

H. B. 2798

(By Delegates Ireland, Espinosa, Hamrick and Evans, D.)
[Introduced March 1, 2013; referred to the
Committee on Roads and Transportation then Finance.]

A BILL to amend and reenact §17A-3-14 of the Code of West Virginia,
1931, as amended, relating to authorizing the Division of
Motor Vehicles to issue a special "SECOND AMENDMENT" license
plate.

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.**

1 (a) The division upon registering a vehicle shall issue to the
2 owner one registration plate for a motorcycle, trailer, semitrailer
3 or other motor vehicle.

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

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

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

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

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

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

24 (2) State officials and judges may be issued special

1 registration plates as follows:

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

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

1 office and while the motor vehicle is owned by the official or his
2 or her spouse.

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

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

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

22 (B) The division shall charge an initial application fee of
23 \$10 for each special registration plate issued pursuant to this
24 subdivision, which is in addition to all other fees required by

1 this chapter. Except as otherwise provided herein, effective July
2 1, 2007, all fees currently held in the special revolving fund used
3 in the administration of this section and all fees collected by the
4 division shall be deposited in the State Road Fund.

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

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

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

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

23 (C) An annual fee of \$15 shall be charged for each special
24 registration plate issued pursuant to this subdivision, which is in

1 addition to all other fees required by this chapter.

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

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

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

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

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

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

1 any disabled veteran who is exempt from the payment of registration
2 fees under the provisions of this chapter a registration plate for
3 a vehicle titled in the name of the qualified applicant which bears
4 the letters "DV" in red and also the regular identification
5 numerals in red.

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

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

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

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

1 where practical.

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

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

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

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

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

23 (B) Registration plates issued pursuant to this subdivision
24 are exempt from the payment of all registration fees otherwise

1 required by the provisions of this chapter.

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

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

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

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

1 maximum number of letters or numbers to be determined by the
2 commissioner.

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

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

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

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

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

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

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

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

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

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

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

24 (12) The division may issue special scenic registration plates

1 as follows:

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

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

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

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

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

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

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

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

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

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

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

23 (D) A surviving spouse may continue to use his or her deceased
24 spouse's military organization registration plate until the

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

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

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

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

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

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

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

1 any person who is a duly qualified member of the Silver Haired
2 Legislature a specialized registration plate which bears
3 recognition of the applicant as a member of the Silver Haired
4 Legislature.

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

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

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

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

1 the qualified applicant with an insignia designed by the
2 Commissioner of the Division of Motor Vehicles.

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

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

12 (19) Racing theme special registration plates:

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

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

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

1 deposited into the State Road Fund.

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

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

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

23 (C) A surviving spouse may continue to use his or her deceased
24 spouse's Navy Cross, Distinguished Service Cross, Distinguished

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

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

6 (A) Upon appropriate application, the division shall issue to
7 any honorably discharged veteran of any branch of the armed
8 services of the United States with verifiable service during World
9 War II, the Korean War, the Vietnam War, the Persian Gulf War or
10 the War Against Terrorism 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 denoting service in
13 the applicable conflict.

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

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

24 (22) The division may issue special volunteer firefighter

1 registration plates as follows:

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

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

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

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

1 (A) Upon appropriate application, the division shall issue to
2 an applicant a registration plate of the applicant's choice,
3 displaying a patriotic theme as provided in this subdivision, for
4 a vehicle titled in the name of the applicant. A series of
5 registration plates displaying patriotic themes shall be designed
6 by the Commissioner of Motor Vehicles for distribution to
7 applicants.

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

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

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

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 (25) The division may issue a special registration plate

1 celebrating the centennial of the 4-H youth development movement
2 and honoring the Future Farmers of America organization as follows:

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

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

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

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

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

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

1 State Road Fund.

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

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

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

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

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

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

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

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

1 any person who is a duly qualified volunteer or employee of the
2 American Red Cross a specialized registration plate which bears
3 recognition of the applicant as a volunteer or employee of the
4 American Red Cross for any number of vehicles titled in the name of
5 the qualified applicant.

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

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

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

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

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.

1 (30) The division may issue special registration plates to
2 members of the Knights of Columbus 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 membership in the Knights of Columbus.

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

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

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

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

20 (A) Upon appropriate application, the division shall issue a
21 special registration plate designed by the commissioner for any
22 number of vehicles titled in the name of the qualified applicant.
23 Persons desiring the special registration plate shall offer
24 sufficient proof of former service as an elected or appointed

1 member of the West Virginia House of Delegates or the West Virginia
2 Senate.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 sufficient proof of membership in the Harley Owners Group.

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

11 (A) Upon appropriate application, there shall be issued to any
12 person who has retired after service in 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 retired from the armed
17 services of the United States.

