

STATE OF NEW YORK

6399--A

2019-2020 Regular Sessions

IN SENATE

June 7, 2019

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Transportation in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to establishing distinctive "POW-MIA" license plates; and to amend the state finance law, in relation to establishing the "POW-MIA awareness fund"

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The vehicle and traffic law is amended by adding a new
2 section 404-ff to read as follows:

3 § 404-ff. Distinctive "POW-MIA" license plates. 1. Any person residing
4 in this state shall, upon request, be issued a distinctive "POW-MIA"
5 motor vehicle or motorcycle license plate of a design approved by the
6 commissioner. Application for said license plate shall be filed in such
7 form and detail as the commissioner shall prescribe.

8 2. A distinctive plate issued pursuant to this section shall be issued
9 in the same manner as other number plates upon the payment of the regu-
10 lar registration fee prescribed by section four hundred one of this
11 article, provided, however, that an additional annual service charge of
12 twenty-five dollars shall be charged for such plate. Such additional
13 service charge shall be deposited pursuant to section four hundred four-
14 oo of this article to the credit of the department of motor vehicles
15 distinctive plate development fund, established by section ninety-five-g
16 of the state finance law, and shall be used for the production, design,
17 advertising and marketing of distinctive number plates; provided, howev-
18 er, that additional annual service charges collected in excess of six
19 thousand dollars shall be deposited to the credit of the POW-MIA aware-
20 ness fund established pursuant to section ninety-seven-ccc of the state
21 finance law.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 § 2. The state finance law is amended by adding a new section 97-ccc
2 to read as follows:

3 § 97-ccc. POW-MIA awareness fund. 1. There is hereby established in
4 the joint custody of the commissioner of taxation and finance and the
5 state comptroller, a special fund to be known as the "POW-MIA awareness
6 fund".

7 2. Such fund shall consist of all moneys collected pursuant to section
8 four hundred four-ff of the vehicle and traffic law, and all other
9 moneys appropriated, credited or transferred thereto from any other fund
10 or source pursuant to law.

11 3. Moneys of the fund shall be expended only for POW-MIA public educa-
12 tion and awareness campaigns and veteran services by Rolling Thunder New
13 York chapters, which are approved by the New York state division of
14 veterans' services.

15 4. Monies shall be payable from the fund on the audit and warrant of
16 the comptroller on vouchers approved and certified by the state director
17 of veterans' services.

18 § 3. 1. A distinctive plate established pursuant to section 404-ff of
19 the vehicle and traffic law, as added by section one of this act, shall
20 only be designed, produced and issued upon the delivery to the depart-
21 ment of motor vehicles of a surety bond in the amount of six thousand
22 dollars, which shall be executed by a surety company authorized by the
23 department of financial services to transact business in this state.
24 Provided, however, that if the commissioner of motor vehicles shall have
25 received prior to the plate design, production and issuance at least two
26 hundred orders for such distinctive plate together with the additional
27 annual service charge applicable to each such order, which shall be
28 non-refundable, no such surety bond shall be required. All such service
29 charges shall be deposited pursuant to the provisions of section 404-oo
30 of the vehicle and traffic law to the credit of the department of motor
31 vehicles distinctive plate development fund established by section 95-g
32 of the state finance law and shall be used for the design, production,
33 advertising and distribution of distinctive license plates in accordance
34 with such section 95-g.

35 2. If, upon the expiration of two years following the date upon which
36 distinctive plates in the series are first available for sale, two
37 hundred or more sets of such plates are sold, a bond delivered pursuant
38 to this section shall be discontinued. If fewer than two hundred sets of
39 such plates are sold by such time, the department of motor vehicles
40 shall be entitled to recover against the bond an amount proportionate to
41 such shortfall.

42 § 4. This act shall take effect on the one hundred eightieth day after
43 it shall have become a law; provided, however, that section three of
44 this act shall take effect immediately. Effective immediately, the addi-
45 tion, amendment and/or repeal of any rule or regulation necessary for
46 the implementation of this act on its effective date are authorized to
47 be made and completed on or before such effective date.