

1 COMMITTEE SUBSTITUTE

2 FOR

3 **Senate Bill No. 343**

4 (By Senators Klempa, D. Facemire, Nohe and Yost)

5 _____
6 [Originating in the Committee on Transportation and
7 Infrastructure; reported February 9, 2011.]
8 _____

9
10 A BILL to amend and reenact §17A-3-14 of the Code of West Virginia,
11 1931, as amended, relating to authorizing the Division of
12 Motor Vehicles to issue a special license plate for applicants
13 who are hearing impaired; establishing requirements for
14 eligibility; and fees.

15 *Be it enacted by the Legislature of West Virginia:*

16 That §17A-3-14 of the Code of West Virginia, 1931, as amended,
17 be amended and reenacted to read as follows:

18 **ARTICLE 3. ORIGINAL AND RENEWAL OF REGISTRATION; ISSUANCE OF**
19 **CERTIFICATES OF TITLE.**

20 **§17A-3-14. Registration plates generally; description of plates;**
21 **issuance of special numbers and plates;**
22 **registration fees; special application fees;**
23 **exemptions; commissioner to promulgate forms;**
24 **suspension and nonrenewal.**

25 (a) The division upon registering a vehicle shall issue to the

1 owner one registration plate for a motorcycle, trailer, semitrailer
2 or other motor vehicle.

3 (b) Registration plates issued by the division shall meet the
4 following requirements:

5 (1) Every registration plate shall be of reflectorized material
6 and have displayed upon it the registration number assigned to the
7 vehicle; ~~for which it is issued~~ the name of this state, which may
8 be abbreviated; and the year number ~~for which~~ it is issued or the
9 date of expiration of the plate.

10 (2) Every registration plate and the required letters and
11 numerals on the plate shall be of sufficient size to be plainly
12 readable from a distance of one hundred feet during daylight.

13 ~~Provided, That~~ The requirements of this subdivision shall not apply
14 to the year number ~~for which~~ the plate is issued or the date of
15 expiration.

16 (3) Registration numbering for registration plates shall begin
17 with number two.

18 (c) The division may not issue, permit to be issued or
19 distribute any special registration plates except as follows:

20 (1) The Governor shall be issued two registration plates, on
21 one of which shall be imprinted the numeral one and on the other
22 the word one.

23 (2) State officials and judges may be issued special
24 registration plates as follows:

25 (A) Upon appropriate application, the division shall issue to
26 the Secretary of State, State Superintendent of Schools, Auditor,

1 Treasurer, Commissioner of Agriculture and the Attorney General,
2 the members of both houses of the Legislature, including the
3 elected officials of both houses of the Legislature, the justices
4 of the Supreme Court of Appeals of West Virginia, the
5 representatives and senators of the state in the Congress of the
6 United States, the judges of the West Virginia circuit courts,
7 active and retired on senior status, the judges of the United
8 States district courts for the State of West Virginia and the
9 judges of the United States Court of Appeals for the fourth
10 circuit, if any of the judges are residents of West Virginia, a
11 special registration plate for a Class A motor vehicle and a
12 special registration plate for a Class G motorcycle owned by the
13 official or his or her spouse. ~~Provided, That~~ In addition, the
14 division may issue a Class A special registration plate for each
15 vehicle titled to the official and a Class G special registration
16 plate for each motorcycle titled to the official.

17 (B) Each plate issued pursuant to this subdivision shall bear
18 any combination of letters and numbers not to exceed an amount
19 determined by the commissioner and a designation of the office.
20 Each plate shall supersede the regular numbered plate assigned to
21 the official or his or her spouse during the official's term of
22 office and while the motor vehicle is owned by the official or his
23 or her spouse.

24 (C) The division shall charge an annual fee of \$15 for every
25 registration plate issued pursuant to this subdivision, ~~which is~~ in
26 addition to all other fees required by this chapter.

1 (3) The division may issue members of the National Guard forces
2 special registration plates as follows:

3 (A) Upon receipt of an application on a form prescribed by the
4 division and receipt of written evidence from the chief executive
5 officer of the Army National Guard or Air National Guard, as
6 appropriate, or the commanding officer of any United States Armed
7 Forces reserve unit that the applicant is a member thereof, the
8 division shall issue to any member of the National Guard of this
9 state or a member of any reserve unit of the United States Armed
10 Forces a special registration plate designed by the commissioner
11 for any number of Class A motor vehicles owned by the member. Upon
12 presentation of written evidence of retirement status, retired
13 members of this state's Army or Air National Guard, or retired
14 members of any reserve unit of the United States Armed Forces, are
15 eligible to purchase the special registration plate issued pursuant
16 to this subdivision.

17 (B) The division shall charge an initial application fee of \$10
18 for each special registration plate issued pursuant to this
19 subdivision, ~~which is~~ in addition to all other fees required by
20 this chapter. Except as otherwise provided herein, effective July
21 1, 2007, all fees currently held in the special revolving fund used
22 in the administration of this section and all fees collected by the
23 division shall be deposited in the State Road Fund.

24 (C) A surviving spouse may continue to use his or her deceased
25 spouse's National Guard forces license plate until the surviving
26 spouse dies, remarries or does not renew the license plate.

1 (4) Specially arranged registration plates may be issued as
2 follows:

3 (A) Upon appropriate application, any owner of a motor vehicle
4 subject to Class A registration, or a motorcycle subject to Class
5 G registration, as defined by this article, may request that the
6 division issue a registration plate bearing specially arranged
7 letters or numbers with the maximum number of letters or numbers to
8 be determined by the commissioner. The division shall attempt to
9 comply with the request wherever possible.

10 (B) The commissioner shall propose rules for legislative
11 approval in accordance with ~~the provisions of~~ chapter twenty-nine-a
12 of this code regarding the orderly distribution of the plates.
13 ~~Provided, That~~ For purposes of this subdivision, the registration
14 plates requested and issued shall include all plates bearing the
15 numbers two through two thousand.

16 (C) An annual fee of \$15 shall be charged for each special
17 registration plate issued pursuant to this subdivision, ~~which is~~ in
18 addition to all other fees required by this chapter.

19 (5) The division may issue honorably discharged veterans
20 special registration plates as follows:

21 (A) Upon appropriate application, the division shall issue to
22 any honorably discharged veteran of any branch of the armed
23 services of the United States a special registration plate for any
24 number of vehicles titled in the name of the qualified applicant
25 with an insignia designed by the Commissioner of the Division of
26 Motor Vehicles.

1 (B) The division shall charge a special initial application fee
2 of \$10 in addition to all other fees required by law. This special
3 fee is to compensate the Division of Motor Vehicles for additional
4 costs and services required in the issuing of the special
5 registration. All fees collected by the division shall be
6 deposited in the State Road Fund. ~~Provided, That~~ However, nothing
7 in this section may be construed to exempt any veteran from any
8 other provision of this chapter.

9 (C) A surviving spouse may continue to use his or her deceased
10 spouse's honorably discharged veterans license plate until the
11 surviving spouse dies, remarries or does not renew the license
12 plate.

13 (6) The division may issue disabled veterans special
14 registration plates as follows:

15 (A) Upon appropriate application, the division shall issue to
16 any disabled veteran who is exempt from the payment of registration
17 fees under ~~the provisions of~~ this chapter a registration plate for
18 a vehicle titled in the name of the qualified applicant which bears
19 the letters "DV" in red and also the regular identification
20 numerals in red.

