

H. B. 2471

(By Delegates Sobonya, Sumner, Longstreth,
Reynolds, Moore, C. Miller, Morgan and Rowan)

[Introduced January 13, 2011; referred to the
Committee on Roads and Transportation then Finance.]

**FISCAL
NOTE**

A BILL to amend and reenact §17A-3-14 of the Code of West Virginia,
1931, as amended, relating to motor vehicle administration;
registration plates generally; and exempting certain
recipients of military medals of valor from special
registration fees.

Be it enacted by the Legislature of West Virginia:

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

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

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

(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:

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

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

1 or her spouse.

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

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

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

21 (B) The division shall charge an initial application fee of
22 \$10 for each special registration plate issued pursuant to this
23 subdivision, which is in addition to all other fees required by
24 this chapter. Except as otherwise provided herein, effective July

1 1, 2007, all fees currently held in the special revolving fund used
2 in the administration of this section and all fees collected by the
3 division shall be deposited in the State Road Fund.

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

7 (4) Specially arranged registration plates may be issued as
8 follows:

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

16 (B) The commissioner shall propose rules for legislative
17 approval in accordance with the provisions of chapter twenty-nine-a
18 of this code regarding the orderly distribution of the plates:
19 *Provided*, That for purposes of this subdivision, the registration
20 plates requested and issued shall include all plates bearing the
21 numbers two through two thousand.

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

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

3 (A) Upon appropriate application, the division shall issue to
4 any honorably discharged veteran of any branch of the armed
5 services of the United States a special registration plate for any
6 number of vehicles titled in the name of the qualified applicant
7 with an insignia designed by the Commissioner of the Division of
8 Motor Vehicles.

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 is to compensate the Division of Motor Vehicles for
12 additional costs and services required in the issuing of the
13 special registration. All fees collected by the division shall be
14 deposited in the State Road Fund: *Provided*, That nothing in this
15 section may be construed to exempt any veteran from any other
16 provision of this chapter.

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

21 (6) The division may issue disabled veterans special
22 registration plates as follows:

23 (A) Upon appropriate application, the division shall issue to
24 any disabled veteran who is exempt from the payment of registration

1 fees under the provisions of this chapter a registration plate for
2 a vehicle titled in the name of the qualified applicant which bears
3 the letters "DV" in red and also the regular identification
4 numerals in red.

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

8 (C) A qualified disabled veteran may obtain a second disabled
9 veterans license plate as described in this section for use on a
10 passenger vehicle titled in the name of the qualified applicant.
11 The division shall charge a one-time fee of \$10 to be deposited
12 into the State Road Fund, in addition to all other fees required by
13 this chapter, for the second plate.

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

16 (A) Upon appropriate application, there shall be issued to any
17 armed service person holding the distinguished Purple Heart medal
18 for persons wounded in combat a registration plate for a vehicle
19 titled in the name of the qualified applicant bearing letters or
20 numbers. The registration plate shall be designed by the
21 Commissioner of Motor Vehicles and shall denote that those
22 individuals who are granted this special registration plate are
23 recipients of the Purple Heart. All letterings shall be in purple
24 where practical.

1 (B) Registration plates issued pursuant to this subdivision
2 are exempt from all registration fees otherwise required by the
3 provisions of this chapter.

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

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

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

15 (A) Upon appropriate application, the owner of a motor vehicle
16 who was enlisted in any branch of the armed services that
17 participated in and survived the attack on Pearl Harbor on December
18 7, 1941, the division shall issue a special registration plate for
19 a vehicle titled in the name of the qualified applicant. The
20 registration plate shall be designed by the Commissioner of Motor
21 Vehicles.

22 (B) Registration plates issued pursuant to this subdivision
23 are exempt from the payment of all registration fees otherwise
24 required by the provisions of this chapter.

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

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

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

15 (A) Approved nonprofit charitable and educational
16 organizations previously authorized under the prior enactment of
17 this subdivision may accept and collect applications for special
18 registration plates from owners of Class A motor vehicles together
19 with a special annual fee of \$15, which is in addition to all other
20 fees required by this chapter. The applications and fees shall be
21 submitted to the Division of Motor Vehicles with the request that
22 the division issue a registration plate bearing a combination of
23 letters or numbers with the organizations' logo or emblem, with the
24 maximum number of letters or numbers to be determined by the

1 commissioner.

