

1 **H. B. 2357**

2
3 (By Delegate C. Miller)
4 [Introduced January 12, 2011; referred to the
5 Committee on Roads and Transportation then Finance.]
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10 A BILL to amend and reenact 17A-3-14 of the Code of West Virginia,
11 1931, as amended, relating to motor vehicle registration
12 generally; providing for the issuance of a special "Family of
13 an Officer Killed in the Line of Duty" license plate and
14 assessing a special initial application fee and a special
15 annual fee therefor.

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

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

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

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

26 (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
6 material and have displayed upon it the registration number
7 assigned to the vehicle for which it is issued; the name of this
8 state, which may be abbreviated; and the year number for which it
9 is issued or the 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 the division may
14 issue a Class A special registration plate for each vehicle titled
15 to the official and a Class G special registration plate for each
16 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
2 forces 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
18 \$10 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
2 fee of \$10 in addition to all other fees required by law. This
3 special fee is to compensate the Division of Motor Vehicles for
4 additional costs and services required in the issuing of the
5 special registration. All fees collected by the division shall be
6 deposited in the State Road Fund: *Provided*, That nothing in this
7 section may be construed to exempt any veteran from any other
8 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
16 are 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
11 are exempt from the payment of all registration fees otherwise
12 required 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
2 organizations previously authorized under the prior enactment of
3 this subdivision may accept and collect applications for special
4 registration plates from owners of Class A motor vehicles together
5 with a special annual fee of \$15, which is in addition to all other
6 fees required by this chapter. The applications and fees shall be
7 submitted to the Division of Motor Vehicles with the request that
8 the division issue a registration plate bearing a combination of
9 letters or numbers with the organizations' logo or emblem, with the
10 maximum number of letters or numbers to be determined by the
11 commissioner.

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

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

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

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

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

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

26 (11) The division may issue specified certified firefighter

1 registration plates as follows:

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

13 (B) Each application submitted pursuant to this subdivision
14 shall be accompanied by an affidavit 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. The firefighter certification department, section
19 or division of the West Virginia University fire service extension
20 shall notify the commissioner in writing immediately when a
21 firefighter loses his or her certification. If a firefighter loses
22 his or her certification, the commissioner may not issue him or her
23 a license plate under this subsection.

24 (C) Each application submitted pursuant to this subdivision
25 shall be accompanied by payment of a special initial application
26 fee of \$10, which is in addition to any other registration or

1 license fee required by this chapter. All special fees shall be
2 collected by the division and deposited into the State Road Fund.

3 (12) The division may issue special scenic registration plates
4 as follows:

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

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

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

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

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

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

5 (14) The division may issue military organization registration
6 plates as follows:

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

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

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

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

1 military organization registration plate.

2 (15) The division may issue special nongame wildlife
3 registration plates and special wildlife registration plates as
4 follows:

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

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

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

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

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

1 Legislature.

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

9 (17) Upon appropriate application, the commissioner shall
10 issue to a classic motor vehicle or classic motorcycle as defined
11 in section three-a, article ten of this chapter, a special
12 registration plate designed by the commissioner. An annual fee of
13 \$15, in addition to all other fees required by this chapter, shall
14 be charged for each classic registration plate.

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

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

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

1 Fund: *Provided*, That nothing in this section may be construed to
2 exempt any veteran from any other provision of this chapter.

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

7 (19) Racing theme special registration plates:

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

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

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

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

25 (A) Upon appropriate application, the division shall issue to
26 any recipient of the Navy Cross, Distinguished Service Cross,

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

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

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

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

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

1 the War Against Terrorism a special registration plate for any
2 number of vehicles titled in the name of the qualified applicant
3 with an insignia designed by the commissioner denoting service in
4 the applicable conflict.

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

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

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

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

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

1 justified in having a registration plate with the requested
2 insignia. The applicant must comply with all other laws of this
3 state regarding registration and licensure of motor vehicles and
4 must pay all required fees.

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

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

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

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

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

1 (A) Upon appropriate application, the division shall issue
2 special registration plates which shall display the American flag
3 and the logo "9/11/01".

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

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

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

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

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

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

1 (26) The division may issue special registration plates to
2 educators in the state's elementary and secondary schools and in
3 the state's institutions of higher education as follows:

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

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

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

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

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

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

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

1 (D) Notwithstanding the provisions of subsection (d) of this
2 section, the time period for the Nemesis Shrine to comply with the
3 minimum one hundred prepaid applications is hereby extended to
4 January 15, 2005.

