

1 **H. B. 2941**

2
3 (By Delegates Smith, Rowan, Frazier, Lawrence,
4 Evans, Hall, Barker, Butcher, Stephens,
5 Skaff and Stowers)
6

7 [Introduced January 28,2011; referred to the
8 Committee on Roads and Transportation then Finance.]
9

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

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

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

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

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

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

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

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

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

10 (2) Every registration plate and the required letters and
11 numerals on the plate shall be of sufficient size to be plainly
12 readable from a distance of one hundred feet during daylight:
13 *Provided*, That the requirements of this subdivision shall not apply
14 to the year number for which the plate is issued or the date of
15 expiration.

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

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

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

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

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 forces
6 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 \$10
22 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 fee
10 of \$10 in addition to all other fees required by law. This special
11 fee is to compensate the Division of Motor Vehicles for additional
12 costs and services required in the issuing of the special
13 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 are
2 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 are
23 exempt from the payment of all registration fees otherwise required
24 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 organizations
16 previously authorized under the prior enactment of this subdivision
17 may accept and collect applications for special registration plates
18 from owners of Class A motor vehicles together with a special
19 annual fee of \$15, which is in addition to all other fees required
20 by this chapter. The applications and fees shall be submitted to
21 the Division of Motor Vehicles with the request that the division
22 issue a registration plate bearing a combination of letters or
23 numbers with the organizations' logo or emblem, with the maximum
24 number of letters or numbers to be determined by the commissioner.

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

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

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

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

1 License plates issued pursuant to this subdivision shall bear the
2 requested insignia in addition to the registration number issued to
3 the applicant pursuant to the provisions of this article.

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

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

16 (11) The division may issue specified certified firefighter
17 registration plates as follows:

18 (A) Any owner of a motor vehicle who is a resident of the State
19 of West Virginia and who is a certified firefighter may apply for
20 a special license plate which bears the insignia of the profession,
21 for any number of Class A vehicles titled in the name of the
22 qualified applicant. Any insignia shall be designed by the
23 commissioner. License plates issued pursuant to this subdivision
24 shall bear the requested insignia pursuant to the provisions of

1 this article. Upon presentation of written evidence of
2 certification as a certified firefighter, certified firefighters
3 are eligible to purchase the special registration plate issued
4 pursuant to this subdivision.

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

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

21 (12) The division may issue special scenic registration plates
22 as follows:

23 (A) Upon appropriate application, the commissioner shall issue
24 a special registration plate displaying a scenic design of West

1 Virginia which displays the words "Wild Wonderful" as a slogan.

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

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

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

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

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

1 (14) The division may issue military organization registration
2 plates as follows:

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

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

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

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

24 (15) The division may issue special nongame wildlife

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

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

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

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

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

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

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 issue
10 to a classic motor vehicle or classic motorcycle as defined in
11 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

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

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

9 (19) Racing theme special registration plates:

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

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

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

23 (20) The division may issue recipients of the Navy Cross,
24 Distinguished Service Cross, Distinguished Flying Cross, Air Force

1 Cross, Bronze Star, Silver Star or Air Medal special registration
2 plates as follows:

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

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

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

1 (21) 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 with verifiable service during World
6 War II, the Korean War, the Vietnam War, the Persian Gulf War or
7 the War Against Terrorism a special registration plate for any
8 number of vehicles titled in the name of the qualified applicant
9 with an insignia designed by the commissioner denoting service in
10 the applicable conflict.

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: *Provided*, That nothing contained
15 in this section may be construed to exempt any veteran from any
16 other provision of this chapter.

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

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

23 (A) Any owner of a motor vehicle who is a resident of West
24 Virginia and who is a volunteer firefighter may apply for a special

1 license plate for any Class A vehicle titled in the name of the
2 qualified applicant which bears the insignia of the profession in
3 white letters on a red background. The insignia shall be designed
4 by the commissioner and shall contain a fireman's helmet insignia
5 on the left side of the license plate.

6 (B) Each application submitted pursuant to this subdivision
7 shall be accompanied by an affidavit signed by the applicant's fire
8 chief, stating that the applicant is a volunteer firefighter and
9 justified in having a registration plate with the requested
10 insignia. The applicant must comply with all other laws of this
11 state regarding registration and licensure of motor vehicles and
12 must pay all required fees.

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

18 (23) The division may issue special registration plates which
19 reflect patriotic themes, including the display of any United
20 States symbol, icon, phrase or expression which evokes patriotic
21 pride or recognition.