2 (B) The commissioner shall propose rules for legislative
3 approval in accordance with the provisions of article three,
4 chapter twenty-nine-a of this code regarding the procedures for and
5 approval of special registration plates issued pursuant to this
6 subdivision.

7 (C) The commissioner shall set an appropriate fee to defray
8 the administrative costs associated with designing and
9 manufacturing special registration plates for a nonprofit
10 charitable or educational organization. The nonprofit charitable
11 or educational organization shall collect this fee and forward it
12 to the division for deposit in the State Road Fund. The nonprofit
13 charitable or educational organization may also collect a fee for
14 marketing the special registration plates.

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

17 (A) Any owner of a motor vehicle who is a resident of the
18 State of West Virginia and who is a certified paramedic or
19 emergency medical technician, a member of a paid fire department,
20 a member of the state Fire Commission, the state Fire Marshal, the
21 state Fire Marshal's assistants, the state Fire Administrator and
22 voluntary rescue squad members may apply for a special license
23 plate for any number of Class A vehicles titled in the name of the
24 qualified applicant which bears the insignia of the profession,

1 group or commission. Any insignia shall be designed by the
2 commissioner. License plates issued pursuant to this subdivision
3 shall bear the requested insignia in addition to the registration
4 number issued to the applicant pursuant to the provisions of this
5 article.

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

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

18 (11) The division may issue specified certified firefighter
19 registration plates as follows:

20 (A) Any owner of a motor vehicle who is a resident of the
21 State of West Virginia and who is a certified firefighter may apply
22 for a special license plate which bears the insignia of the
23 profession, for any number of Class A vehicles titled in the name
24 of the qualified applicant. Any insignia shall be designed by the

1 commissioner. License plates issued pursuant to this subdivision
2 shall bear the requested insignia pursuant to the provisions of
3 this article. Upon presentation of written evidence of
4 certification as a certified firefighter, certified firefighters
5 are eligible to purchase the special registration plate issued
6 pursuant to this subdivision.

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

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

23 (12) The division may issue special scenic registration plates
24 as follows:

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

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 this chapter. All initial application fees collected by the
7 division shall be deposited into the State Road Fund.

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

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

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

23 (C) A surviving spouse may continue to use his or her deceased
24 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
6 the members of any military organization chartered by the United
7 States Congress upon receipt of a guarantee from the organization
8 of a minimum of one hundred applicants. The insignia on the plate
9 shall 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 nothing in this section may be
20 construed to exempt any veteran from any other provision of this
21 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

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

1 Legislature a specialized registration plate which bears
2 recognition of the applicant as a member of the Silver Haired
3 Legislature.

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

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

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

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

1 Commissioner of the Division of Motor Vehicles.

2 (B) A special initial application fee of \$10 shall be charged
3 in addition to all other fees required by law. This special fee is
4 to be collected by the division and deposited in the State Road
5 Fund: *Provided*, That nothing in this section may be construed to
6 exempt any veteran from any other provision of this chapter.

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

11 (19) Racing theme special registration plates:

12 (A) The division may issue a series of special registration
13 plates displaying National Association for Stock Car Auto Racing
14 themes.

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

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

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

5 (A) Upon appropriate application, the division shall issue to
6 any recipient of the Navy Cross, Distinguished Service Cross,
7 Distinguished Flying Cross, Air Force Cross, Silver Star, Bronze
8 Star or Air Medal, a registration plate for any number of vehicles
9 titled in the name of the qualified applicant bearing letters or
10 numbers. A separate registration plate shall be designed by the
11 Commissioner of Motor Vehicles for each award that denotes that
12 those individuals who are granted this special registration plate
13 are recipients of the Navy Cross, Distinguished Service Cross,
14 Distinguished Flying Cross, Air Force Cross, Silver Star or Bronze
15 Star, or Air Medal as applicable.

16 (B) 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: *Provided*, That nothing in this section exempts
20 the applicant for a special registration plate under this
21 subdivision from any other provision of this chapter.

