

**Senate Bill No. 457**

(By Senators Klempa, Plymale, Wills, D. Facemire and Yost)

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[Introduced February 8, 2011; referred to the Committee on  
Transportation and Infrastructure; and then to the Committee on  
Finance.]  
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A BILL to amend and reenact §17A-3-14 of the Code of West Virginia,  
1931, as amended, relating to creating a special registration  
plate for motor vehicles for the hearing impaired; and setting  
forth the conditions for the plate's issuance and associated  
fee.

*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  
owner one registration plate for a motorcycle, trailer, semitrailer

1 or other motor vehicle.

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

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

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

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

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

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

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

24 (A) Upon appropriate application, the division shall issue to  
25 the Secretary of State, State Superintendent of Schools, Auditor,  
26 Treasurer, Commissioner of Agriculture and the Attorney General,  
27 the members of both houses of the Legislature, including the

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

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

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

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

27 (A) Upon receipt of an application on a form prescribed by the

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

14 (B) The division shall charge an initial application fee of  
15 \$10 for each special registration plate issued pursuant to this  
16 subdivision, which is in addition to all other fees required by  
17 this chapter. Except as otherwise provided herein, effective July  
18 1, 2007, all fees currently held in the special revolving fund used  
19 in the administration of this section and all fees collected by the  
20 division shall be deposited in the State Road Fund.

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

24 (4) Specially arranged registration plates may be issued as  
25 follows:

26 (A) Upon appropriate application, any owner of a motor vehicle  
27 subject to Class A registration, or a motorcycle subject to Class

1 G registration, as defined by this article, may request that the  
2 division issue a registration plate bearing specially arranged  
3 letters or numbers with the maximum number of letters or numbers to  
4 be determined by the commissioner. The division shall attempt to  
5 comply with the request wherever possible.

6 (B) The commissioner shall propose rules for legislative  
7 approval in accordance with the provisions of chapter twenty-nine-a  
8 of this code regarding the orderly distribution of the plates:  
9 *Provided*, That for purposes of this subdivision, the registration  
10 plates requested and issued shall include all plates bearing the  
11 numbers two through two thousand.

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

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

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

23 (B) The division shall charge a special initial application  
24 fee of \$10 in addition to all other fees required by law. This  
25 special fee is to compensate the Division of Motor Vehicles for  
26 additional costs and services required in the issuing of the  
27 special registration. All fees collected by the division shall be

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

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

8 (6) The division may issue disabled veterans special  
9 registration plates as follows:

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

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

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

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

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

1 armed service person holding the distinguished Purple Heart medal  
2 for persons wounded in combat a registration plate for a vehicle  
3 titled in the name of the qualified applicant bearing letters or  
4 numbers. The registration plate shall be designed by the  
5 Commissioner of Motor Vehicles and shall denote that those  
6 individuals who are granted this special registration plate are  
7 recipients of the Purple Heart. All letterings shall be in purple  
8 where practical.

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

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

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

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

23 (A) Upon appropriate application, the owner of a motor vehicle  
24 who was enlisted in any branch of the armed services that  
25 participated in and survived the attack on Pearl Harbor on December  
26 7, 1941, the division shall issue a special registration plate for  
27 a vehicle titled in the name of the qualified applicant. The

1 registration plate shall be designed by the Commissioner of Motor  
2 Vehicles.

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

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

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

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

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



1 letters or numbers with the organizations' logo or emblem, with the  
2 maximum number of letters or numbers to be determined by the  
3 commissioner.

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

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

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

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

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

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

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

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

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

1 are eligible to purchase the special registration plate issued  
2 pursuant to this subdivision.

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

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

19 (12) The division may issue special scenic registration plates  
20 as follows:

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

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

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

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

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

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

20 (14) The division may issue military organization registration  
21 plates as follows:

22 (A) The division may issue a special registration plate for  
23 the members of any military organization chartered by the United  
24 States Congress upon receipt of a guarantee from the organization  
25 of a minimum of one hundred applicants. The insignia on the plate  
26 shall be designed by the commissioner.

27 (B) Upon appropriate application, the division may issue

1 members of the chartered organization in good standing, as  
2 determined by the governing body of the chartered organization, a  
3 special registration plate for any number of vehicles titled in the  
4 name of the qualified applicant.