22 (A) Upon appropriate application, the division shall issue to
23 an applicant a registration plate of the applicant's choice,
24 displaying a patriotic theme as provided in this subdivision, for

1 a vehicle titled in the name of the applicant. A series of
2 registration plates displaying patriotic themes shall be designed
3 by the Commissioner of Motor Vehicles for distribution to
4 applicants.

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.

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

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

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

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

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

1 special registration plate depicting the symbol of the 4-H
2 organization which represents the head, heart, hands and health as
3 well as the symbol of the Future Farmers of America organization
4 which represents a cross section of an ear of corn for any number
5 of vehicles titled in the name of the qualified applicant.

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

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

13 (26) The division may issue special registration plates to
14 educators in the state's elementary and secondary schools and in
15 the state's institutions of higher education 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 (B) The division shall charge a special initial application fee
20 of \$10 in addition to all other fees required by law. This special
21 fee shall be collected by the division and deposited in the State
22 Road Fund.

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

1 required by this chapter.

2 (27) The division may issue special registration plates to
3 members of the Nemesis Shrine 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 membership in Nemesis Shrine.

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

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

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

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

21 (A) Upon appropriate application, the division shall issue to
22 any person who is a duly qualified volunteer or employee of the
23 American Red Cross a specialized registration plate which bears
24 recognition of the applicant as a volunteer or employee of the

1 American Red Cross for any number of vehicles titled in the name of
2 the qualified applicant.

3 (B) The division shall charge a special initial application fee
4 of \$10 in addition to all other fees required by law. This special
5 fee shall be collected by the division and deposited in the State
6 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 (29) The division shall issue special registration plates to
10 individuals who have received either the Combat Infantry Badge or
11 the Combat Medic Badge as follows:

12 (A) Upon appropriate application, the division shall issue a
13 special registration plate designed by the commissioner for any
14 number of vehicles titled in the name of the qualified applicant.
15 Persons desiring the special registration plate shall offer
16 sufficient proof that they have received either the Combat Infantry
17 Badge or the Combat Medic Badge.

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

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

24 (A) Upon appropriate application, the division shall 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 Persons desiring the special registration plate shall offer
4 sufficient proof of membership in the Knights of Columbus.

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

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

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

17 (A) Upon appropriate application, the division shall 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 former service as an elected or appointed
22 member of the West Virginia House of Delegates or the West Virginia
23 Senate.

24 (B) The division shall charge a special initial application fee

1 of \$10 in addition to all other fees required by law. This special
2 fee shall be collected by the division and deposited in the State
3 Road Fund. The design of the plate shall indicate total years of
4 service in the Legislature.

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

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

9 (A) The division shall design and issue special registration
10 plates for use by democratic state or county executive committee
11 members. The design of the plates shall include an insignia of a
12 donkey and shall differentiate by wording on the plate between
13 state and county executive committee members.

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

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

24 (D) The division shall not begin production of a plate

1 authorized under the provisions of this subdivision until the
2 division receives at least one hundred completed applications from
3 the state or county executive committee members, including all fees
4 required pursuant to this subdivision.

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

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

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

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

22 (C) A surviving spouse may continue to use his deceased
23 spouse's honorably discharged veterans license plate until the
24 surviving spouse dies, remarries or does not renew the license

1 plate.

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

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

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

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

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

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

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

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

15 (B) A special initial application fee of \$10 shall be charged
16 in addition to all other fees required by law. This special fee
17 shall be collected by the division and deposited in the State Road
18 Fund: *Provided*, That 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 bearing
24 the logo, symbol, insignia, letters or words demonstrating

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

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

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

17 (B) The division shall charge a special initial application fee
18 of \$10. This special fee shall be collected by the division and
19 deposited in the 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 (39) The division shall issue special registration plates
23 promoting education as follows:

24 (A) Upon appropriate application, the division shall issue a

1 special registration plate displaying a children's education-
2 related theme as prescribed and designated by the commissioner and
3 the State Superintendent of Schools.

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

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

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

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

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

22 (C) The division shall charge a special one-time initial
23 application fee of \$10 for each special license plate in addition
24 to all other fees required by this chapter. All initial

1 application fees collected by the division shall be deposited into
2 the State Road Fund: *Provided*, That nothing in this section may be
3 construed to exempt the applicant from any other provision of this
4 chapter.

