per  
6 plate exceeds \$50 in two consecutive fiscal years, the chief  
7 administrator may discontinue the Kappa Alpha Psi license plate  
8 program. The bill also requires that the Northeastern Province  
9 Polemarch of Kappa Alpha Psi Fraternity, Inc. appoint a liaison to  
10 represent the Northeastern Province of Kappa Alpha Psi Fraternity,  
11 Inc. (Northeastern Province) in all communications with the  
12 commission regarding the Kappa Alpha Psi license plates.

13 The bill provides that State or other public funds are not to be  
14 used by the commission for the initial cost to implement the Kappa  
15 Alpha Psi license plate program. The bill requires the Northeastern  
16 Province or an individual or entity designated by the Northeastern  
17 Province to contribute non-public monies, not to exceed \$25,000, to  
18 offset the initial costs to design, produce, issue, and publicize the  
19 license plates and for computer programming changes which may  
20 be necessary to implement the program. The bill authorizes the  
21 Northeastern Province to receive funds from private sources to be  
22 used to offset the initial costs.

23 The chief administrator is not required to design, produce, issue,  
24 or publicize the availability of the Kappa Alpha Psi license plates,  
25 until: (1) the Northeastern Province or the individual or entity  
26 designated by the Northeastern Province has provided the  
27 commission with the money necessary to offset the initial costs  
28 incurred by the commission in establishing the Kappa Alpha Psi  
29 license plate program; and (2) the Northeastern Province liaison has  
30 provided the commission with a minimum of 500 completed  
31 applications for the Kappa Alpha Psi license plates.

32 The provisions of the bill will remain inoperative until the first  
33 day of the seventh month after the appropriate applications and fees  
34 required to offset the initial costs incurred by the commission are  
35 provided by the Northeastern Province liaison. The bill expires on  
36 the last day of the 12th month if sufficient applications and fees to  
37 offset the initial costs are not received by that date.