22 (C) A surviving spouse may continue to use his or her deceased
23 spouse's Navy Cross, Distinguished Service Cross, Distinguished
24 Flying Cross, Air Force Cross, Silver Star, Bronze Star or Air

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

3 (D) Registration plates issued pursuant to this subdivision
4 are exempt from all registration fees otherwise required by this
5 chapter.

6 (E) A recipient of the Navy Cross, Distinguished Service
7 Cross, Distinguished Flying Cross, Air Force Cross, Bronze Star or
8 Silver Star may obtain a second license plate with that designation
9 for use on a passenger vehicle titled in the name of the qualified
10 applicant as provided in this section. The division shall charge
11 a one-time fee of \$10 to be deposited into a special revolving fund
12 to be used in the administration of this section, in addition to
13 all other fees required by this chapter, for the second plate.

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

16 (A) Upon appropriate application, the division shall issue to
17 any honorably discharged veteran of any branch of the armed
18 services of the United States with verifiable service during World
19 War II, the Korean War, the Vietnam War, the Persian Gulf War or
20 the War Against Terrorism a special registration plate for any
21 number of vehicles titled in the name of the qualified applicant
22 with an insignia designed by the commissioner denoting service in
23 the applicable conflict.

24 (B) The division shall charge a special one-time initial

1 application fee of \$10 in addition to all other fees required by
2 law. This special fee shall be collected by the division and
3 deposited in the State Road Fund: *Provided*, That nothing contained
4 in this section may be construed to exempt any veteran from any
5 other provision of this chapter.

6 (C) A surviving spouse may continue to use his or her deceased
7 spouse's honorably discharged veterans registration plate until the
8 surviving spouse dies, remarries or does not renew the special
9 registration plate.

10 (22) The division may issue special volunteer firefighter
11 registration plates as follows:

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

19 (B) Each application submitted pursuant to this subdivision
20 shall be accompanied by an affidavit signed by the applicant's fire
21 chief, stating that the applicant is a volunteer firefighter and
22 justified in having a registration plate with the requested
23 insignia. The applicant must comply with all other laws of this
24 state regarding registration and licensure of motor vehicles and

1 must pay all required fees.

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

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

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

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

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

24 (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
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 4-H Future Farmers of America registration plate in

1 addition to all other fees required by this chapter.

2 (26) The division may issue special registration plates to
3 educators in the state's elementary and secondary schools and in
4 the state's institutions of higher education 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 educator registration plate in addition to all other fees
14 required by this chapter.

15 (27) The division may issue special registration plates to
16 members of the Nemesis Shrine 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 Nemesis Shrine.

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

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

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

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

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

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

1 (A) Upon appropriate application, the division shall 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 Persons desiring the special registration plate shall offer
5 sufficient proof that they have received either the Combat Infantry
6 Badge or the Combat Medic Badge.

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

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

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

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

24 (D) Notwithstanding the provisions of subsection (d) of this

1 section, the time period for the Knights of Columbus to comply with
2 the minimum one hundred prepaid applications is hereby extended to
3 January 15, 2007.

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

6 (A) Upon appropriate application, the division shall 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 Persons desiring the special registration plate shall offer
10 sufficient proof of former service as an elected or appointed
11 member of the West Virginia House of Delegates or the West Virginia
12 Senate.

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. The design of the plate shall indicate total
17 years of service in the Legislature.

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

22 (A) The division shall design and issue special registration
23 plates for use by democratic state or county executive committee
24 members. The design of the plates shall include an insignia of a

1 donkey and shall differentiate by wording on the plate between
2 state and county executive committee members.

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

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

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

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

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

24 (A) Upon appropriate application, there shall be issued to any

1 female honorably discharged veteran, of any branch of the armed
2 services of the United States, a special registration plate for any
3 number of vehicles titled in the name of the qualified applicant
4 with an insignia designed by the Commissioner of the Division of
5 Motor Vehicles to designate the recipient as a woman veteran.

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

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

15 (34) The division may issue special registration plates
16 bearing the logo, symbol, insignia, letters or words demonstrating
17 association with West Liberty State College to any resident owner
18 of a motor vehicle. Resident owners may apply for the special
19 license plate for any number of Class A vehicles titled in the name
20 of the applicant. The special registration plates shall be
21 designed by the commissioner. Each application submitted pursuant
22 to this subdivision shall be accompanied by payment of a special
23 initial application fee of \$15, which is in addition to any other
24 registration or license fee required by this chapter. The division

1 shall charge an annual fee of \$15 for each special registration
2 plate in addition to all other fees required by this chapter. All
3 special fees shall be collected by the division and deposited into
4 the State Road Fund.