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

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

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

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

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

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

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

13 (A) Upon appropriate application, the division shall issue to
14 an applicant who is a Native American resident of West Virginia a
15 registration plate for a vehicle titled in the name of the
16 applicant with an insignia designed by the Commissioner of the
17 Division of Motor Vehicles to designate the recipient as a Native
18 American.

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

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

1 (43) The division may issue special registration plates
2 commemorating the centennial anniversary of the creation of Davis
3 and Elkins College as follows:

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

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

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

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

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

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

3 (A) Upon appropriate application, the division may issue a
4 special registration plate designed by the commissioner for any
5 number of vehicles titled in the name of the qualified applicant.
6 Persons desiring the special registration plate shall offer
7 sufficient proof of membership in the Knights of Pythias or Pythian
8 Sisters.

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

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

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

24 (C) 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 (47) The division may issue special registration plates to
4 members of Lions International as follows:

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

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

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

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

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

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

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

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

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

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

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

23 (A) Upon appropriate application, the division may issue a
24 special registration plate designed by the commissioner for any

1 number of vehicles titled in the name of the applicant.

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

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

14 (B) The division shall charge a special initial application fee
15 of \$10 in addition to all other fees required by law. This special
16 fee shall be collected by the division and deposited in the State
17 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 (52) The division may issue special registration plates to
21 present and former Boy Scouts as follows:

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

1 Persons desiring the special registration plate shall offer
2 sufficient proof of present or past membership in the Boy Scouts as
3 either a member or a leader.

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

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

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

13 (A) Upon appropriate application, the division may 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 achievement of Eagle Scout status.

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

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

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

1 members of the Sons of the American Revolution as follows:

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

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

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

15 (57) The commissioner may issue special registration plates for
16 horse enthusiasts 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 (B) The division shall charge a special initial application fee
21 of \$10 in addition to all other fees required by law. This special
22 fee shall be collected by the division and deposited in the State
23 Road Fund.

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

16 (C) The division shall charge a special initial application fee
17 of \$10 in addition to all other fees required by law. This special
18 fee shall be collected by the division and deposited in the State
19 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 for
24 retired or former Justices of the Supreme Court of Appeals of West

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

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

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

15 (60) Upon approval by the commissioner of an appropriate
16 application, and upon all requirements of this subdivision being
17 satisfied, the division may issue special registration plates for
18 class A and class G motor vehicles to members of an organization
19 for which a special registration plate has not been issued pursuant
20 to any other subdivision in this subsection prior to January 1,
21 2010, in accordance with the provisions of this subdivision.

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

1 plate:

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

6 (ii) The organization may be organized for, but may not be
7 restricted to, social, civic, higher education or entertainment
8 purposes;

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

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

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

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

24 (B) Beginning July 1, 2010, an organization requesting the

1 creation and issuance of a special registration plate may make
2 application with the division. The application shall include
3 sufficient information, as determined by the commissioner, to
4 determine whether the special registration plate requested and the
5 organization making the application meet all of the requirements
6 set forth in this subdivision (60). The application shall also
7 include a proposed design, including lettering, logo, image or
8 message to be placed on the registration plate. The commissioner
9 shall notify the organization of the commissioner's approval or
10 disapproval of the application.

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

21 (ii) If the organization fails to submit the required number
22 of applications and fees within six months of the effective date of
23 the approval of the application for the plate by the commissioner,
24 the plate will not be produced until a new application is submitted

1 and is approved by the commissioner: *Provided*, That an
2 organization that is unsuccessful in obtaining the minimum number
3 of applications may not make a new application for a special plate
4 until at least two years have passed since the approval of the
5 previous application of the organization.

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

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

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

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

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

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

3 (61) The commissioner may issue special registration plates for
4 persons who are hearing impaired as certified by a licensed
5 physician or an audiologist certified by the American Speech-
6 Language-Hearing Association 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 (B) The division shall charge a special initial application fee
11 of \$10 in addition to all other fees required by law. This special
12 fee shall be collected by the division and deposited in the State
13 Road Fund.

14 (C) The minimum number of applications requirements of
15 subsection (d) of this section are not applicable for the issuance
16 of the special license plates designated by this subdivision.

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

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

1 fees pursuant to any provision of this code or any restricted use
2 antique motor vehicle license plate authorized by section three-a,
3 article ten of this chapter: *Provided*, That the provisions of this
4 subsection do not apply to any person who has had a special
5 registration suspended for failure to maintain motor vehicle
6 liability insurance as required by section three, article two-a,
7 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 provide for the issuance
of special license plates for the hearing impaired. The bill also
exempts this plate from the minimum number of applications
requirements.

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