21 (B) A surviving spouse may continue to use his or her deceased
22 spouse's disabled veterans license plate until the surviving spouse
23 dies, remarries or does not renew the license plate.

24 (C) A qualified disabled veteran may obtain a second disabled
25 veterans license plate as described in this section for use on a
26 passenger vehicle titled in the name of the qualified applicant.

1 The division shall charge a one-time fee of \$10 to be deposited
2 into the State Road Fund, in addition to all other fees required by
3 this chapter, for the second plate.

4 (7) The division may issue recipients of the distinguished
5 Purple Heart medal special registration plates as follows:

6 (A) Upon appropriate application, there shall be issued to any
7 armed service person holding the distinguished Purple Heart medal
8 for persons wounded in combat a registration plate for a vehicle
9 titled in the name of the qualified applicant bearing letters or
10 numbers. The registration plate shall be designed by the
11 Commissioner of Motor Vehicles and shall denote that those
12 individuals who are granted this special registration plate are
13 recipients of the Purple Heart. All letterings shall be in purple
14 where practical.

15 (B) Registration plates issued pursuant to this subdivision are
16 exempt from all registration fees otherwise required by ~~the~~
17 ~~provisions of~~ this chapter.

18 (C) A surviving spouse may continue to use his or her deceased
19 spouse's Purple Heart medal license plate until the surviving
20 spouse dies, remarries or does not renew the license plate.

21 (D) A recipient of the Purple Heart medal may obtain a second
22 Purple Heart medal license plate as described in this section for
23 use on a passenger vehicle titled in the name of the qualified
24 applicant. The division shall charge a one-time fee of \$10 to be
25 deposited into the State Road Fund, in addition to all other fees
26 required by this chapter, for the second plate.

1 (8) The division may issue survivors of the attack on Pearl
2 Harbor special registration plates as follows:

3 (A) Upon appropriate application, the owner of a motor vehicle
4 who was enlisted in any branch of the armed services that
5 participated in and survived the attack on Pearl Harbor on December
6 7, 1941, the division shall issue a special registration plate for
7 a vehicle titled in the name of the qualified applicant. The
8 registration plate shall be designed by the Commissioner of Motor
9 Vehicles.

10 (B) Registration plates issued pursuant to this subdivision are
11 exempt from the payment of all registration fees otherwise required
12 by ~~the provisions of~~ this chapter.

13 (C) A surviving spouse may continue to use his or her deceased
14 spouse's survivors of the attack on Pearl Harbor license plate
15 until the surviving spouse dies, remarries or does not renew the
16 license plate.

17 (D) A survivor of the attack on Pearl Harbor may obtain a
18 second survivors of the attack on Pearl Harbor license plate as
19 described in this section for use on a passenger vehicle titled in
20 the name of the qualified applicant. The division shall charge a
21 one-time fee of \$10 to be deposited into the State Road Fund, in
22 addition to all other fees required by this chapter, for the second
23 plate.

24 (9) The division may issue special registration plates to
25 nonprofit charitable and educational organizations authorized under
26 prior enactment of this subdivision as follows:

1 (A) Approved nonprofit charitable and educational organizations
2 previously authorized under the prior enactment of this subdivision
3 may accept and collect applications for special registration plates
4 from owners of Class A motor vehicles together with a special
5 annual fee of \$15, ~~which is~~ in addition to all other fees required
6 by this chapter. The applications and fees shall be submitted to
7 the Division of Motor Vehicles with the request that the division
8 issue a registration plate bearing a combination of letters or
9 numbers with the organizations' logo or emblem, with the maximum
10 number of letters or numbers to be determined by the commissioner.

11 (B) The commissioner shall propose rules for legislative
12 approval in accordance with ~~the provisions of~~ article three,
13 chapter twenty-nine-a of this code regarding the procedures for and
14 approval of special registration plates issued pursuant to this
15 subdivision.

16 (C) The commissioner shall set an appropriate fee to defray the
17 administrative costs associated with designing and manufacturing
18 special registration plates for a nonprofit charitable or
19 educational organization. The nonprofit charitable or educational
20 organization shall collect this fee and forward it to the division
21 for deposit in the State Road Fund. The nonprofit charitable or
22 educational organization may also collect a fee for marketing the
23 special registration plates.

24 (10) The division may issue specified emergency or volunteer
25 registration plates as follows:

26 (A) Any owner of a motor vehicle who is a resident of the State

1 of West Virginia and who is a certified paramedic or emergency
2 medical technician, a member of a paid fire department, a member of
3 the state Fire Commission, the state Fire Marshal, the state Fire
4 Marshal's assistants, the state Fire Administrator and voluntary
5 rescue squad members may apply for a special license plate for any
6 number of Class A vehicles titled in the name of the qualified
7 applicant which bears the insignia of the profession, group or
8 commission. Any insignia shall be designed by the commissioner.
9 License plates issued pursuant to this subdivision shall bear the
10 requested insignia in addition to the registration number issued to
11 the applicant pursuant to ~~the provisions of~~ this article.

12 (B) Each application submitted pursuant to this subdivision
13 shall be accompanied by an affidavit signed by the fire chief or
14 department head of the applicant stating that the applicant is
15 justified in having a registration with the requested insignia;
16 proof of compliance with all laws of this state regarding
17 registration and licensure of motor vehicles; and payment of all
18 required fees.

19 (C) Each application submitted pursuant to this subdivision
20 shall be accompanied by payment of a special initial application
21 fee of \$10, ~~which is~~ in addition to any other registration or
22 license fee required by this chapter. All special fees shall be
23 collected by the division and deposited into the State Road Fund.

24 (11) The division may issue specified certified firefighter
25 registration plates as follows:

26 (A) Any owner of a motor vehicle who is a resident of the State

1 of West Virginia and who is a certified firefighter may apply for
2 a special license plate which bears the insignia of the profession,
3 for any number of Class A vehicles titled in the name of the
4 qualified applicant. Any insignia shall be designed by the
5 commissioner. License plates issued pursuant to this subdivision
6 shall bear the requested insignia pursuant to ~~the provisions of~~
7 this article. Upon presentation of written evidence of
8 certification as a certified firefighter, certified firefighters
9 are eligible to purchase the special registration plate issued
10 pursuant to this subdivision.

11 (B) Each application submitted pursuant to this subdivision
12 shall be accompanied by an affidavit stating that the applicant is
13 justified in having a registration with the requested insignia;
14 proof of compliance with all laws of this state regarding
15 registration and licensure of motor vehicles; and payment of all
16 required fees. The firefighter certification department, section
17 or division of the West Virginia University fire service extension
18 shall notify the commissioner in writing immediately when a
19 firefighter loses his or her certification. If a firefighter loses
20 his or her certification, the commissioner may not issue him or her
21 a license plate under this subsection.

22 (C) Each application submitted pursuant to this subdivision
23 shall be accompanied by payment of a special initial application
24 fee of \$10, ~~which is~~ in addition to any other registration or
25 license fee required by this chapter. All special fees shall be
26 collected by the division and deposited into the State Road Fund.

1 (12) The division may issue special scenic registration plates
2 as follows:

3 (A) Upon appropriate application, the commissioner shall issue
4 a special registration plate displaying a scenic design of West
5 Virginia which displays the words "Wild Wonderful" as a slogan.

6 (B) The division shall charge a special one-time initial
7 application fee of \$10 in addition to all other fees required by
8 this chapter. All initial application fees collected by the
9 division shall be deposited into the State Road Fund.

