

STATE OF NEW YORK

6399

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

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 license plate of a design approved by the commissioner. Application for
6 said license plate shall be filed in such form and detail as the commis-
7 sioner 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-cc of the state
21 finance law.

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

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

LBD13176-01-9

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

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

8 3. Moneys of the fund shall be expended only for POW-MIA public educa-
9 tion and awareness campaigns by the Rolling Thunder Chapter Two New
10 York, which are approved by the New York state division of veterans'
11 services.

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

15 § 3. 1. A distinctive plate established pursuant to section 404-ff of
16 the vehicle and traffic law, as added by section one of this act, shall
17 only be designed, produced and issued upon the delivery to the depart-
18 ment of motor vehicles of a surety bond in the amount of six thousand
19 dollars, which shall be executed by a surety company authorized by the
20 department of financial services to transact business in this state.
21 Provided, however, that if the commissioner of motor vehicles shall have
22 received prior to the plate design, production and issuance at least two
23 hundred orders for such distinctive plate together with the additional
24 annual service charge applicable to each such order, which shall be
25 non-refundable, no such surety bond shall be required. All such service
26 charges shall be deposited pursuant to the provisions of section 404-oo
27 of the vehicle and traffic law to the credit of the department of motor
28 vehicles distinctive plate development fund established by section 95-g
29 of the state finance law and shall be used for the design, production,
30 advertising and distribution of distinctive license plates in accordance
31 with such section 95-g.

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

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