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

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

16 (15) The division may issue special nongame wildlife  
17 registration plates and special wildlife registration plates as  
18 follows:

19 (A) Upon appropriate application, the division shall issue a  
20 special registration plate displaying a species of West Virginia  
21 wildlife which shall display a species of wildlife native to West  
22 Virginia as prescribed and designated by the commissioner and the  
23 Director of the Division of Natural Resources.

24 (B) The division shall charge an annual fee of \$15 for each  
25 special nongame wildlife registration plate and each special  
26 wildlife registration plate in addition to all other fees required  
27 by this chapter. All annual fees collected for nongame wildlife

1 registration plates and wildlife registration plates shall be  
2 deposited in a special revenue account designated the Nongame  
3 Wildlife Fund and credited to the Division of Natural Resources.

4 (C) 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 in the State Road Fund.

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

10 (A) Upon appropriate application, the division shall issue to  
11 any person who is a duly qualified member of the Silver Haired  
12 Legislature a specialized registration plate which bears  
13 recognition of the applicant as a member of the Silver Haired  
14 Legislature.

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

22 (17) Upon appropriate application, the commissioner shall  
23 issue to a classic motor vehicle or classic motorcycle as defined  
24 in section three-a, article ten of this chapter, a special  
25 registration plate designed by the commissioner. An annual fee of  
26 \$15, in addition to all other fees required by this chapter, shall  
27 be charged for each classic registration plate.

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

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

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

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

19 (19) Racing theme special registration plates:

20 (A) The division may issue a series of special registration  
21 plates displaying National Association for Stock Car Auto Racing  
22 themes.

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

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

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

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

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

27 (C) A surviving spouse may continue to use his or her deceased



1 spouse's Navy Cross, Distinguished Service Cross, Distinguished  
2 Flying Cross, Air Force Cross, Silver Star, Bronze Star or Air  
3 Medal special registration plate until the surviving spouse dies,  
4 remarries or does not renew the special registration plate.

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

7 (A) Upon appropriate application, the division shall issue to  
8 any honorably discharged veteran of any branch of the armed  
9 services of the United States with verifiable service during World  
10 War II, the Korean War, the Vietnam War, the Persian Gulf War or  
11 the War Against Terrorism a special registration plate for any  
12 number of vehicles titled in the name of the qualified applicant  
13 with an insignia designed by the commissioner denoting service in  
14 the applicable conflict.

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

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

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

27 (A) Any owner of a motor vehicle who is a resident of West

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

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

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

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

23 (A) Upon appropriate application, the division shall issue to  
24 an applicant a registration plate of the applicant's choice,  
25 displaying a patriotic theme as provided in this subdivision, for  
26 a vehicle titled in the name of the applicant. A series of  
27 registration plates displaying patriotic themes shall be designed

1 by the Commissioner of Motor Vehicles for distribution to  
2 applicants.

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

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

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

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

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

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

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

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

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

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

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

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

23 (A) Upon appropriate application, the division may issue a  
24 special registration plate designed by the commissioner for any  
25 number of vehicles titled in the name of the qualified applicant.  
26 Persons desiring the special registration plate shall offer  
27 sufficient proof of membership in Nemesis Shrine.

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

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

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

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

13 (A) Upon appropriate application, the division shall issue to  
14 any person who is a duly qualified volunteer or employee of the  
15 American Red Cross a specialized registration plate which bears  
16 recognition of the applicant as a volunteer or employee of the  
17 American Red Cross for any number of vehicles titled in the name of  
18 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) An annual fee of \$15 shall be charged for each plate in  
24 addition to all other fees required by this chapter.

25 (29) The division shall issue special registration plates to  
26 individuals who have received either the Combat Infantry Badge or  
27 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  
25 section, the time period for the Knights of Columbus to comply with  
26 the minimum one hundred prepaid applications is hereby extended to  
27 January 15, 2007.

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

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

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

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

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

24 (B) An annual fee of \$25 shall be charged for each democratic  
25 state or county executive committee member registration plate in  
26 addition to all other fees required by this chapter. All annual  
27 fees collected for each special plate issued under this subdivision

1 shall be deposited into the State Road Fund.