5 (35) The division may issue special registration plates to
6 members of the Harley Owners Group 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 qualified applicant.
10 Persons desiring the special registration plate shall offer
11 sufficient proof of membership in the Harley Owners Group.

12 (B) The division shall charge a special initial application
13 fee of \$10 in addition to all other fees required by law. This
14 special fee shall be collected by the division and deposited in the
15 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 (36) The division may issue special registration plates for
19 persons retired from any branch of the armed services of the United
20 States as follows:

21 (A) Upon appropriate application, there shall be issued to any
22 person who has retired after service in 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

1 with an insignia designed by the Commissioner of the Division of
2 Motor Vehicles to designate the recipient as retired from the armed
3 services of the United States.

4 (B) A special initial application fee of \$10 shall be charged
5 in addition to all other fees required by law. This special fee
6 shall be collected by the division and deposited in the State Road
7 Fund: *Provided*, That nothing in this section may be construed to
8 exempt any registrants from any other provision of this chapter.

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

12 (37) The division may issue special registration plates
13 bearing the logo, symbol, insignia, letters or words demonstrating
14 association with or support for Fairmont State College 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 (B) The division shall charge a special initial application
19 fee of \$10 in addition to all other fees required by law. This
20 special fee shall be collected by the division and deposited in the
21 State Road Fund.

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

24 (38) The division may issue special registration plates

1 honoring the farmers of West Virginia as follows:

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

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

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

11 (39) The division shall issue special registration plates
12 promoting education as follows:

13 (A) Upon appropriate application, the division shall issue a
14 special registration plate displaying a children's education-
15 related theme as prescribed and designated by the commissioner and
16 the state superintendent of Schools.

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

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

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

1 (A) The division may issue a special registration plate for
2 members of the 82nd Airborne Division Association upon receipt of
3 a guarantee from the organization of a minimum of one hundred
4 applicants. The insignia on the plate shall be designed by the
5 commissioner.

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

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

18 (D) A surviving spouse may continue to use his or her deceased
19 spouse's special 82nd Airborne Division Association registration
20 plate until the surviving spouse dies, remarries or does not renew
21 the special registration plate.

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

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

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

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

17 (D) Survivors of wounds received in the line of duty as a
18 member with a West Virginia law-enforcement agency may obtain a
19 license plate as described in this section for use on a passenger
20 vehicle titled in the name of the qualified applicant. The
21 division shall charge a one-time fee of \$10 to be deposited into
22 the State Road Fund, in addition to all other fees required by this
23 chapter, for the second plate.

24 (42) The division may issue a special registration plate for

1 persons who are Native Americans and residents of this state.

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

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

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

14 (43) The division may issue special registration plates
15 commemorating the centennial anniversary of the creation of Davis
16 and Elkins College as follows:

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

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

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

1 addition to all other fees required by this chapter.

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

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

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

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

14 (45) The division may issue special registration plates to
15 members of the Knights of Pythias or Pythian Sisters 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 the Knights of Pythias or Pythian
21 Sisters.

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

1 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 (46) The commissioner may issue special registration plates
5 for 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
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) 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

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

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

12 (B) The division shall charge a special initial application
13 fee of \$10 in addition to all other fees required by law. This
14 special fee shall be collected by the division and deposited in the
15 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 (49) The division may issue special registration plates to
19 members of the West Virginia Bar Association as follows:

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

1 proof of membership in the West Virginia Bar Association.

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

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

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

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

23 (A) Upon appropriate application, the division shall issue a
24 special registration plate depicting and displaying coal miners in

1 mining activities as prescribed and designated by the commissioner
2 and the board of the National Coal Heritage Area Authority.

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

11 (A) Upon appropriate application, the division may issue a
12 special registration plate designed by the Commissioner for any
13 number of vehicles titled in the name of the qualified applicant.
14 Persons desiring the special registration plate shall offer
15 sufficient proof of present or past membership in the Boy Scouts as
16 either a member or a leader.

