



DEPARTMENTS OF THE ARMY AND THE AIR FORCE
JOINT FORCE HEADQUARTERS - NEW YORK
330 OLD NISKAYUNA ROAD
LATHAM, NY 12110-3514

08 MAR 2023

MNAG-TAG

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Division of Military and Naval Affairs (DMNA) Policy Regarding Parking Placards

1. References:

- a. Army Command Policy, 24 July 2020.
- b. DMNA Regulation 27-2, Military Justice, 30 October 2003.
- c. New York Penal Law (NY CLS CPL) § 170.10, Forgery in the second degree.
- d. New York Penal Law (NY CLS CPL) § 170.25, Criminal possession of a forged instrument in the second degree.
- e. New York Penal Law (NY CLS CPL) § 195.00(1), Official Misconduct.
- f. United States Codes Services Title 18 (18 USCS) § 499 Military, naval, or official passes.

2. Applicability: This policy is applicable to all members assigned to the State's Organized Militia, including the Army National Guard, Air National Guard, Naval Militia, New York Guard, all State and federal employees, and contractors of the DMNA and Joint Force Headquarters-New York.

3. Effective this date.

4. Policy: The authority to issue parking placards to the DMNA and members of New York State Defense Forces remains solely with the New York State Executive Chamber. Parking placards are considered sensitive State assets, their use is strictly limited, and they are non-transferable. If a placard is lost or stolen, a report must be filed with local law enforcement and the placard holder must immediately notify Military Naval Legal Affairs (MNLA) in writing. The penalties for misuse of placards are delineated in the sections of law referenced above. The tampering/alternation of parking placards issued by the New York State Executive Chamber are prohibited. The creation, use, and distribution of parking placards not issued by the New York State Executive Chambers is strictly prohibited.

5. Punitive Nature: Failure to adhere to this policy may result in adverse administrative actions, disciplinary actions and/or criminal prosecution:

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a. As set forth in reference 1.c., above, a person is guilty of forgery in the second degree when, with intent to defraud, deceive or injure another, they falsely make, complete, or alter a written instrument which is or purports to be, or which is calculated to become a written instrument officially issued or created by a public office, public servant, or governmental instrumentality. Forgery in the second degree is a class D felony, with a maximum prison sentence of seven years.

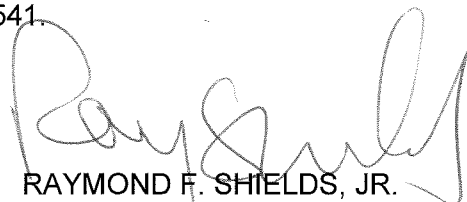
b. As set forth in reference 1.d., above, a person is guilty of criminal possession of a forged instrument in the second degree when, with knowledge that it is forged and with intent to defraud, deceive or injure another, they possess a written instrument officially issued or created by a public office, public servant, or governmental instrumentality. Criminal possession of a forged instrument in the second degree is a class D felony, with a maximum prison sentence of seven years.

c. As set forth in reference 1.e., above, a public servant is guilty of official misconduct when, with intent to obtain a benefit or deprive another person of a benefit, they commit an act relating to their office but constituting an unauthorized exercise of their official functions, knowing that such act is unauthorized. All State employees as well as service members on State Active Duty, members of New York Naval Militia and members of the New York Guard are considered public servants under the public officers law. Official misconduct is a class A misdemeanor.

d. As set forth in reference 1.f., above, whoever falsely makes, forges, counterfeits, alters, or tampers with any naval, military, or official pass or permit, issued by or under the authority of the United States, or with intent to defraud uses or possesses any such pass or permit, or personates or falsely represents himself to be or not to be a person to whom such pass or permit has been duly issued, or willfully allows any other person to have or use any such pass or permit, issued for their use alone, shall be fined under this title or imprisoned not more than five years, or both.

6. Any placards not issued by the Executive Chamber must be reported, and sent via mail, to MNLA immediately.

7. The point of contact is MNLA at 518-786-4541.



RAYMOND F. SHIELDS, JR.
Major General, NYARNG
The Adjutant General

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