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

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

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

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

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

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

1 Badge or the Combat Medic Badge.

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

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

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

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

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

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

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

25 (A) Upon appropriate application, the division shall issue a
26 special registration plate designed by the commissioner for any

1 number of vehicles titled in the name of the qualified applicant.
2 Persons desiring the special registration plate shall offer
3 sufficient proof of former service as an elected or appointed
4 member of the West Virginia House of Delegates or the West Virginia
5 Senate.

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

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

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

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

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

25 (C) A special application fee of \$10 shall be charged at the
26 time of initial application as well as upon application for any

1 duplicate or replacement registration plate, in addition to all
2 other fees required by this chapter. All application fees shall be
3 deposited into the State Road Fund.

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

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

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

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

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

1 special fee shall be collected by the division and deposited in the
2 State 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 nothing in this section may be construed to
19 exempt any registrants from any other provision of this chapter.

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

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

26 (A) Upon appropriate application, the division may issue a

1 special registration plate designed by the commissioner for any
2 number of vehicles titled in the name of the qualified applicant.

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

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

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

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

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

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

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

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

26 (B) The division shall charge a special initial application

1 fee of \$10 in addition to all other fees required by law. This
2 special fee shall be collected by the division and deposited in the
3 State Road Fund.

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

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

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

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

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

25 (D) A surviving spouse may continue to use his or her deceased
26 spouse's special 82nd Airborne Division Association registration

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

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

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

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

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

22 (D) Survivors of wounds received in the line of duty as a
23 member with a West Virginia law-enforcement agency may obtain a
24 license plate as described in this section for use on a passenger
25 vehicle titled in the name of the qualified applicant. The
26 division shall charge a one-time fee of \$10 to be deposited into

1 the State Road Fund, in addition to all other fees required by this
2 chapter, for the second plate.

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

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

11 (B) The division shall charge a special one-time initial
12 application fee of \$10 in addition to all other fees required by
13 law. This special fee shall be collected by the division and
14 deposited in the State 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 (43) The division may issue special registration plates
18 commemorating the centennial anniversary of the creation of Davis
19 and Elkins College as follows:

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

24 (B) The division shall charge a special initial application
25 fee of \$10. This special fee shall be collected by the division
26 and deposited in the State 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 (44) The division may issue special registration plates
4 recognizing and honoring breast cancer survivors.

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

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

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

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

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

23 (B) The division shall charge a special initial application
24 fee of \$10 in addition to all other fees required by law. This
25 special fee shall be collected by the division and deposited in the
26 State 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 (46) The commissioner may issue special registration plates
4 for whitewater rafting enthusiasts 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 (B) The division shall charge a special initial application
9 fee of \$10 in addition to all other fees required by law. This
10 special fee shall be collected by the division and deposited in the
11 State Road Fund.

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

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

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

23 (B) The division shall charge a special initial application
24 fee of \$10 in addition to all other fees required by law. This
25 special fee shall be collected by the division and deposited in the
26 State 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 (48) The division may issue special registration plates
4 supporting organ donation as follows:

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

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

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

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

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

23 (B) The division shall charge a special initial application
24 fee of \$10 in addition to all other fees required by law. This
25 special fee shall be collected by the division and deposited in the
26 State 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 (50) The division may issue special registration plates
4 bearing an appropriate logo, symbol or insignia combined with the
5 words "SHARE THE ROAD" designed to promote bicycling in the state
6 as follows:

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

10 (B) The division shall charge a special initial application
11 fee of \$10 in addition to all other fees required by law. This
12 special fee shall be collected by the division and deposited in the
13 State 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 (51) The division may issue special registration plates
17 honoring coal miners as follows:

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

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

26 (C) An annual fee of \$15 shall be charged for each plate in

1 addition to all other fees required by this chapter.

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

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

10 (B) The division shall charge a special initial application
11 fee of \$10 in addition to all other fees required by law. This
12 special fee shall be collected by the division and deposited in the
13 State 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 (53) The division may issue special registration plates to
17 present and former Boy Scouts who have achieved Eagle Scout status
18 as follows:

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

24 (B) The division shall charge a special initial application
25 fee of \$10 in addition to all other fees required by law. This
26 special fee shall be deposited in the State 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 (54) The division may issue special registration plates
4 recognizing and memorializing victims of domestic violence.

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

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

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

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

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

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

26 (C) An annual fee of \$15 shall be charged for each plate in

1 addition to all other fees required by this chapter.

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

4 (A) Upon appropriate application, the division may issue a
5 special registration plate designed by the commissioner in
6 consultation with the Sons of the American Revolution 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 membership in the Sons of the American
10 Revolution.

11 (B) The division shall charge a special initial application
12 fee of \$10 in addition to all other fees required by law. This
13 special fee shall be collected by the division and deposited in the
14 State 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 (57) The commissioner may issue special registration plates
18 for horse enthusiasts as follows:

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

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

26 (C) The division shall charge an annual fee of \$15 for each

1 special registration plate in addition to all other fees required
2 by this chapter.