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

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

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

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

18 (A) Upon appropriate application, there shall be issued to any  
19 female honorably discharged veteran, of any branch of the armed  
20 services of the United States, 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 of the Division of  
23 Motor Vehicles to designate the recipient as a woman veteran.

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



1 exempt any veteran from any other provision of this chapter.

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

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

20 (35) The division may issue special registration plates to  
21 members of the Harley Owners Group 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.  
25 Persons desiring the special registration plate shall offer  
26 sufficient proof of membership in the Harley Owners Group.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

27           (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  
25 addition to all other fees required by this chapter.

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

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

6 (B) The division shall charge a special initial application  
7 fee 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 (45) The division may issue special registration plates to  
12 members of the Knights of Pythias or Pythian Sisters 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 membership in the Knights of Pythias or Pythian  
18 Sisters.

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

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

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

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

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

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

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

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

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

26 (A) Upon appropriate application, the division may issue a  
27 special registration plate designed by the commissioner which



1 recognizes, supports and honors organ and tissue donors and  
2 includes the words "Donate Life".

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

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

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

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

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

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

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

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

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

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

23 (A) Upon appropriate application, the division may issue a  
24 special registration plate designed by the Commissioner for any  
25 number of vehicles titled in the name of the qualified applicant.  
26 Persons desiring the special registration plate shall offer  
27 sufficient proof of present or past membership in the Boy Scouts as

1 either a member or a leader.

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 (53) The division may issue special registration plates to  
9 present and former Boy Scouts who have achieved Eagle Scout status  
10 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 achievement of Eagle Scout status.

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 deposited in the State Road Fund.

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

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

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

1 (B) The division shall charge a special initial application  
2 fee of \$10. This special fee shall be deposited in the State Road  
3 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 (55) The division may issue special registration plates  
7 bearing the logo, symbol, insignia, letters or words demonstrating  
8 association with or support for the University of Charleston as  
9 follows:

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

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

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

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

21 (A) Upon appropriate application, the division may issue a  
22 special registration plate designed by the commissioner in  
23 consultation with the Sons of the American Revolution for any  
24 number of vehicles titled in the name of the qualified applicant.  
25 Persons desiring the special registration plate shall offer  
26 sufficient proof of membership in the Sons of the American  
27 Revolution.

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

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

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

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

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

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

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

27 (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.

25 (D) The provisions of subsection (d) of this section are not  
26 applicable for the issuance of the special license plates  
27 designated by this subdivision.

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

26           (i) The number of valid registrations for the specialty plate  
27 falls below two hundred fifty plates for at least twelve

1 consecutive months; or

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

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

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

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

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

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

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

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

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

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

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

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

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

19 (1) The commissioner may issue or renew for a period of no  
20 more than ten years any registration plate exempted from  
21 registration fees pursuant to any provision of this code or any  
22 restricted use antique motor vehicle license plate authorized by  
23 section three-a, article ten of this chapter: *Provided*, That the  
24 provisions of this subsection do not apply to any person who has  
25 had a special registration suspended for failure to maintain motor  
26 vehicle liability insurance as required by section three, article  
27 two-a, chapter seventeen-d of this code or failure to pay personal

1 property taxes as required by section three-a of this article.

2 (2) An initial nonrefundable fee shall be charged for each  
3 special registration plate issued pursuant to this subsection,  
4 which is the total amount of fees required by section fifteen,  
5 article ten of this chapter, section three, article three of this  
6 chapter or section three-a, article ten of this chapter for the  
7 period requested.

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

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

1 enforcement and enhancing revenue collection.

2 (i) Any license plate issued or renewed pursuant to this  
3 chapter which is paid for by a check that is returned for  
4 nonsufficient funds is void without further notice to the  
5 applicant. The applicant may not reinstate the registration until  
6 the returned check is paid by the applicant in cash, money order or  
7 certified check and all applicable fees assessed as a result  
8 thereof have been paid.

NOTE: The purpose of this bill is to create a special registration plate for motor vehicles for the hearing impaired. The bill sets forth the conditions for the plate's issuance and associated fee.

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