

Senate Bill No. 264

(By Senators Chafin and Jenkins)

[Introduced January 8, 2014; referred to the Committee on
Transportation and Infrastructure; and then to the Committee on
Finance.]

**FISCAL
NOTE**

A BILL to amend and reenact §17A-3-14 of the Code of West Virginia,
1931, as amended, relating to providing that the Commissioner
of the Division of Motor Vehicles may issue ten-year vehicle
registration plates to recipients of the Bronze Star Medal.

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;**

1 **exemptions; commissioner to promulgate forms;**
2 **suspension and nonrenewal.**

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

6 (b) Registration plates issued by the division shall meet the
7 following requirements:

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

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

19 (3) Registration numbering for registration plates shall begin
20 with number two.

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

23 (1) The Governor shall be issued two registration plates, on

1 one of which shall be imprinted the numeral one and on the other
2 the word one.

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

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

23 (B) Each plate issued pursuant to this subdivision shall bear

1 any combination of letters and numbers not to exceed an amount
2 determined by the commissioner and a designation of the office.
3 Each plate shall supersede the regular numbered plate assigned to
4 the official or his or her spouse during the official's term of
5 office and while the motor vehicle is owned by the official or his
6 or her spouse.

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

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

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

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

3 (B) The division shall charge an initial application fee of
4 \$10 for each special registration plate issued pursuant to this
5 subdivision, which is in addition to all other fees required by
6 this chapter. Except as otherwise provided herein, effective July
7 1, 2007, all fees currently held in the special revolving fund used
8 in the administration of this section and all fees collected by the
9 division shall be deposited in the State Road Fund.

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

13 (4) Specially arranged registration plates may be issued as
14 follows:

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

22 (B) The commissioner shall propose rules for legislative
23 approval in accordance with the provisions of chapter twenty-nine-a

1 of this code regarding the orderly distribution of the plates:
2 *Provided*, That for purposes of this subdivision, the registration
3 plates requested and issued shall include all plates bearing the
4 numbers two through two thousand.

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

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

10 (A) Upon appropriate application, the division shall issue to
11 any honorably discharged veteran of any branch of the armed
12 services of the United States a special registration plate for any
13 number of vehicles titled in the name of the qualified applicant
14 with an insignia designed by the Commissioner of the Division of
15 Motor Vehicles.

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

1 (C) A surviving spouse may continue to use his or her 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 (6) The division may issue disabled veterans special
6 registration plates as follows:

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

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

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

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

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

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

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

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

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

1 (A) Upon appropriate application, the owner of a motor vehicle
2 who was enlisted in any branch of the armed services that
3 participated in and survived the attack on Pearl Harbor on December
4 7, 1941, the division shall issue a special registration plate for
5 a vehicle titled in the name of the qualified applicant. The
6 registration plate shall be designed by the Commissioner of Motor
7 Vehicles.

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

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

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

22 (9) The division may issue special registration plates to
23 nonprofit charitable and educational organizations authorized under

1 prior enactment of this subdivision as follows:

2 (A) Approved nonprofit charitable and educational
3 organizations previously authorized under the prior enactment of
4 this subdivision may accept and collect applications for special
5 registration plates from owners of Class A motor vehicles together
6 with a special annual fee of \$15, which is in addition to all other
7 fees required by this chapter. The applications and fees shall be
8 submitted to the Division of Motor Vehicles with the request that
9 the division issue a registration plate bearing a combination of
10 letters or numbers with the organizations' logo or emblem, with the
11 maximum number of letters or numbers to be determined by the
12 commissioner.

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

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

1 charitable or educational organization may also collect a fee for
2 marketing the special registration plates.

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

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

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

1 required fees.

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

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

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

20 (B) Each application submitted pursuant to this subdivision
21 shall be accompanied by an affidavit stating that the applicant is
22 justified in having a registration with the requested insignia;
23 proof of compliance with all laws of this state regarding

1 registration and licensure of motor vehicles; and payment of all
2 required fees. The firefighter certification department, section
3 or division of the West Virginia University fire service extension
4 shall notify the commissioner in writing immediately when a
5 firefighter loses his or her certification. If a firefighter loses
6 his or her certification, the commissioner may not issue him or her
7 a license plate under this subsection.