10 (13) The division may issue honorably discharged Marine Corps
11 league members special registration plates as follows:

12 (A) Upon appropriate application, the division shall issue to
13 any honorably discharged Marine Corps league member a special
14 registration plate for any number of vehicles titled in the name of
15 the qualified applicant with an insignia designed by the
16 Commissioner of the Division of Motor Vehicles.

17 (B) The division may charge a special one-time initial
18 application fee of \$10 in addition to all other fees required by
19 this chapter. This special fee is to compensate the Division of
20 Motor Vehicles for additional costs and services required in the
21 issuing of the special registration and shall be collected by the
22 division and deposited in the State Road Fund. ~~Provided, That~~
23 However, nothing in this section may be construed to exempt any
24 veteran from any other provision of this chapter.

25 (C) A surviving spouse may continue to use his or her deceased
26 spouse's honorably discharged Marine Corps League license plate

1 until the surviving spouse dies, remarries or does not renew the
2 license plate.

3 (14) The division may issue military organization registration
4 plates as follows:

5 (A) The division may issue a special registration plate for the
6 members of any military organization chartered by the United States
7 Congress upon receipt of a guarantee from the organization of a
8 minimum of one hundred applicants. The insignia on the plate shall
9 be designed by the commissioner.

10 (B) Upon appropriate application, the division may issue
11 members of the chartered organization in good standing, as
12 determined by the governing body of the chartered organization, a
13 special registration plate for any number of vehicles titled in the
14 name of the qualified applicant.

15 (C) The division shall charge a special one-time initial
16 application fee of \$10 for each special license plate in addition
17 to all other fees required by this chapter. All initial
18 application fees collected by the division shall be deposited into
19 the State Road Fund. ~~Provided, That~~ However, nothing in this
20 section may be construed to exempt any veteran from any other
21 provision of this chapter.

22 (D) A surviving spouse may continue to use his or her deceased
23 spouse's military organization registration plate until the
24 surviving spouse dies, remarries or does not renew the special
25 military organization registration plate.

26 (15) The division may issue special nongame wildlife

1 registration plates and special wildlife registration plates as
2 follows:

3 (A) Upon appropriate application, the division shall issue a
4 special registration plate displaying a species of West Virginia
5 wildlife which shall display a species of wildlife native to West
6 Virginia as prescribed and designated by the commissioner and the
7 Director of the Division of Natural Resources.

8 (B) The division shall charge an annual fee of \$15 for each
9 special nongame wildlife registration plate and each special
10 wildlife registration plate in addition to all other fees required
11 by this chapter. All annual fees collected for nongame wildlife
12 registration plates and wildlife registration plates shall be
13 deposited in a special revenue account designated the Nongame
14 Wildlife Fund and credited to the Division of Natural Resources.

15 (C) The division shall charge a special one-time initial
16 application fee of \$10 in addition to all other fees required by
17 this chapter. All initial application fees collected by the
18 division shall be deposited in the State Road Fund.

19 (16) The division may issue members of the Silver Haired
20 Legislature special registration plates as follows:

21 (A) Upon appropriate application, the division shall issue to
22 any person who is a duly qualified member of the Silver Haired
23 Legislature a specialized registration plate which bears
24 recognition of the applicant as a member of the Silver Haired
25 Legislature.

26 (B) A qualified member of the Silver Haired Legislature may

1 obtain one registration plate described in this subdivision for use
2 on a passenger vehicle titled in the name of the qualified
3 applicant. The division shall charge an annual fee of \$15, in
4 addition to all other fees required by this chapter, for the plate.
5 All annual fees collected by the division shall be deposited in the
6 State Road Fund.

7 (17) Upon appropriate application, the commissioner shall issue
8 to a classic motor vehicle or classic motorcycle as defined in
9 section three-a, article ten of this chapter, a special
10 registration plate designed by the commissioner. An annual fee of
11 \$15, in addition to all other fees required by this chapter, shall
12 be charged for each classic registration plate.

13 (18) Honorably discharged veterans may be issued special
14 registration plates for motorcycles subject to Class G registration
15 as follows:

16 (A) Upon appropriate application, there shall be issued to any
17 honorably discharged veteran of any branch of the armed services of
18 the United States a special registration plate for any number of
19 motorcycles subject to Class G registration titled in the name of
20 the qualified applicant with an insignia designed by the
21 Commissioner of the Division of Motor Vehicles.

22 (B) A special initial application fee of \$10 shall be charged
23 in addition to all other fees required by law. This special fee is
24 to be collected by the division and deposited in the State Road
25 Fund. ~~Provided, That~~ However, nothing in this section may be
26 construed to exempt any veteran from any other provision of this

1 chapter.

2 (C) A surviving spouse may continue to use his or her deceased
3 spouse's honorably discharged veterans license plate until the
4 surviving spouse dies, remarries or does not renew the license
5 plate.

6 (19) Racing theme special registration plates:

7 (A) The division may issue a series of special registration
8 plates displaying National Association for Stock Car Auto Racing
9 themes.

10 (B) An annual fee of \$25 shall be charged for each special
11 racing theme registration plate in addition to all other fees
12 required by this chapter. All annual fees collected for each
13 special racing theme registration plate shall be deposited into the
14 State Road Fund.

15 (C) A special application fee of \$10 shall be charged at the
16 time of initial application as well as upon application for any
17 duplicate or replacement registration plate, in addition to all
18 other fees required by this chapter. All application fees shall be
19 deposited into the State Road Fund.

20 (20) The division may issue recipients of the Navy Cross,
21 Distinguished Service Cross, Distinguished Flying Cross, Air Force
22 Cross, Bronze Star, Silver Star or Air Medal special registration
23 plates as follows:

24 (A) Upon appropriate application, the division shall issue to
25 any recipient of the Navy Cross, Distinguished Service Cross,
26 Distinguished Flying Cross, Air Force Cross, Silver Star, Bronze

1 Star or Air Medal, a registration plate for any number of vehicles
2 titled in the name of the qualified applicant bearing letters or
3 numbers. A separate registration plate shall be designed by the
4 Commissioner of Motor Vehicles for each award that denotes that
5 those individuals who are granted this special registration plate
6 are recipients of the Navy Cross, Distinguished Service Cross,
7 Distinguished Flying Cross, Air Force Cross, Silver Star or Bronze
8 Star, or Air Medal as applicable.

9 (B) The division shall charge a special initial application fee
10 of \$10 in addition to all other fees required by law. This special
11 fee shall be collected by the division and deposited in the State
12 Road Fund. ~~Provided, That~~ However, nothing in this section exempts
13 the applicant for a special registration plate under this
14 subdivision from any other provision of this chapter.

15 (C) A surviving spouse may continue to use his or her deceased
16 spouse's Navy Cross, Distinguished Service Cross, Distinguished
17 Flying Cross, Air Force Cross, Silver Star, Bronze Star or Air
18 Medal special registration plate until the surviving spouse dies,
19 remarries or does not renew the special registration plate.

20 (21) The division may issue honorably discharged veterans
21 special registration plates as follows:

22 (A) Upon appropriate application, the division shall issue to
23 any honorably discharged veteran of any branch of the armed
24 services of the United States with verifiable service during World
25 War II, the Korean War, the Vietnam War, the Persian Gulf War or
26 the War Against Terrorism a special registration plate for any

1 number of vehicles titled in the name of the qualified applicant
2 with an insignia designed by the commissioner denoting service in
3 the applicable conflict.

