STATE OF NEW YORK

8461

2023-2024 Regular Sessions

IN ASSEMBLY

December 29, 2023

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

AN ACT to amend the vehicle and traffic law, in relation to creating a series of distinctive license plates for law enforcement officers who were wounded in the line of duty

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

SUMMARY OF SPECIFIC PROVISIONS:

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

§ 404-ff. Distinctive plates for New York state law enforcement officers who were injured in the line of duty. 1. Any officer who was wounded in the line of duty or the spouse of any such officer shall, upon request, be issued a license plate containing the seal of one of the following five police associations: (a) New York state sheriff's association; (b) New York state association of chiefs of police; (c) police benevolent association of the New York state troopers; (d) the New York state police benevolent association; and (e) the New York city police benevolent association. Any plate issued pursuant to this act shall bear the words "Wounded in the Line of Duty". For the purposes of this section:

i. "Wounded in the line of duty" shall be defined as a law enforcement officer who has sustained personal injury, in the intelligent performance of duty, inflicted by an assailant with a dangerous and deadly weapon.

ii. Eligibility shall be verified by the department who employed the officer at the time of injury and shall be reviewed by the department.

iii. If a distinctive plate is issued to a law enforcement officer pursuant to this section, such a distinctive plate shall not be issued to the spouse of such officer.

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

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iv. The application for such license plate shall be filed with the commissioner in such form and detail as prescribed by the commissioner.

2. The distinctive plate authorized under subdivision one of this section shall be issued upon proof, satisfactory to the commissioner, that the applicant or the spouse of the applicant is a law enforcement officer who was wounded in the line of duty.

3. (a) A distinctive plate issued pursuant to this section shall be issued in the same manner as other number plates under this article upon the payment of the required registration fee prescribed by section four hundred one of this article; provided, however, that an additional annual service charge of twenty-five dollars shall be charged for such plates. Such annual service charge shall be deposited pursuant to the provisions of section four hundred four-oo of this article, to the credit of the department of motor vehicles distinctive plate development fund established by section ninety-five-g of the state finance law.

(b) Moneys from such deposit shall be used for the production, design, advertising, and marketing of distinctive license plates pursuant to section ninety-five-g of the state finance law; provided, however, that annual service charges collected in excess of six thousand dollars be deposited to the "wounded officers support fund" or "the fund" established by section ninety-seven-zzzz of the state finance law.

(c) Moneys from the fund will be directed for purposes deemed appropriate by the five law enforcement associations as long as the funds are used for the purpose of assisting wounded or fallen law enforcement officers and their families.

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

§ 97-zzzz. Wounded officers support fund. 1. There is hereby established in the joint custody of the commissioner of taxation and finance and the comptroller, a special fund known as the "wounded officers support fund" or "the fund".

2. Such fund shall consist of all revenues received pursuant to the provisions of section four hundred four-ff of the vehicle and traffic law and other moneys appropriated, credited, or transferred thereto from any other fund or source pursuant to law.

3. Nothing contained in this section shall prevent the state from receiving grants, gifts, or bequests for the purposes of the fund as defined in this section and depositing them into the fund according to the law.

4. Moneys of the fund shall be expended for the sole purpose of supporting wounded law enforcement officers and their families, as well as the families of fallen law enforcement officers. This includes but is not limited to providing: medical treatments, mental health counseling, home accessibility improvements, service animals, transportation needs, and funeral services.

5. Moneys of the fund shall be used solely for the wounded officers support fund and may not be diverted into any general fund.

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.