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

23 (C) A surviving spouse may continue to use his or her deceased
24 spouse's retired military license plate until the surviving spouse

1 dies, remarries or does not renew the license plate.

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

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

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

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

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

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

20 (B) The division shall charge a special initial application
21 fee of \$10. This special fee shall be collected by the division
22 and 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 (39) The division shall issue special registration plates
2 promoting education as follows:

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

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

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

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

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

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

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

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

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

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

1 (B) Registration plates issued pursuant to this subdivision
2 are exempt from the 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 special registration plate until the surviving spouse
6 dies, remarries or does not renew the plate.

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

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

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

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

1 deposited in the State Road Fund.

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

4 (43) The division may issue special registration plates
5 commemorating the centennial anniversary of the creation of Davis
6 and Elkins College as follows:

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

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

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

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

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

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

1 Fund.

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

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

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

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

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

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

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

23 (B) The division shall charge a special initial application
24 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) The division shall charge an annual fee of \$15 for each
4 special registration plate in addition to all other fees required
5 by this chapter.

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

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

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

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

22 (A) Upon appropriate application, the division may issue a
23 special registration plate designed by the commissioner which
24 recognizes, supports and honors organ and tissue donors and

1 includes the words "Donate Life".

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

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

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

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

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

1 as follows:

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

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

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

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

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

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

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

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

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

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

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 deposited in the State Road Fund.

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

1 addition to all other fees required by this chapter.

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

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

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

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

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

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

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

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

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

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

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

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

23 (B) The division shall charge a special initial application
24 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) The division shall charge an annual fee of \$15 for each
4 special registration plate in addition to all other fees required
5 by this chapter.

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

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

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

19 (C) 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 (D) The provisions of subsection (d) of this section are not
24 applicable for the issuance of the special license plates

1 designated by this subdivision.

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

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

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

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

15 (D) The provisions of subsection (d) of this section are not
16 applicable for the issuance of the special license plates
17 designated by this subdivision.

18 (60) Upon approval by the commissioner of an appropriate
19 application, and upon all requirements of this subdivision being
20 satisfied, the division may issue special registration plates for
21 class A and class G motor vehicles to members of an organization
22 for which a special registration plate has not been issued pursuant
23 to any other subdivision in this subsection prior to January 1,
24 2010, in accordance with the provisions of this subdivision.

1 (A) An organization desiring to create a special registration
2 plate must comply with the following requirements to be eligible
3 to apply for the creation and issuance of a special registration
4 plate:

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

9 (ii) The organization may be organized for, but may not be
10 restricted to, social, civic, higher education or entertainment
11 purposes;

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

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

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

23 (vi) The organization's lettering, logo, image or message to
24 be placed on the registration plate, if created, may not be

1 obscene, offensive or objectionable as determined by the
2 commissioner in his or her sole discretion.

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

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

24 (ii) If the organization fails to submit the required number

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

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

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

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

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

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

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

6 (61) The commissioner may issue special registration plates
7 stating "SECOND AMENDMENT" for persons desiring those plates, as
8 follows:

9 (A) Upon appropriate application, the division may issue a
10 special registration plate designed by the commissioner, which will
11 feature an insignia and design representing an endorsement of
12 rights guaranteed by the Second Amendment to the United States
13 Constitution, for any number of vehicles titled in the name of the
14 qualified applicant.

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

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

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

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

19 (2) The commissioner may not begin the design or production of
20 any license plates authorized by this section for which membership
21 or affiliation with a particular organization is not required until
22 at least two hundred fifty registrants complete an application and
23 deposit a fee with the division to cover the first year's basic
24 registration fee, one-time design and manufacturing fee and

1 additional annual fee if applicable. If the commissioner fails to
2 receive the required number of applications within six months of
3 the effective date of the original authorizing legislation, the
4 plate will not be produced and will require legislative
5 reauthorization: *Provided*, That if the minimum number of
6 applications is not satisfied within the six months of the
7 effective date of the original authorizing legislation, a person
8 may not request reconsideration of a special plate until at least
9 two years have passed since the effective date of the original
10 authorization.

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

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

20 (3) Qualified former prisoners of war and recipients of the
21 Congressional Medal of Honor may obtain a second special
22 registration plate for use on a passenger vehicle titled in the
23 name of the qualified applicant. The division shall charge a one-
24 time fee of \$10 to be deposited into the State Road Fund, in

1 addition to all other fees required by this chapter, for the second
2 special plate.

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

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

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

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

1 any motor vehicle as required by section three-a of this article.

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

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

NOTE: The purpose of this bill is to provide for the issuance of special license plates stating "SECOND AMENDMENT".

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