

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Introduced

House Bill 2032

**FISCAL
NOTE**

BY DELEGATES HAMRICK, HOWELL AND HANNA

[Introduced February 10, 2021; Referred to the
Committee on Technology and Infrastructure then
Government Organization]

1 A BILL to amend and reenact §17A-3-14 of the Code of West Virginia, 1931, as amended, relating
 2 to issuing specialty motor vehicle registration plates for businesses owning a fleet of 25 or
 3 more vehicles; establishing application and qualification requirements; and establishing
 4 fees for specialty registration therefor.

Be it enacted by the Legislature of West Virginia:

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

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

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

8 (2) Every registration plate and the required letters and numerals on the plate shall be of
 9 sufficient size to be plainly readable from a distance of 100 feet during daylight: *Provided*, That
 10 the requirements of this subdivision shall not apply to the year number for which the plate is issued
 11 or the date of expiration.

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

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

15 (1) The Governor shall be issued two registration plates, on one of which shall be imprinted

16 the numeral one and on the other the word one.

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

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

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

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

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

39 (A) Upon receipt of an application on a form prescribed by the division and receipt of
40 written evidence from the chief executive officer of the Army National Guard or Air National Guard,
41 as appropriate, or the commanding officer of any United States armed forces reserve unit that the

42 applicant is a member thereof, the division shall issue to any member of the National Guard of
43 this state or a member of any reserve unit of the United States armed forces a special registration
44 plate designed by the commissioner for any number of Class A motor vehicles owned by the
45 member. Upon presentation of written evidence of retirement status, retired members of this
46 state's Army or Air National Guard, or retired members of any reserve unit of the United States
47 armed forces, are eligible to purchase the special registration plate issued pursuant to this
48 subdivision.

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

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

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

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

62 (B) The commissioner shall propose rules for legislative approval in accordance with the
63 provisions of §29A-1-1 *et seq.* of this code regarding the orderly distribution of the plates:
64 *Provided*, That for purposes of this subdivision, the registration plates requested and issued shall
65 include all plates bearing the numbers two through 2,000.

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

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

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

74 (B) The division shall charge a special initial application fee of \$10 in addition to all other
75 fees required by law. This special fee is to compensate the Division of Motor Vehicles for
76 additional costs and services required in the issuing of the special registration. All fees collected
77 by the division shall be deposited in the State Road Fund: *Provided*, That nothing in this section
78 may be construed to exempt any veteran from any other provision of this chapter.

79 (C) A surviving spouse may continue to use his or her deceased spouse's honorably
80 discharged veteran's license plate until the surviving spouse dies, remarries, or does not renew
81 the license plate.

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

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

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

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

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

96 (A) Upon appropriate application, there shall be issued to any armed service person
97 holding the distinguished Purple Heart medal for persons wounded in combat a registration plate
98 for a vehicle titled in the name of the qualified applicant bearing letters or numbers. The
99 registration plate shall be designed by the Commissioner of the Division of Motor Vehicles and
100 shall denote that those individuals who are granted this special registration plate are recipients of
101 the Purple Heart. All letterings shall be in purple where practical.

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

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

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

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

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

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

119 (C) A surviving spouse may continue to use his or her deceased spouse's survivors of the

120 attack on Pearl Harbor license plate until the surviving spouse dies, remarries, or does not renew
121 the license plate.

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

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

129 (A) Approved nonprofit charitable and educational organizations previously authorized
130 under the prior enactment of this subdivision may accept and collect applications for special
131 registration plates from owners of Class A motor vehicles together with a special annual fee of
132 \$15, which is in addition to all other fees required by this chapter. The applications and fees shall
133 be submitted to the Division of Motor Vehicles with the request that the division issue a registration
134 plate bearing a combination of letters or numbers with the organization's logo or emblem, with the
135 maximum number of letters or numbers to be determined by the commissioner.

136 (B) The commissioner shall propose rules for legislative approval in accordance with the
137 provisions of §29A-3-1 *et seq.* of this code regarding the procedures for and approval of special
138 registration plates issued pursuant to this subdivision.

139 (C) The commissioner shall set an appropriate fee to defray the administrative costs
140 associated with designing and manufacturing special registration plates for a nonprofit charitable
141 or educational organization. The nonprofit charitable or educational organization shall collect this
142 fee and forward it to the division for deposit in the State Road Fund. The nonprofit charitable or
143 educational organization may also collect a fee for marketing the special registration plates.

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

146 (A) Any owner of a motor vehicle who is a resident of the State of West Virginia and who
147 is a certified paramedic or emergency medical technician, a member of a paid fire department, a
148 member of the State Fire Commission, the State Fire Marshal, the State Fire Marshal's assistants,
149 the State Fire Administrator, and voluntary rescue squad members may apply for a special license
150 plate for any number of Class A vehicles titled in the name of the qualified applicant which bears
151 the insignia of the profession, group, or commission. Any insignia shall be designed by the
152 commissioner. License plates issued pursuant to this subdivision shall bear the requested insignia
153 in addition to the registration number issued to the applicant pursuant to the provisions of this
154 article.