4 (B) The division shall charge a special one-time initial
5 application fee of \$10 in addition to all other fees required by
6 law. This special fee shall be collected by the division and
7 deposited in the State Road Fund. ~~Provided, That~~ However, nothing
8 contained in this section may be construed to exempt any veteran
9 from any other provision of this chapter.

10 (C) A surviving spouse may continue to use his or her deceased
11 spouse's honorably discharged veterans registration plate until the
12 surviving spouse dies, remarries or does not renew the special
13 registration plate.

14 (22) The division may issue special volunteer firefighter
15 registration plates as follows:

16 (A) Any owner of a motor vehicle who is a resident of West
17 Virginia and who is a volunteer firefighter may apply for a special
18 license plate for any Class A vehicle titled in the name of the
19 qualified applicant which bears the insignia of the profession in
20 white letters on a red background. The insignia shall be designed
21 by the commissioner and shall contain a fireman's helmet insignia
22 on the left side of the license plate.

23 (B) Each application submitted pursuant to this subdivision
24 shall be accompanied by an affidavit signed by the applicant's fire
25 chief, stating that the applicant is a volunteer firefighter and
26 justified in having a registration plate with the requested

1 insignia. The applicant must comply with all other laws of this
2 state regarding registration and licensure of motor vehicles and
3 must pay all required fees.

4 (C) Each application submitted pursuant to this subdivision
5 shall be accompanied by payment of a special one-time initial
6 application fee of \$10, ~~which is~~ in addition to any other
7 registration or license fee required by this chapter. All
8 application fees shall be deposited into the State Road Fund.

9 (23) The division may issue special registration plates which
10 reflect patriotic themes, including the display of any United
11 States symbol, icon, phrase or expression which evokes patriotic
12 pride or recognition.

13 (A) Upon appropriate application, the division shall issue to
14 an applicant a registration plate of the applicant's choice,
15 displaying a patriotic theme as provided in this subdivision, for
16 a vehicle titled in the name of the applicant. A series of
17 registration plates displaying patriotic themes shall be designed
18 by the Commissioner of Motor Vehicles for distribution to
19 applicants.

20 (B) The division shall charge a special one-time initial
21 application fee of \$10 in addition to all other fees required by
22 law. This special fee shall be collected by the division and
23 deposited in the State Road Fund.

24 (24) Special license plates bearing the American flag and the
25 logo "9/11/01".

26 (A) Upon appropriate application, the division shall issue

1 special registration plates which shall display the American flag
2 and the logo "9/11/01".

3 (B) An annual fee of \$15 shall be charged for each plate in
4 addition to all other fees required by this chapter.

5 (C) A special application fee of \$10 shall be charged at the
6 time of initial application as well as upon application for any
7 duplicate or replacement registration plate, in addition to all
8 other fees required by this chapter. All application fees shall be
9 deposited into the State Road Fund.

10 (25) The division may issue a special registration plate
11 celebrating the centennial of the 4-H youth development movement
12 and honoring the Future Farmers of America organization as follows:

13 (A) Upon appropriate application, the division may issue a
14 special registration plate depicting the symbol of the 4-H
15 organization which represents the head, heart, hands and health as
16 well as the symbol of the Future Farmers of America organization
17 which represents a cross section of an ear of corn for any number
18 of vehicles titled in the name of the qualified applicant.

19 (B) The division shall charge a special initial application fee
20 of \$10 in addition to all other fees required by law. This special
21 fee shall be collected by the division and deposited in the State
22 Road Fund.

23 (C) The division shall charge an annual fee of \$15 for each
24 special 4-H Future Farmers of America registration plate in
25 addition to all other fees required by this chapter.

26 (26) The division may issue special registration plates to

1 educators in the state's elementary and secondary schools and in
2 the state's institutions of higher education as follows:

3 (A) Upon appropriate application, the division may issue a
4 special registration plate designed by the commissioner for any
5 number of vehicles titled in the name of the qualified applicant.

6 (B) The division shall charge a special initial application fee
7 of \$10 in addition to all other fees required by law. This special
8 fee shall be collected by the division and deposited in the State
9 Road Fund.

10 (C) The division shall charge an annual fee of \$15 for each
11 special educator registration plate in addition to all other fees
12 required by this chapter.

13 (27) The division may issue special registration plates to
14 members of the Nemesis Shrine as follows:

15 (A) Upon appropriate application, the division may issue a
16 special registration plate designed by the commissioner for any
17 number of vehicles titled in the name of the qualified applicant.
18 Persons desiring the special registration plate shall offer
19 sufficient proof of membership in Nemesis Shrine.

20 (B) The division shall charge a special initial application fee
21 of \$10 in addition to all other fees required by law. This special
22 fee shall be collected by the division and deposited in the State
23 Road Fund.

24 (C) An annual fee of \$15 shall be charged for each plate in
25 addition to all other fees required by this chapter.

26 (D) Notwithstanding ~~the provisions of~~ subsection (d) of this

1 section, the time period for the Nemesis Shrine to comply with the
2 minimum one hundred prepaid applications is hereby extended to
3 January 15, 2005.

4 (28) The division may issue volunteers and employees of the
5 American Red Cross special registration plates as follows:

6 (A) Upon appropriate application, the division shall issue to
7 any person who is a duly qualified volunteer or employee of the
8 American Red Cross a specialized registration plate which bears
9 recognition of the applicant as a volunteer or employee of the
10 American Red Cross for any number of vehicles titled in the name of
11 the qualified applicant.

12 (B) The division shall charge a special initial application fee
13 of \$10 in addition to all other fees required by law. This special
14 fee shall be collected by the division and deposited in the State
15 Road Fund.

16 (C) An annual fee of \$15 shall be charged for each plate in
17 addition to all other fees required by this chapter.

18 (29) The division shall issue special registration plates to
19 individuals who have received either the Combat Infantry Badge or
20 the Combat Medic Badge as follows:

21 (A) Upon appropriate application, the division shall issue a
22 special registration plate designed by the commissioner for any
23 number of vehicles titled in the name of the qualified applicant.
24 Persons desiring the special registration plate shall offer
25 sufficient proof that they have received either the Combat Infantry
26 Badge or the Combat Medic Badge.

1 (B) The division shall charge a special initial application fee
2 of \$10 in addition to all other fees required by law. This special
3 fee shall be collected by the division and deposited in the State
4 Road Fund.

5 (30) The division may issue special registration plates to
6 members of the Knights of Columbus as follows:

7 (A) Upon appropriate application, the division shall issue a
8 special registration plate designed by the commissioner for any
9 number of vehicles titled in the name of the qualified applicant.
10 Persons desiring the special registration plate shall offer
11 sufficient proof of membership in the Knights of Columbus.

12 (B) The division shall charge a special initial application fee
13 of \$10 in addition to all other fees required by law. This special
14 fee shall be collected by the division and deposited in the State
15 Road Fund.

16 (C) An annual fee of \$15 shall be charged for each plate in
17 addition to all other fees required by this chapter.

18 (D) Notwithstanding ~~the provisions of~~ subsection (d) of this
19 section, the time period for the Knights of Columbus to comply with
20 the minimum one hundred prepaid applications is hereby extended to
21 January 15, 2007.

22 (31) The division may issue special registration plates to
23 former members of the Legislature as follows:

24 (A) Upon appropriate application, the division shall issue a
25 special registration plate designed by the commissioner for any
26 number of vehicles titled in the name of the qualified applicant.

1 Persons desiring the special registration plate shall offer
2 sufficient proof of former service as an elected or appointed
3 member of the West Virginia House of Delegates or the West Virginia
4 Senate.