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

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

23 (53) The division may issue special registration plates to
24 present and former Boy Scouts who have achieved Eagle Scout status

1 as follows:

2 (A) Upon appropriate application, the division may issue a
3 special registration plate designed by the commissioner for any
4 number of vehicles titled in the name of the qualified applicant.
5 Persons desiring the special registration plate shall offer
6 sufficient proof of achievement of Eagle Scout status.

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 deposited in the State Road Fund.

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

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

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

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

24 (55) The division may issue special registration plates

1 bearing the logo, symbol, insignia, letters or words demonstrating
2 association with or support for the University of Charleston as
3 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) An annual fee of \$15 shall be charged for each plate in
12 addition to all other fees required by this chapter.

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

15 (A) Upon appropriate application, the division may issue a
16 special registration plate designed by the commissioner in
17 consultation with the Sons of the American Revolution 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 the Sons of the American
21 Revolution.

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

1 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 (57) The commissioner may issue special registration plates
5 for horse 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
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) 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 (58) The commissioner may issue special registration plates to
17 the next of kin of a member of any branch of the armed services of
18 the United States killed in combat as follows:

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

24 (B) The next of kin shall provide sufficient proof of

1 receiving a Gold Star lapel button from the United States
2 Department of Defense in accordance with Public Law 534, 89th
3 Congress, and criteria established by the United States Department
4 of Defense, including criteria to determine next of kin.

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

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

12 (59) The commissioner may issue special registration plates
13 for retired or former Justices of the Supreme Court of Appeals of
14 West Virginia 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 (B) The division shall charge a special initial application
19 fee of \$10 in addition to all other fees required by law. This
20 special fee shall be collected by the division and deposited in the
21 State Road Fund.

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

1 (D) The provisions of subsection (d) of this section are not
2 applicable for the issuance of the special license plates
3 designated by this subdivision.

4 (60) Upon approval by the commissioner of an appropriate
5 application, and upon all requirements of this subdivision being
6 satisfied, the division may issue special registration plates for
7 class A and class G motor vehicles to members of an organization
8 for which a special registration plate has not been issued pursuant
9 to any other subdivision in this subsection prior to January 1,
10 2010, in accordance with the provisions of this subdivision.

11 (A) An organization desiring to create a special registration
12 plate must comply with the following requirements to be eligible
13 to apply for the creation and issuance of a special registration
14 plate:

15 (I) The organization must be a nonprofit organization
16 organized and existing under Section 501(c)(3) of Title 26 of the
17 Internal Revenue Code and based, headquartered or have a chapter in
18 West Virginia;

19 (ii) The organization may be organized for, but may not be
20 restricted to, social, civic, higher education or entertainment
21 purposes;

22 (iii) The organization may not be a political party and may
23 not have been created or exist primarily to promote a specific
24 political or social belief, as determined by the commissioner in

1 his or her sole discretion;

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

5 (v) The name of the organization may not be the name of a
6 special product or brand name, and may not be construed, as
7 determined by the commissioner, as promoting a product or brand
8 name; and

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

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

24 (C) (I) The commissioner may not begin the design or production

1 of any license plates authorized and approved pursuant to this
2 subdivision (60), subsection (c) of this section until the
3 organization which applied for the special registration plate has
4 collected and submitted collectively to the division applications
5 completed by at least two hundred fifty persons and collectively
6 deposited with the division all fees necessary to cover the first
7 year's basic registration, one-time design and manufacturing costs
8 and to cover the first year additional annual fee for all of the
9 applications submitted.

10 (ii) If the organization fails to submit the required number
11 of applications and fees within six months of the effective date of
12 the approval of the application for the plate by the commissioner,
13 the plate will not be produced until a new application is submitted
14 and is approved by the commissioner: *Provided*, That an
15 organization that is unsuccessful in obtaining the minimum number
16 of applications may not make a new application for a special plate
17 until at least two years have passed since the approval of the
18 previous application of the organization.

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

23 (E) The division shall charge an annual fee of \$15 for each
24 special registration plate in addition to all other fees required

1 by this chapter.

