

STATE OF NEW YORK

9620

IN ASSEMBLY

January 21, 2026

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

AN ACT to amend the state finance law, the highway law and the vehicle and traffic law, in relation to establishing the native/pollinator planting fund, the pollinator highway program and creating distinctive native plant or pollinator license plates

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

1 Section 1. The state finance law is amended by adding a new section
2 99-uu to read as follows:

3 § 99-uu. Native/pollinator planting fund. 1. There is hereby estab-
4 lished in the joint custody of the commissioner of taxation and finance
5 and the state comptroller a special fund to be known as the
6 native/pollinator planting fund. It shall consist of amounts credited to
7 the fund in accordance with this section.

8 2. The fund shall consist of: (a) revenue from appropriations or other
9 money authorized by the state legislature and specifically designated to
10 be credited to the fund; (b) interest earned on money in the fund; (c)
11 state and federal grants for green infrastructure projects; and (d)
12 revenue generated from the sale of a dedicated distinctive license plate
13 featuring native plant or pollinator imagery. Amounts credited to the
14 fund shall not be subject to further appropriation and any money remain-
15 ing in the fund at the end of a fiscal year shall not revert to the
16 general fund.

17 3. Money in the fund shall be expended to support the establishment
18 and implementation of the program established under section sixty-seven
19 of the highway law, including grants to municipalities and partnerships
20 with environmental organizations. Priority funding shall be given to
21 projects demonstrating significant community and environmental benefits.

22 4. The department of transportation shall annually, not later than
23 December thirty-first, report on the activity of the fund to: (a) the
24 chairs of the senate and the assembly environmental conservation commit-
25 tees; (b) the chairs of the senate and the assembly transportation

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

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1 committees; and (c) the chairs of the senate finance and the assembly
2 ways and means committees.

3 § 2. The highway law is amended by adding a new section 67 to read as
4 follows:

5 § 67. Pollinator highway program. 1. The department shall establish a
6 program to promote the cultivation and maintenance of native flowering
7 plants, grasses and shrubs on land bordering state highways and on other
8 public lands. The department shall establish objectives for the program
9 including: (a) incorporating native plantings into green infrastructure
10 solutions, such as rain gardens, bio-swales and permeable landscapes to
11 reduce runoff, filter pollutants and improve water quality; (b) estab-
12 lishing and enhancing habitats for pollinators, including bees, butterf-
13 lies and other beneficial insects by prioritizing plant species native
14 to the region; and (c) utilizing native vegetation to improve soil
15 health, sequester carbon and reduce the need for emissions-intensive
16 maintenance activities such as mowing and pesticide applications.

17 2. The department, in consultation with the department of agriculture
18 and markets, the department of environmental conservation and relevant
19 environmental organizations, shall: (a) identify and prioritize suitable
20 locations and areas that would benefit from improved stormwater manage-
21 ment, reduced maintenance or enhanced biodiversity; (b) develop stand-
22 ards for selecting and maintaining plant species to ensure their ecolog-
23 ical suitability, resilience and effectiveness in achieving the
24 program's goals; (c) encourage the use of innovative stormwater manage-
25 ment techniques that integrate native vegetation; and (d) coordinate
26 with municipalities, regional planning agencies and environmental groups
27 to implement pilot projects and community-based initiatives.

28 3. The department shall support the program's implementation by estab-
29 lishing: (a) grants to municipalities for designing and installing green
30 infrastructure projects utilizing native plantings; (b) partnerships
31 with local nurseries and landscapers to supply native plants and support
32 job creation; (c) public-private partnerships to reduce costs and
33 enhance the program's outreach; and (d) in consultation with the depart-
34 ment of motor vehicles, a distinctive license plate featuring native
35 plant or pollinator imagery, with the proceeds supporting the program's
36 activities and grants to municipalities.

37 4. The department shall promote community engagement and education by:
38 (a) developing and disseminating educational materials about the envi-
39 ronmental, economic and health benefits of native plantings and stormwa-
40 ter management; (b) encouraging citizen involvement through volunteer
41 programs, local workshops and monitoring initiatives; and (c) collab-
42 orating with school and community organizations to promote environmental
43 stewardship and awareness.

44 5. The department shall establish measurable goals and metrics to
45 assess the program's effectiveness, including: (a) the reduction in
46 stormwater runoff and improvement in water quality; (b) increases in
47 pollinator populations and biodiversity; (c) cost savings in maintenance
48 and operations; and (d) annual reporting to the general public and the
49 legislature on the program's progress.

50 6. The department shall promulgate rules and regulations to carry out
51 the purposes of this section within one year of its effective date.

52 § 3. The vehicle and traffic law is amended by adding a new section
53 404-ff to read as follows:

54 § 404-ff. Distinctive native plant or pollinator license plates. 1.
55 Any person residing in this state shall, upon request, be issued a
56 distinctive native plant or pollinator license plate of a design

1 approved by the commissioner, after consultation with the commissioner
2 of environmental conservation and the commissioner of transportation.
3 Application for such license plate shall be filed with the commissioner
4 in such form and detail as the commissioner shall prescribe.

5 2. A distinctive native plant or pollinator plate issued pursuant to
6 this section shall be issued in the same manner as other number plates
7 upon the payment of the regular registration fees prescribed by section
8 four hundred one of this article; provided, however, that an additional
9 annual service charge of twenty-five dollars shall be charged for such
10 plate. All monies received as annual service charges under this section
11 shall be deposited to the credit of the native/pollinator planting fund
12 established pursuant to section ninety-nine-uu of the state finance law;
13 and shall be used to support the establishment and implementation of the
14 pollinator highway program established under section sixty-seven of the
15 highway law.

16 § 4. 1. A distinctive plate established pursuant to section 404-ff of
17 the vehicle and traffic law as added by section three 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 \$6,000, which
20 shall be executed by a surety company authorized by the department of
21 financial services to transact business in this state. Provided, howev-
22 er, that if the commissioner of motor vehicles shall have received prior
23 to plate design, production and issuance at least two hundred orders for
24 such distinctive plate together with the additional annual service
25 charge applicable to each such order, which shall be non-refundable, no
26 such surety bond shall be required. Any additional service charges
27 collected pursuant to this section shall be deposited pursuant to the
28 provisions of section ninety-nine-uu of the state finance law.

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 200 or
31 more sets of such plates are sold, a bond delivered pursuant to this
32 section shall be discontinued. If fewer than 200 sets of such plates are
33 sold by such time, the department of motor vehicles shall be entitled to
34 recover against the bond in an amount proportionate to such shortfall.

35 § 5. This act shall take effect immediately.