5 (B) The division shall charge a special initial application fee
6 of \$10 in addition to all other fees required by law. This special
7 fee shall be collected by the division and deposited in the State
8 Road Fund. The design of the plate shall indicate total years of
9 service in the Legislature.

10 (C) An annual fee of \$15 shall be charged for each plate in
11 addition to all other fees required by this chapter.

12 (32) Democratic state or county executive committee member
13 special registration plates:

14 (A) The division shall design and issue special registration
15 plates for use by democratic state or county executive committee
16 members. The design of the plates shall include an insignia of a
17 donkey and shall differentiate by wording on the plate between
18 state and county executive committee members.

19 (B) An annual fee of \$25 shall be charged for each democratic
20 state or county executive committee member registration plate in
21 addition to all other fees required by this chapter. All annual
22 fees collected for each special plate issued under this subdivision
23 shall be deposited into the State Road Fund.

24 (C) A special application fee of \$10 shall be charged at the
25 time of initial application as well as upon application for any
26 duplicate or replacement registration plate, in addition to all

1 other fees required by this chapter. All application fees shall be
2 deposited into the State Road Fund.

3 (D) The division shall not begin production of a plate
4 authorized under ~~the provisions of~~ this subdivision until the
5 division receives at least one hundred completed applications from
6 the state or county executive committee members, including all fees
7 required pursuant to this subdivision.

8 (E) Notwithstanding ~~the provisions of~~ subsection (d) of this
9 section, the time period for the democratic executive committee to
10 comply with the minimum one hundred prepaid applications is hereby
11 extended to January 15, 2005.

12 (33) The division may issue honorably discharged female
13 veterans special registration plates as follows:

14 (A) Upon appropriate application, there shall be issued to any
15 female honorably discharged veteran, of any branch of the armed
16 services of the United States, a special registration plate for any
17 number of vehicles titled in the name of the qualified applicant
18 with an insignia designed by the Commissioner of the Division of
19 Motor Vehicles to designate the recipient as a woman veteran.

20 (B) A special initial application fee of \$10 shall be charged
21 in addition to all other fees required by law. This special fee
22 shall be collected by the division and deposited in the State Road
23 Fund. ~~Provided, That~~ However, nothing in this section may be
24 construed to exempt any veteran from any other provision of this
25 chapter.

26 (C) A surviving spouse may continue to use his deceased

1 spouse's honorably discharged veterans license plate until the
2 surviving spouse dies, remarries or does not renew the license
3 plate.

4 (34) The division may issue special registration plates bearing
5 the logo, symbol, insignia, letters or words demonstrating
6 association with West Liberty State College to any resident owner
7 of a motor vehicle. Resident owners may apply for the special
8 license plate for any number of Class A vehicles titled in the name
9 of the applicant. The special registration plates shall be
10 designed by the commissioner. Each application submitted pursuant
11 to this subdivision shall be accompanied by payment of a special
12 initial application fee of \$15, ~~which is~~ in addition to any other
13 registration or license fee required by this chapter. The division
14 shall charge an annual fee of \$15 for each special registration
15 plate in addition to all other fees required by this chapter. All
16 special fees shall be collected by the division and deposited into
17 the State Road Fund.

18 (35) The division may issue special registration plates to
19 members of the Harley Owners Group as follows:

20 (A) Upon appropriate application, the division may issue a
21 special registration plate designed by the commissioner for any
22 number of vehicles titled in the name of the qualified applicant.
23 Persons desiring the special registration plate shall offer
24 sufficient proof of membership in the Harley Owners Group.

25 (B) The division shall charge a special initial application fee
26 of \$10 in addition to all other fees required by law. This special

1 fee shall be collected by the division and deposited in the State
2 Road Fund.

3 (C) An annual fee of \$15 shall be charged for each plate in
4 addition to all other fees required by this chapter.

5 (36) The division may issue special registration plates for
6 persons retired from any branch of the armed services of the United
7 States as follows:

8 (A) Upon appropriate application, there shall be issued to any
9 person who has retired after service in any branch of the armed
10 services of the United States, a special registration plate for any
11 number of vehicles titled in the name of the qualified applicant
12 with an insignia designed by the Commissioner of the Division of
13 Motor Vehicles to designate the recipient as retired from the armed
14 services of the United States.

15 (B) A special initial application fee of \$10 shall be charged
16 in addition to all other fees required by law. This special fee
17 shall be collected by the division and deposited in the State Road
18 Fund. ~~Provided, That~~ However, nothing in this section may be
19 construed to exempt any registrants from any other provision of
20 this chapter.

21 (C) A surviving spouse may continue to use his or her deceased
22 spouse's retired military license plate until the surviving spouse
23 dies, remarries or does not renew the license plate.

24 (37) The division may issue special registration plates bearing
25 the logo, symbol, insignia, letters or words demonstrating
26 association with or support for Fairmont State College as follows:

1 (A) Upon appropriate application, the division may issue a
2 special registration plate designed by the commissioner for any
3 number of vehicles titled in the name of the qualified applicant.

4 (B) The division shall charge a special initial application fee
5 of \$10 in addition to all other fees required by law. This special
6 fee shall be collected by the division and deposited in the State
7 Road Fund.

8 (C) An annual fee of \$15 shall be charged for each plate in
9 addition to all other fees required by this chapter.

10 (38) The division may issue special registration plates
11 honoring the farmers of West Virginia as follows:

12 (A) Any owner of a motor vehicle who is a resident of West
13 Virginia may apply for a special license plate depicting a farming
14 scene or other apt reference to farming, whether in pictures or
15 words, at the discretion of the commissioner.

16 (B) The division shall charge a special initial application fee
17 of \$10. This special fee shall be collected by the division and
18 deposited in the State Road Fund.

19 (C) An annual fee of \$15 shall be charged for each plate in
20 addition to all other fees required by this chapter.

21 (39) The division shall issue special registration plates
22 promoting education as follows:

23 (A) Upon appropriate application, the division shall issue a
24 special registration plate displaying a children's education-
25 related theme as prescribed and designated by the commissioner and
26 the State Superintendent of Schools.

1 (B) The division shall charge a special initial application fee
2 of \$10 in addition to all other fees required by law. This special
3 fee shall be collected by the division and deposited in the State
4 Road Fund.

5 (C) An annual fee of \$15 shall be charged for each plate in
6 addition to all other fees required by this chapter.

7 (40) The division may issue members of the 82nd Airborne
8 Division Association special registration plates as follows:

9 (A) The division may issue a special registration plate for
10 members of the 82nd Airborne Division Association upon receipt of
11 a guarantee from the organization of a minimum of one hundred
12 applicants. The insignia on the plate shall be designed by the
13 commissioner.

14 (B) Upon appropriate application, the division may issue
15 members of the 82nd Airborne Division Association in good standing,
16 as determined by the governing body of the organization, a special
17 registration plate for any number of vehicles titled in the name of
18 the qualified applicant.

19 (C) The division shall charge a special one-time initial
20 application fee of \$10 for each special license plate in addition
21 to all other fees required by this chapter. All initial
22 application fees collected by the division shall be deposited into
23 the State Road Fund. ~~Provided, That~~ However, nothing in this
24 section may be construed to exempt the applicant from any other
25 provision of this chapter.

26 (D) A surviving spouse may continue to use his or her deceased

1 spouse's special 82nd Airborne Division Association registration
2 plate until the surviving spouse dies, remarries or does not renew
3 the special registration plate.