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

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

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

164 (A) Any owner of a motor vehicle who is a resident of the State of West Virginia and who
165 is a certified firefighter may apply for a special license plate which bears the insignia of the
166 profession, for any number of Class A vehicles titled in the name of the qualified applicant. Any
167 insignia shall be designed by the commissioner. License plates issued pursuant to this subdivision
168 shall bear the requested insignia pursuant to the provisions of this article. Upon presentation of
169 written evidence of certification as a certified firefighter, certified firefighters are eligible to
170 purchase the special registration plate issued pursuant to this subdivision.

171 (B) Each application submitted pursuant to this subdivision shall be accompanied by an

172 affidavit stating that the applicant is justified in having a registration with the requested insignia;
173 proof of compliance with all laws of this state regarding registration and licensure of motor
174 vehicles; and payment of all required fees. The firefighter certification department, section, or
175 division of the West Virginia University fire service extension shall notify the commissioner in
176 writing immediately when a firefighter loses his or her certification. If a firefighter loses his or her
177 certification, the commissioner may not issue him or her a license plate under this subdivision.

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

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

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

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

189 (13) The division may issue honorably discharged Marine Corps League members special
190 registration plates as follows:

191 (A) Upon appropriate application, the division shall issue to any honorably discharged
192 Marine Corps League member a special registration plate for any number of vehicles titled in the
193 name of the qualified applicant with an insignia designed by the Commissioner of the Division of
194 Motor Vehicles.

195 (B) The division may charge a special one-time initial application fee of \$10 in addition to
196 all other fees required by this chapter. This special fee is to compensate the Division of Motor
197 Vehicles for additional costs and services required in the issuing of the special registration and

198 shall be collected by the division and deposited in the State Road Fund: *Provided*, That nothing
199 in this section may be construed to exempt any veteran from any other provision of this chapter.

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

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

204 (A) The division may issue a special registration plate for the members of any military
205 organization chartered by the United States Congress upon receipt of a guarantee from the
206 organization of a minimum of 100 applicants. The insignia on the plate shall be designed by the
207 commissioner.

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

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

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

218 (15) The division may issue special nongame wildlife registration plates and special wildlife
219 registration plates as follows:

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

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

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

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

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

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

242 (17) Upon appropriate application, the commissioner shall issue to a classic motor vehicle
243 or classic motorcycle, as defined in §17A-10-3a of this code, a special registration plate designed
244 by the commissioner. An annual fee of \$15, in addition to all other fees required by this chapter,
245 shall be charged for each classic registration plate.

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

248 (A) Upon appropriate application, there shall be issued to any honorably discharged
249 veteran of any branch of the armed services of the United States a special registration plate for

250 any number of motorcycles subject to Class G registration titled in the name of the qualified
251 applicant with an insignia designed by the Commissioner of the Division of Motor Vehicles.

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

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

259 (19) Racing theme special registration plates:

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

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

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

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

271 (A) Upon appropriate application, the division shall issue to any recipient of the Navy
272 Cross, Distinguished Service Cross, Distinguished Flying Cross, Air Force Cross, Silver Star,
273 Bronze Star, or Air Medal, a registration plate for any number of vehicles titled in the name of the
274 qualified applicant bearing letters or numbers. A separate registration plate shall be designed by
275 the Commissioner of the Division of Motor Vehicles for each award that denotes that those

276 individuals who are granted this special registration plate are recipients of the Navy Cross,
277 Distinguished Service Cross, Distinguished Flying Cross, Air Force Cross, Silver Star, Bronze
278 Star, or Air Medal as applicable.

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

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

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

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

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

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

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

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

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

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

317 (23) The division may issue special registration plates which reflect patriotic themes,
318 including the display of any United States symbol, icon, phrase, or expression which evokes
319 patriotic pride or recognition. The division shall also issue registration plates with the words "In
320 God We Trust":

321 (A) Upon appropriate application, the division shall issue to an applicant a registration
322 plate of the applicant's choice, displaying a patriotic theme as provided in this subdivision, for a
323 vehicle titled in the name of the applicant. A series of registration plates displaying patriotic themes
324 shall be designed by the Commissioner of the Division of Motor Vehicles for distribution to
325 applicants.

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

328 the State Road Fund.

329 (C) The provisions of subsection (d) of this section are not applicable for the issuance of
330 the license plates designated by this subdivision.

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

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

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

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

339 (25) The division may issue a special registration plate celebrating the centennial of the
340 4-H youth development movement and honoring the Future Farmers of America organization as
341 follows:

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

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

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

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

353 (A) Upon appropriate application, the division may issue a special registration plate

354 designed by the commissioner for any number of vehicles titled in the name of the qualified
355 applicant.

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

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

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

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

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

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

372 (D) Notwithstanding the provisions of subsection (d) of this section, the time period for the
373 Nemesis Shrine to comply with the minimum 100 prepaid applications is hereby extended to
374 January 15, 2005.

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

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

380 number of vehicles titled in the name of the qualified applicant.

