

STATE OF NEW YORK

9190

IN ASSEMBLY

February 12, 2024

Introduced by M. of A. REILLY -- 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:

24 § 97-ccc. POW-MIA awareness fund. 1. There is hereby established in
25 the joint custody of the commissioner of taxation and finance and the
26 state comptroller, a special fund to be known as the "POW-MIA awareness
27 fund".

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

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

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

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

12 § 3. 1. A distinctive plate established pursuant to section 404-ff of
13 the vehicle and traffic law, as added by section one of this act, shall
14 only be designed, produced and issued upon the delivery to the depart-
15 ment of motor vehicles of a surety bond in the amount of six thousand
16 dollars, which shall be executed by a surety company authorized by the
17 department of financial services to transact business in this state.
18 Provided, however, that if the commissioner of motor vehicles shall have
19 received prior to the plate design, production and issuance at least two
20 hundred orders for such distinctive plate together with the additional
21 annual service charge applicable to each such order, which shall be
22 non-refundable, no such surety bond shall be required. All such service
23 charges shall be deposited pursuant to the provisions of section 404-oo
24 of the vehicle and traffic law to the credit of the department of motor
25 vehicles distinctive plate development fund established by section 95-g
26 of the state finance law and shall be used for the design, production,
27 advertising and distribution of distinctive license plates in accordance
28 with such section 95-g.

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

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