4 (41) The division may issue special registration plates to
5 survivors of wounds received in the line of duty as a member with
6 a West Virginia law-enforcement agency.

7 (A) Upon appropriate application, the division shall issue to
8 any member of a municipal police department, sheriff's department,
9 the State Police or the law-enforcement division of the Division of
10 Natural Resources who has been wounded in the line of duty and
11 awarded a Purple Heart ~~in recognition thereof~~ by the West Virginia
12 Chiefs of Police Association, the West Virginia Sheriffs'
13 Association, the West Virginia Troopers Association or the Division
14 of Natural Resources a special registration plate for one vehicle
15 titled in the name of the qualified applicant with an insignia
16 appropriately designed by the commissioner.

17 (B) Registration plates issued pursuant to this subdivision are
18 exempt from the registration fees otherwise required by ~~the~~
19 ~~provisions of~~ this chapter.

20 (C) A surviving spouse may continue to use his or her deceased
21 spouse's special registration plate until the surviving spouse
22 dies, remarries or does not renew the plate.

23 (D) Survivors of wounds received in the line of duty as a
24 member with a West Virginia law-enforcement agency may obtain a
25 license plate as described in this section for use on a passenger
26 vehicle titled in the name of the qualified applicant. The

1 division shall charge a one-time fee of \$10 to be deposited into
2 the State Road Fund, in addition to all other fees required by this
3 chapter, for the second plate.

4 (42) The division may issue a special registration plate for
5 persons who are Native Americans and residents of this state.

6 (A) Upon appropriate application, the division shall issue to
7 an applicant who is a Native American resident of West Virginia a
8 registration plate for a vehicle titled in the name of the
9 applicant with an insignia designed by the Commissioner of the
10 Division of Motor Vehicles to designate the recipient as a Native
11 American.

12 (B) The division shall charge a special one-time initial
13 application fee of \$10 in addition to all other fees required by
14 law. This special fee shall be collected by the division and
15 deposited in the State Road Fund.

16 (C) An annual fee of \$15 shall be charged for each plate in
17 addition to all other fees required by this chapter.

18 (43) The division may issue special registration plates
19 commemorating the centennial anniversary of the creation of Davis
20 and Elkins College as follows:

21 (A) Upon appropriate application, the division may issue a
22 special registration plate designed by the commissioner to
23 commemorate the centennial anniversary of Davis and Elkins College
24 for any number of vehicles titled in the name of the applicant.

25 (B) The division shall charge a special initial application fee
26 of \$10. This special fee shall be collected by the division and

1 deposited in the State Road Fund.

2 (C) An annual fee of \$15 shall be charged for each plate in
3 addition to all other fees required by this chapter.

4 (44) The division may issue special registration plates
5 recognizing and honoring breast cancer survivors.

6 (A) Upon appropriate application, the division may issue a
7 special registration plate designed by the commissioner to
8 recognize and honor breast cancer survivors, such plate to
9 incorporate somewhere in the design the "pink ribbon emblem", for
10 any number of vehicles titled in the name of the applicant.

11 (B) The division shall charge a special initial application fee
12 of \$10. This special fee shall be deposited in the State Road
13 Fund.

14 (C) An annual fee of \$15 shall be charged for each plate in
15 addition to all other fees required by this chapter.

16 (45) The division may issue special registration plates to
17 members of the Knights of Pythias or Pythian Sisters as follows:

18 (A) Upon appropriate application, the division may issue a
19 special registration plate designed by the commissioner for any
20 number of vehicles titled in the name of the qualified applicant.
21 Persons desiring the special registration plate shall offer
22 sufficient proof of membership in the Knights of Pythias or Pythian
23 Sisters.

24 (B) The division shall charge a special initial application fee
25 of \$10 in addition to all other fees required by law. This special
26 fee shall be collected by the division and deposited in the State

1 Road Fund.

2 (C) An annual fee of \$15 shall be charged for each plate in
3 addition to all other fees required by this chapter.

4 (46) The commissioner may issue special registration plates for
5 whitewater rafting enthusiasts as follows:

6 (A) Upon appropriate application, the division may issue a
7 special registration plate designed by the commissioner for any
8 number of vehicles titled in the name of the qualified applicant.

9 (B) The division shall charge a special initial application fee
10 of \$10 in addition to all other fees required by law. This special
11 fee shall be collected by the division and deposited in the State
12 Road Fund.

13 (C) The division shall charge an annual fee of \$15 for each
14 special registration plate in addition to all other fees required
15 by this chapter.

16 (47) The division may issue special registration plates to
17 members of Lions International as follows:

18 (A) Upon appropriate application, the division may issue a
19 special registration plate designed by the commissioner in
20 consultation with Lions International for any number of vehicles
21 titled in the name of the qualified applicant. Persons desiring
22 the special registration plate shall offer sufficient proof of
23 membership in Lions International.

24 (B) The division shall charge a special initial application fee
25 of \$10 in addition to all other fees required by law. This special
26 fee shall be collected by the division and deposited in the State

1 Road Fund.

2 (C) An annual fee of \$15 shall be charged for each plate in
3 addition to all other fees required by this chapter.

4 (48) The division may issue special registration plates
5 supporting organ donation as follows:

6 (A) Upon appropriate application, the division may issue a
7 special registration plate designed by the commissioner which
8 recognizes, supports and honors organ and tissue donors and
9 includes the words "Donate Life".

10 (B) The division shall charge a special initial application fee
11 of \$10 in addition to all other fees required by law. This special
12 fee shall be collected by the division and deposited in the State
13 Road Fund.

14 (C) An annual fee of \$15 shall be charged for each plate in
15 addition to all other fees required by this chapter.

16 (49) The division may issue special registration plates to
17 members of the West Virginia Bar Association as follows:

18 (A) Upon appropriate application, the division may issue a
19 special registration plate designed by the commissioner in
20 consultation with the West Virginia Bar Association for any number
21 of vehicles titled in the name of the qualified applicant. Persons
22 desiring the special registration plate shall offer sufficient
23 proof of membership in the West Virginia Bar Association.

24 (B) The division shall charge a special initial application fee
25 of \$10 in addition to all other fees required by law. This special
26 fee shall be collected by the division and deposited in the State

1 Road Fund.

2 (C) An annual fee of \$15 shall be charged for each plate in
3 addition to all other fees required by this chapter.

4 (50) The division may issue special registration plates bearing
5 an appropriate logo, symbol or insignia combined with the words
6 "SHARE THE ROAD" designed to promote bicycling in the state as
7 follows:

8 (A) Upon appropriate application, the division may issue a
9 special registration plate designed by the commissioner for any
10 number of vehicles titled in the name of the applicant.

11 (B) The division shall charge a special initial application fee
12 of \$10 in addition to all other fees required by law. This special
13 fee shall be collected by the division and deposited in the State
14 Road Fund.

15 (C) An annual fee of \$15 shall be charged for each plate in
16 addition to all other fees required by this chapter.

17 (51) The division may issue special registration plates
18 honoring coal miners as follows:

19 (A) Upon appropriate application, the division shall issue a
20 special registration plate depicting and displaying coal miners in
21 mining activities as prescribed and designated by the commissioner
22 and the board of the National Coal Heritage Area Authority.

23 (B) The division shall charge a special initial application fee
24 of \$10 in addition to all other fees required by law. This special
25 fee shall be collected by the division and deposited in the State
26 Road Fund.

1 (C) An annual fee of \$15 shall be charged for each plate in
2 addition to all other fees required by this chapter.