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

13 (12) The division may issue special scenic registration plates
14 as follows:

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

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

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

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

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

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

18 (14) The division may issue military organization registration
19 plates as follows:

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

1 shall be designed by the commissioner.

2 (B) Upon appropriate application, the division may issue
3 members of the chartered organization in good standing, as
4 determined by the governing body of the chartered organization, a
5 special registration plate for any number of vehicles titled in the
6 name of the qualified applicant.

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

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

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

21 (A) Upon appropriate application, the division shall issue a
22 special registration plate displaying a species of West Virginia
23 wildlife which shall display a species of wildlife native to West

1 Virginia as prescribed and designated by the commissioner and the
2 Director of the Division of Natural Resources.

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

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

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

16 (A) Upon appropriate application, the division shall issue to
17 any person who is a duly qualified member of the Silver Haired
18 Legislature a specialized registration plate which bears
19 recognition of the applicant as a member of the Silver Haired
20 Legislature.

21 (B) A qualified member of the Silver Haired Legislature may
22 obtain one registration plate described in this subdivision for use
23 on a passenger vehicle titled in the name of the qualified

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

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

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

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

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 is
22 to be collected by the division and deposited in the State Road
23 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 or her 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 (19) Racing theme special registration plates:

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

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

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

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

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

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

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

23 (21) The division may issue honorably discharged veterans

1 special registration plates as follows:

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

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

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

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

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

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

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

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

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

22 (A) Upon appropriate application, the division shall issue to
23 an applicant a registration plate of the applicant's choice,

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

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

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

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

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

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

22 (25) The division may issue a special registration plate
23 celebrating the centennial of the 4-H youth development movement

1 and honoring the Future Farmers of America organization as follows:

2 (A) Upon appropriate application, the division may issue a
3 special registration plate depicting the symbol of the 4-H
4 organization which represents the head, heart, hands and health as
5 well as the symbol of the Future Farmers of America organization
6 which represents a cross section of an ear of corn for any number
7 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 4-H Future Farmers of America registration plate in
14 addition to all other fees required by this chapter.

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

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

21 (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

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:

1 (A) Upon appropriate application, the division shall issue to
2 any person who is a duly qualified volunteer or employee of the
3 American Red Cross a specialized registration plate which bears
4 recognition of the applicant as a volunteer or employee of the
5 American Red Cross for any number of vehicles titled in the name of
6 the qualified applicant.

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

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

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

16 (A) Upon appropriate application, the division shall 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 that they have received either the Combat Infantry
21 Badge or the Combat Medic Badge.

22 (B) The division shall charge a special initial application
23 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 (30) The division may issue special registration plates to
4 members of the Knights of Columbus as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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.

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

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

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

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

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

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

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

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

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

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

12 (A) Upon appropriate application, the division may issue a
13 special registration plate designed by the commissioner for any
14 number of vehicles titled in the name of the 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) An annual fee of \$15 shall be charged for each plate in
20 addition to all other fees required by this chapter.

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

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

1 Virginia may apply for a special license plate depicting a farming
2 scene or other apt reference to farming, whether in pictures or
3 words, at the discretion of the commissioner.

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

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

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

23 (A) The division may issue a special registration plate for

1 members of the 82nd Airborne Division Association upon receipt of
2 a guarantee from the organization of a minimum of one hundred
3 applicants. The insignia on the plate shall be designed by the
4 commissioner.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 (B) The division shall charge a special initial application
23 fee of \$10. This special fee shall be collected by the division

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

6 (A) Upon appropriate application, the division may issue a
7 special registration plate designed by the commissioner to
8 recognize and honor breast cancer survivors, such plate to
9 incorporate somewhere in the design the "pink ribbon emblem", for
10 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 deposited in the State Road
13 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 (45) The division may issue special registration plates to
17 members of the Knights of Pythias or Pythian Sisters as follows:

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

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 (46) The commissioner may issue special registration plates
8 for whitewater rafting 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 (47) The division may issue special registration plates to
20 members of Lions International as follows:

21 (A) Upon appropriate application, the division may issue a
22 special registration plate designed by the commissioner in
23 consultation with Lions International for any number of vehicles

1 titled in the name of the qualified applicant. Persons desiring
2 the special registration plate shall offer sufficient proof of
3 membership in Lions International.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17 (A) Upon appropriate application, the division may issue a
18 special registration plate designed by the Commissioner for any
19 number of vehicles titled in the name of the qualified applicant.
20 Persons desiring the special registration plate shall offer
21 sufficient proof of present or past membership in the Boy Scouts as
22 either a member or a leader.

23 (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 (53) The division may issue special registration plates to
7 present and former Boy Scouts who have achieved Eagle Scout status
8 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 Persons desiring the special registration plate shall offer
13 sufficient proof of achievement of Eagle Scout status.

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 deposited in the 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 (54) The division may issue special registration plates
20 recognizing and memorializing victims of domestic violence.

21 (A) Upon appropriate application, the division may issue a
22 special registration plate designed by the commissioner to
23 recognize and memorialize victims of domestic violence, such plate

1 to incorporate somewhere in the design the "purple ribbon emblem",
2 for any number of vehicles titled in the name of the applicant.

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

12 (A) Upon appropriate application, the division may issue a
13 special registration plate designed by the commissioner for any
14 number of vehicles titled in the name of the 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) An annual fee of \$15 shall be charged for each plate in
20 addition to all other fees required by this chapter.

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

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

1 special registration plate designed by the commissioner in
2 consultation with the Sons of the American Revolution 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 membership in the Sons of the American
6 Revolution.

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 (57) The commissioner may issue special registration plates
14 for horse enthusiasts 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

1 by this chapter.

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

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

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

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

22 (59) The commissioner may issue special registration plates
23 for retired or former Justices of the Supreme Court of Appeals of

1 West Virginia as follows:

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

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

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

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

22 (A) An organization desiring to create a special registration
23 plate must comply with the following requirements to be eligible

1 to apply for the creation and issuance of a special registration
2 plate:

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

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

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

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

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

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

1 commissioner in his or her sole discretion.

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

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

23 (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

1 subdivision (60) if:

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

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

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

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

1 the original authorization: *Provided, however,* That the provisions
2 of this subdivision (1) are not applicable to the issuance of
3 plates authorized pursuant to subdivision (60), subsection (c) of
4 this section.

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

21 (e) (1) Nothing in this section requires a charge for a free
22 prisoner of war license plate or a free recipient of the
23 Congressional Medal of Honor license plate for a vehicle titled in

1 the name of the qualified applicant as authorized by other
2 provisions of this code.

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

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

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

16 (1) The commissioner may issue or renew for a period of no
17 more than ten years any registration plate exempted from
18 registration fees pursuant to any provision of this code, a Bronze
19 Star Medal registration plate authorized by subdivision (20),
20 subsection (c) of this section or any restricted use antique motor
21 vehicle license plate authorized by section three-a, article ten of
22 this chapter: *Provided*, That the provisions of this subsection do
23 not apply to any person who has had a special registration

1 suspended for failure to maintain motor vehicle liability insurance
2 as required by section three, article two-a, chapter seventeen-d of
3 this code or failure to pay personal property taxes as required by
4 section three-a of this article.

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

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

16 (h) The commissioner may, in his or her discretion, issue a
17 registration plate of reflectorized material suitable for permanent
18 use on motor vehicles, trailers and semitrailers, together with
19 appropriate devices to be attached to the registration to indicate
20 the year for which the vehicles have been properly registered or
21 the date of expiration of the registration. The design and
22 expiration of the plates shall be determined by the commissioner.
23 The commissioner shall, whenever possible and cost effective,

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

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

NOTE: The purpose of this bill is to permit recipients of the
Bronze Star to have ten-year vehicle registration plates.

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