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

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

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

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

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

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

26 (A) Upon appropriate application, the division may issue a

1 special registration plate designed by the commissioner for any
2 number of vehicles titled in the name of the qualified applicant.

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

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

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

13 (60) The division may issue special registration plates
14 bearing an appropriate symbol or insignia combined with the words
15 "Family of an Officer Killed in the Line of Duty":

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

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

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

26 ~~(60)~~ (61) Upon approval by the commissioner of an appropriate

1 application, and upon all requirements of this subdivision being
2 satisfied, the division may issue special registration plates for
3 class A and class G motor vehicles to members of an organization
4 for which a special registration plate has not been issued pursuant
5 to any other subdivision in this subsection prior to January 1,
6 2010, in accordance with the provisions of this subdivision.

7 (A) An organization desiring to create a special registration
8 plate must comply with the following requirements to be eligible
9 to apply for the creation and issuance of a special registration
10 plate:

11 (i) The organization must be a nonprofit organization
12 organized and existing under Section 501(c)(3) of Title 26 of the
13 Internal Revenue Code and based, headquartered or have a chapter in
14 West Virginia;

15 (ii) The organization may be organized for, but may not be
16 restricted to, social, civic, higher education or entertainment
17 purposes;

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

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

25 (v) The name of the organization may not be the name of a
26 special product or brand name, and may not be construed, as

1 determined by the commissioner, as promoting a product or brand
2 name; and

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

7 (B) Beginning July 1, 2010, an organization requesting the
8 creation and issuance of a special registration plate may make
9 application with the division. The application shall include
10 sufficient information, as determined by the commissioner, to
11 determine whether the special registration plate requested and the
12 organization making the application meet all of the requirements
13 set forth in this subdivision ~~(60)~~ (61). The application shall
14 also include a proposed design, including lettering, logo, image or
15 message to be placed on the registration plate. The commissioner
16 shall notify the organization of the commissioner's approval or
17 disapproval of the application.

18 (C) (i) The commissioner may not begin the design or production
19 of any license plates authorized and approved pursuant to this
20 subdivision ~~(60)~~ (61), subsection (c) of this section until the
21 organization which applied for the special registration plate has
22 collected and submitted collectively to the division applications
23 completed by at least two hundred fifty persons and collectively
24 deposited with the division all fees necessary to cover the first
25 year's basic registration, one-time design and manufacturing costs
26 and to cover the first year additional annual fee for all of the

1 applications submitted.

2 (ii) If the organization fails to submit the required number
3 of applications and fees within six months of the effective date of
4 the approval of the application for the plate by the commissioner,
5 the plate will not be produced until a new application is submitted
6 and is approved by the commissioner: *Provided*, That an
7 organization that is unsuccessful in obtaining the minimum number
8 of applications may not make a new application for a special plate
9 until at least two years have passed since the approval of the
10 previous application of the organization.

11 (D) The division shall charge a special initial application
12 fee of \$25 for each special license plate in addition to all other
13 fees required by law. This special fee shall be collected by the
14 division and deposited in the State Road Fund.

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

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

24 (G) The commissioner shall discontinue the issuance or renewal
25 of the registration of any special plate issued pursuant to this
26 subdivision ~~(60)~~ (61) if:

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

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

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

9 (1) The commissioner may not begin the design or production of
10 any license plates for which eligibility is based on membership or
11 affiliation with a particular private organization until at least
12 one hundred persons complete an application and deposit with the
13 organization a check to cover the first year's basic registration,
14 one-time design and manufacturing costs and to cover the first year
15 additional annual fee. If the organization fails to submit the
16 required number of applications with attached checks within six
17 months of the effective date of the original authorizing
18 legislation, the plate will not be produced and will require
19 legislative reauthorization: *Provided*, That an organization or
20 group that is unsuccessful in obtaining the minimum number of
21 applications may not request reconsideration of a special plate
22 until at least two years have passed since the effective date of
23 the original authorization: *Provided, however*, That the provisions
24 of this subdivision (1) are not applicable to the issuance of
25 plates authorized pursuant to subdivision ~~(60)~~ (61), subsection (c)
26 of this section.

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

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

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

26 (3) Qualified former prisoners of war and recipients of the

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

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

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

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

25 (g) The provisions of this section may not be construed to
26 exempt any registrant from maintaining motor vehicle liability

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

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

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

NOTE: The purpose of this bill is to provide for the issuance of a special "Family of an Officer Killed in the Line of Duty" license plate and assessing a special initial application fee and a special annual fee for the special license plate.

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