3 (52) The division may issue special registration plates to
4 present and former Boy Scouts as follows:

5 (A) Upon appropriate application, the division may issue a
6 special registration plate designed by the commissioner for any
7 number of vehicles titled in the name of the qualified applicant.
8 Persons desiring the special registration plate shall offer
9 sufficient proof of present or past membership in the Boy Scouts as
10 either a member or a leader.

11 (B) The division shall charge a special initial application fee
12 of \$10 in addition to all other fees required by law. This special
13 fee shall be collected by the division and deposited in the State
14 Road Fund.

15 (C) An annual fee of \$15 shall be charged for each plate in
16 addition to all other fees required by this chapter.

17 (53) The division may issue special registration plates to
18 present and former Boy Scouts who have achieved Eagle Scout status
19 as follows:

20 (A) Upon appropriate application, the division may issue a
21 special registration plate designed by the commissioner for any
22 number of vehicles titled in the name of the qualified applicant.
23 Persons desiring the special registration plate shall offer
24 sufficient proof of achievement of Eagle Scout status.

25 (B) The division shall charge a special initial application fee
26 of \$10 in addition to all other fees required by law. This special

1 fee shall be deposited in the State Road Fund.

2 (C) An annual fee of \$15 shall be charged for each plate in
3 addition to all other fees required by this chapter.

4 (54) The division may issue special registration plates
5 recognizing and memorializing victims of domestic violence.

6 (A) Upon appropriate application, the division may issue a
7 special registration plate designed by the commissioner to
8 recognize and memorialize victims of domestic violence, such plate
9 to incorporate somewhere in the design the "purple ribbon emblem",
10 for any number of vehicles titled in the name of the applicant.

11 (B) The division shall charge a special initial application fee
12 of \$10. This special fee shall be deposited in the State Road
13 Fund.

14 (C) An annual fee of \$15 shall be charged for each plate in
15 addition to all other fees required by this chapter.

16 (55) The division may issue special registration plates bearing
17 the logo, symbol, insignia, letters or words demonstrating
18 association with or support for the University of Charleston as
19 follows:

20 (A) Upon appropriate application, the division may issue a
21 special registration plate designed by the commissioner for any
22 number of vehicles titled in the name of the qualified applicant.

23 (B) The division shall charge a special initial application fee
24 of \$10 in addition to all other fees required by law. This special
25 fee shall be collected by the division and deposited in the State
26 Road Fund.

1 (C) An annual fee of \$15 shall be charged for each plate in
2 addition to all other fees required by this chapter.

3 (56) The division may issue special registration plates to
4 members of the Sons of the American Revolution as follows:

5 (A) Upon appropriate application, the division may issue a
6 special registration plate designed by the commissioner in
7 consultation with the Sons of the American Revolution for any
8 number of vehicles titled in the name of the qualified applicant.
9 Persons desiring the special registration plate shall offer
10 sufficient proof of membership in the Sons of the American
11 Revolution.

12 (B) The division shall charge a special initial application fee
13 of \$10 in addition to all other fees required by law. This special
14 fee shall be collected by the division and deposited in the State
15 Road Fund.

16 (C) An annual fee of \$15 shall be charged for each plate in
17 addition to all other fees required by this chapter.

18 (57) The commissioner may issue special registration plates for
19 horse enthusiasts as follows:

20 (A) Upon appropriate application, the division may issue a
21 special registration plate designed by the commissioner for any
22 number of vehicles titled in the name of the qualified applicant.

23 (B) The division shall charge a special initial application fee
24 of \$10 in addition to all other fees required by law. This special
25 fee shall be collected by the division and deposited in the State
26 Road Fund.

1 (C) The division shall charge an annual fee of \$15 for each
2 special registration plate in addition to all other fees required
3 by this chapter.

4 (58) The commissioner may issue special registration plates to
5 the next of kin of a member of any branch of the armed services of
6 the United States killed in combat as follows:

7 (A) Upon appropriate application, the division shall issue a
8 special registration plate for any number of vehicles titled in the
9 name of a qualified applicant depicting the Gold Star awarded by
10 the United States Department of Defense as prescribed and
11 designated by the commissioner.

12 (B) The next of kin shall provide sufficient proof of receiving
13 a Gold Star lapel button from the United States Department of
14 Defense in accordance with Public Law 534, 89th Congress, and
15 criteria established by the United States Department of Defense,
16 including criteria to determine next of kin.

17 (C) The division shall charge a special initial application fee
18 of \$10 in addition to all other fees required by law. This special
19 fee shall be collected by the division and deposited in the State
20 Road Fund.

21 (D) ~~The provisions of~~ Subsection (d) of this section ~~are~~ is not
22 applicable for the issuance of the special license plates
23 designated by this subdivision.

24 (59) The commissioner may issue special registration plates for
25 retired or former Justices of the Supreme Court of Appeals of West
26 Virginia as follows:

1 (A) Upon appropriate application, the division may issue a
2 special registration plate designed by the commissioner for any
3 number of vehicles titled in the name of the qualified applicant.

4 (B) The division shall charge a special initial application fee
5 of \$10 in addition to all other fees required by law. This special
6 fee shall be collected by the division and deposited in the State
7 Road Fund.

8 (C) The division shall charge an annual fee of \$15 for each
9 special registration plate in addition to all other fees required
10 by this chapter.

11 (D) ~~The provisions of~~ Subsection (d) of this section ~~are~~ is not
12 applicable for the issuance of the special license plates
13 designated by this subdivision.

14 (60) Upon approval by the commissioner of an appropriate
15 application, and upon all requirements of this subdivision being
16 satisfied, the division may issue special registration plates for
17 class A and class G motor vehicles to members of an organization
18 for which a special registration plate has not been issued pursuant
19 to any other subdivision in this subsection prior to January 1,
20 2010, in accordance with ~~the provisions of~~ this subdivision.

21 (A) An organization desiring to create a special registration
22 plate must comply with the following requirements to be eligible
23 to apply for the creation and issuance of a special registration
24 plate:

25 (i) The organization must be a nonprofit organization organized
26 and existing under Section 501(c)(3) of Title 26 of the Internal

1 Revenue Code and based, headquartered or have a chapter in West
2 Virginia;

3 (ii) The organization may be organized for, but may not be
4 restricted to, social, civic, higher education or entertainment
5 purposes;

6 (iii) The organization may not be a political party and may not
7 have been created or exist primarily to promote a specific
8 political or social belief, as determined by the commissioner in
9 his or her sole discretion;

10 (iv) The organization may not have as its primary purpose the
11 promotion of any specific faith, religion, religious belief or
12 antireligion;

13 (v) The name of the organization may not be the name of a
14 special product or brand name, and may not be construed, as
15 determined by the commissioner, as promoting a product or brand
16 name; and

17 (vi) The organization's lettering, logo, image or message to
18 be placed on the registration plate, if created, may not be
19 obscene, offensive or objectionable as determined by the
20 commissioner in his or her sole discretion.

21 (B) Beginning July 1, 2010, an organization requesting the
22 creation and issuance of a special registration plate may make
23 application with the division. The application shall include
24 sufficient information, as determined by the commissioner, to
25 determine whether the special registration plate requested and the
26 organization making the application meet all of the requirements

1 set forth in this subdivision (60). The application shall also
2 include a proposed design, including lettering, logo, image or
3 message to be placed on the registration plate. The commissioner
4 shall notify the organization of the commissioner's approval or
5 disapproval of the application.