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

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

11 (I) The number of valid registrations for the specialty plate
12 falls below two hundred fifty plates for at least twelve
13 consecutive months; or

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

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

19 (1) The commissioner may not begin the design or production of
20 any license plates for which eligibility is based on membership or
21 affiliation with a particular private organization until at least
22 one hundred persons complete an application and deposit with the
23 organization a check to cover the first year's basic registration,
24 one-time design and manufacturing costs and to cover the first year

1 additional annual fee. If the organization fails to submit the
2 required number of applications with attached checks within six
3 months of the effective date of the original authorizing
4 legislation, the plate will not be produced and will require
5 legislative reauthorization: *Provided*, That an organization or
6 group that is unsuccessful in obtaining the minimum number of
7 applications may not request reconsideration of a special plate
8 until at least two years have passed since the effective date of
9 the original authorization: *Provided, however*, That the provisions
10 of this subdivision (1) are not applicable to the issuance of
11 plates authorized pursuant to subdivision (60), subsection (c) of
12 this section.

13 (2) The commissioner may not begin the design or production of
14 any license plates authorized by this section for which membership
15 or affiliation with a particular organization is not required until
16 at least two hundred fifty registrants complete an application and
17 deposit a fee with the division to cover the first year's basic
18 registration fee, one-time design and manufacturing fee and
19 additional annual fee if applicable. If the commissioner fails to
20 receive the required number of applications within six months of
21 the effective date of the original authorizing legislation, the
22 plate will not be produced and will require legislative
23 reauthorization: *Provided*, That if the minimum number of
24 applications is not satisfied within the six months of the

1 effective date of the original authorizing legislation, a person
2 may not request reconsideration of a special plate until at least
3 two years have passed since the effective date of the original
4 authorization.

5 (e) (1) Nothing in this section requires a charge for a free
6 prisoner of war license plate or a free recipient of the
7 Congressional Medal of Honor license plate for a vehicle titled in
8 the name of the qualified applicant as authorized by other
9 provisions of this code.

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

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

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

23 (1) The commissioner may issue or renew for a period of no
24 more than ten years any registration plate exempted from

1 registration fees pursuant to any provision of this code or any
2 restricted use antique motor vehicle license plate authorized by
3 section three-a, article ten of this chapter: *Provided*, That the
4 provisions of this subsection do not apply to any person who has
5 had a special registration suspended for failure to maintain motor
6 vehicle liability insurance as required by section three, article
7 two-a, chapter seventeen-d of this code or failure to pay personal
8 property taxes as required by section three-a of this article.

9 (2) An initial nonrefundable fee shall be charged for each
10 special registration plate issued pursuant to this subsection,
11 which is the total amount of fees required by section fifteen,
12 article ten of this chapter, section three, article three of this
13 chapter or section three-a, article ten of this chapter for the
14 period requested.

15 (g) The provisions of this section may not be construed to
16 exempt any registrant from maintaining motor vehicle liability
17 insurance as required by section three, article two-a, chapter
18 seventeen-d of this code or from paying personal property taxes on
19 any motor vehicle as required by section three-a of this article.

20 (h) The commissioner may, in his or her discretion, issue a
21 registration plate of reflectorized material suitable for permanent
22 use on motor vehicles, trailers and semitrailers, together with
23 appropriate devices to be attached to the registration to indicate
24 the year for which the vehicles have been properly registered or

1 the date of expiration of the registration. The design and
2 expiration of the plates shall be determined by the commissioner.
3 The commissioner shall, whenever possible and cost effective,
4 implement the latest technology in the design, production and
5 issuance of registration plates, indices of registration renewal
6 and vehicle ownership documents, including, but not limited to,
7 offering Internet renewal of vehicle registration and the use of
8 bar codes for instant identification of vehicles by scanning
9 equipment to promote the efficient and effective coordination and
10 communication of data for improving highway safety, aiding law
11 enforcement and enhancing revenue collection.

12 (I) Any license plate issued or renewed pursuant to this
13 chapter which is paid for by a check that is returned for
14 nonsufficient funds is void without further notice to the
15 applicant. The applicant may not reinstate the registration until
16 the returned check is paid by the applicant in cash, money order or
17 certified check and all applicable fees assessed as a result
18 thereof have been paid.

NOTE: The purpose of this bill is to exempt certain recipients
of military medals of valor from special registration fees.

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