

# STATE OF NEW YORK

8567

2021-2022 Regular Sessions

## IN ASSEMBLY

December 13, 2021

Introduced by M. of A. CUSICK -- read once and referred to the Committee on Transportation

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.

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

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

LBD06919-02-1

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

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

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

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

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

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

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