6 (C) (i) The commissioner may not begin the design or production
7 of any license plates authorized and approved pursuant to this
8 subdivision (60), subsection (c) of this section until the
9 organization which applied for the special registration plate has
10 collected and submitted collectively to the division applications
11 completed by at least two hundred fifty persons and collectively
12 deposited with the division all fees necessary to cover the first
13 year's basic registration, one-time design and manufacturing costs
14 and to cover the first year additional annual fee for all of the
15 applications submitted.

16 (ii) If the organization fails to submit the required number
17 of applications and fees within six months of the effective date of
18 the approval of the application for the plate by the commissioner,
19 the plate will not be produced until a new application is submitted
20 and is approved by the commissioner. ~~Provided, That~~ In addition,
21 an organization that is unsuccessful in obtaining the minimum
22 number of applications may not make a new application for a special
23 plate until at least two years have passed since the approval of
24 the previous application of the organization.

25 (D) The division shall charge a special initial application fee
26 of \$25 for each special license plate in addition to all other fees

1 required by law. This special fee shall be collected by the
2 division and deposited in the State Road Fund.

3 (E) The division shall charge an annual fee of \$15 for each
4 special registration plate in addition to all other fees required
5 by this chapter.

6 (F) Upon appropriate application, the division may issue a
7 special registration plate designed by the commissioner in
8 consultation with the organization for any number of vehicles
9 titled in the name of a qualified registration plate applicant.
10 Persons desiring the special registration plate shall offer
11 sufficient proof of membership in the organization.

12 (G) The commissioner shall discontinue the issuance or renewal
13 of the registration of any special plate issued pursuant to this
14 subdivision (60) if:

15 (i) The number of valid registrations for the specialty plate
16 falls below two hundred fifty plates for at least twelve
17 consecutive months; or

18 (ii) The organization no longer exists or no longer meets the
19 requirements of this subdivision.

20 (61) The commissioner may issue special registration plates for
21 persons who are hearing impaired as certified by a licensed
22 physician or an audiologist certified by the American Speech-
23 Language-Hearing Association as follows:

24 (A) Upon appropriate application, the division may issue a
25 special registration plate designed by the commissioner for any
26 number of vehicles titled in the name of the qualified applicant.

1 (B) The division shall charge a special initial application fee
2 of \$10 in addition to all other fees required by law. This special
3 fee shall be collected by the division and deposited in the State
4 Road Fund.

5 (C) Subsection (d) of this section is not applicable for the
6 issuance of the special license plates designated by this
7 subdivision.

8 (d) The minimum number of applications required prior to design
9 and production of a special license plate shall be as follows:

10 (1) The commissioner may not begin the design or production of
11 any license plates for which eligibility is based on membership or
12 affiliation with a particular private organization until at least
13 one hundred persons complete an application and deposit with the
14 organization a check to cover the first year's basic registration,
15 one-time design and manufacturing costs and to cover the first year
16 additional annual fee. If the organization fails to submit the
17 required number of applications with attached checks within six
18 months of the effective date of the original authorizing
19 legislation, the plate will not be produced and will require
20 legislative reauthorization. ~~Provided, That~~ In addition, an
21 organization or group that is unsuccessful in obtaining the minimum
22 number of applications may not request reconsideration of a special
23 plate until at least two years have passed since the effective date
24 of the original authorization. ~~Provided, however, That the~~
25 ~~provisions of~~ This subdivision ~~(1) are~~ is not applicable to the
26 issuance of plates authorized pursuant to subdivision (60),

1 subsection (c) of this section.

2 (2) The commissioner may not begin the design or production of
3 any license plates authorized by this section for which membership
4 or affiliation with a particular organization is not required until
5 at least two hundred fifty registrants complete an application and
6 deposit a fee with the division to cover the first year's basic
7 registration fee, one-time design and manufacturing fee and
8 additional annual fee if applicable. If the commissioner fails to
9 receive the required number of applications within six months of
10 the effective date of the original authorizing legislation, the
11 plate will not be produced and will require legislative
12 reauthorization. ~~Provided, That~~ In addition, if the minimum number
13 of applications is not satisfied within the six months of the
14 effective date of the original authorizing legislation, a person
15 may not request reconsideration of a special plate until at least
16 two years have passed since the effective date of the original
17 authorization.

18 (e) (1) Nothing in this section requires a charge for a free
19 prisoner of war license plate or a free recipient of the
20 Congressional Medal of Honor license plate for a vehicle titled in
21 the name of the qualified applicant as authorized by other
22 provisions of this code.

23 (2) A surviving spouse may continue to use his or her deceased
24 spouse's prisoner of war license plate or Congressional Medal of
25 Honor license plate until the surviving spouse dies, remarries or
26 does not renew the license plate.

1 (3) Qualified former prisoners of war and recipients of the
2 Congressional Medal of Honor may obtain a second special
3 registration plate for use on a passenger vehicle titled in the
4 name of the qualified applicant. The division shall charge a one-
5 time fee of \$10 to be deposited into the State Road Fund, in
6 addition to all other fees required by this chapter, for the second
7 special plate.

8 (f) The division may issue special ten-year registration plates
9 as follows:

10 (1) The commissioner may issue or renew for a period of no more
11 than ten years any registration plate exempted from registration
12 fees pursuant to any provision of this code or any restricted use
13 antique motor vehicle license plate authorized by section three-a,
14 article ten of this chapter. ~~Provided, That the provisions of~~
15 However, this subsection ~~do~~ does not apply to any person who has
16 had a special registration suspended for failure to maintain motor
17 vehicle liability insurance as required by section three, article
18 two-a, chapter seventeen-d of this code or failure to pay personal
19 property taxes as required by section three-a of this article.

20 (2) An initial nonrefundable fee shall be charged for each
21 special registration plate issued pursuant to this subsection,
22 which is the total amount of fees required by section fifteen,
23 article ten of this chapter, section three, article three of this
24 chapter or section three-a, article ten of this chapter for the
25 period requested.

26 (g) ~~The provisions of~~ This section may not be construed to

1 exempt any registrant from maintaining motor vehicle liability
2 insurance as required by section three, article two-a, chapter
3 seventeen-d of this code or from paying personal property taxes on
4 any motor vehicle as required by section three-a of this article.

5 (h) The commissioner may, in his or her discretion, issue a
6 registration plate of reflectorized material suitable for permanent
7 use on motor vehicles, trailers and semitrailers, together with
8 appropriate devices to be attached to the registration to indicate
9 the year for which the vehicles have been properly registered or
10 the date of expiration of the registration. The design and
11 expiration of the plates shall be determined by the commissioner.
12 The commissioner shall, whenever possible and cost effective,
13 implement the latest technology in the design, production and
14 issuance of registration plates, indices of registration renewal
15 and vehicle ownership documents, including, but not limited to,
16 offering Internet renewal of vehicle registration and the use of
17 bar codes for instant identification of vehicles by scanning
18 equipment to promote the efficient and effective coordination and
19 communication of data for improving highway safety, aiding law
20 enforcement and enhancing revenue collection.

21 (i) Any license plate issued or renewed pursuant to this
22 chapter ~~which is~~ paid for by a check that is returned for
23 nonsufficient funds is void without further notice to the
24 applicant. The applicant may not reinstate the registration until
25 the returned check is paid by the applicant in cash, money order or
26 certified check and all applicable fees assessed as a result

1 thereof have been paid.

NOTE: The purpose of this bill is to provide for the issuance of special license plates for the hearing impaired. The bill also exempts this plate from the minimum number of required applicants.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.