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

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

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

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

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

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

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

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

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

406 (D) Notwithstanding the provisions of subsection (d) of this section, the time period for the
407 Knights of Columbus to comply with the minimum 100 prepaid applications is hereby extended to
408 January 15, 2007.

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

411 (A) Upon appropriate application, the division shall issue a special registration plate
412 designed by the commissioner for any number of vehicles titled in the name of the qualified
413 applicant. Persons desiring the special registration plate shall offer sufficient proof of former
414 service as an elected or appointed member of the West Virginia House of Delegates or the West
415 Virginia Senate.

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

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

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

422 (A) The division shall design and issue special registration plates for use by Democratic
423 State or County Executive Committee members. The design of the plates shall include an insignia
424 of a donkey and shall differentiate by wording on the plate between state and county executive
425 committee members.

426 (B) An annual fee of \$25 shall be charged for each Democratic State or County Executive
427 Committee member registration plate in addition to all other fees required by this chapter. All
428 annual fees collected for each special plate issued under this subdivision shall be deposited into
429 the State Road Fund.

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

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

433 (D) The division shall not begin production of a plate authorized under the provisions of
434 this subdivision until the division receives at least 100 completed applications from the state or
435 county executive committee members, including all fees required pursuant to this subdivision.

436 (E) Notwithstanding the provisions of subsection (d) of this section, the time period for the
437 Democratic Executive Committee to comply with the minimum 100 prepaid applications is hereby
438 extended to January 15, 2005.

439 (33) The division may issue honorably discharged female veterans' special registration
440 plates as follows:

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

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

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

453 (34) The division may issue special registration plates bearing the logo, symbol, insignia,
454 letters, or words demonstrating association with West Liberty State College to any resident owner
455 of a motor vehicle. Resident owners may apply for the special license plate for any number of
456 Class A vehicles titled in the name of the applicant. The special registration plates shall be
457 designed by the commissioner. Each application submitted pursuant to this subdivision shall be

458 accompanied by payment of a special initial application fee of \$15, which is in addition to any
459 other registration or license fee required by this chapter. The division shall charge an annual fee
460 of \$15 for each special registration plate in addition to all other fees required by this chapter. All
461 special fees shall be collected by the division and deposited into the State Road Fund.

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

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

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

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

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

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

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

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

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

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

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

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

497 (38) The division may issue special registration plates honoring the farmers of West
498 Virginia, and the division may issue special beekeeper pollinator registration plates as follows:

499 (A) Upon appropriate application, the division shall issue a special registration plate
500 depicting a farming scene or other apt reference to farming, whether in pictures or words, at the
501 discretion of the commissioner. Upon appropriate application, the division shall issue a special
502 registration plate displaying a pollinator species or advocating its protection as prescribed and
503 designated by the commissioner.

504 (B) The division shall charge a special initial application fee of \$10 for each plate in addition
505 to all other fees required by law. This special fee shall be collected by the division and deposited
506 in the State Road Fund.

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

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

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

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

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

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

520 (A) The division may issue a special registration plate for members of the 82nd Airborne
521 Division Association upon receipt of a guarantee from the organization of a minimum of 100
522 applicants. The insignia on the plate shall be designed by the commissioner.

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

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

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

533 (41) The division may issue special registration plates supporting law-enforcement
534 officers, and the division may issue special registration plates to survivors of wounds received in
535 the line of duty as a member with a West Virginia law-enforcement agency as follows:

536 (A) Upon appropriate application, the division shall issue a special registration plate
537 designed by the commissioner which recognizes, supports, and honors the men and women of
538 law-enforcement and includes the words "Back the Blue". Upon appropriate application, the
539 division shall issue to any member of a municipal police department, sheriff's department, the
540 State Police, or the law-enforcement division of the Division of Natural Resources who has been
541 wounded in the line of duty and awarded a Purple Heart in recognition thereof by the West Virginia
542 Chiefs of Police Association, the West Virginia Sheriffs' Association, the West Virginia Troopers
543 Association, or the Division of Natural Resources a special registration plate for one vehicle titled
544 in the name of the qualified applicant with an insignia appropriately designed by the
545 commissioner.

546 (B) For special registration plates supporting law-enforcement officers, the division shall
547 charge a special initial application fee of \$10 in addition to all other fees required by law. This
548 special fee shall be collected by the division and deposited in the State Road Fund. An annual
549 fee of \$15 shall be charged for each plate supporting law-enforcement officers in addition to all
550 other fees required by this chapter.

551 (C) Registration plates issued pursuant to this subdivision to survivors of wounds received
552 in the line of duty as a member with a West Virginia law-enforcement agency are exempt from
553 the registration fees otherwise required by the provisions of this chapter. A surviving spouse may
554 continue to use his or her deceased spouse's special registration plate until the surviving spouse
555 dies, remarries, or does not renew the plate. Survivors of wounds received in the line of duty as
556 a member with a West Virginia law-enforcement agency may obtain a license plate as described
557 in this subdivision for use on a passenger vehicle titled in the name of the qualified applicant. The
558 division shall charge a one-time fee of \$10 to be deposited into the State Road Fund, in addition
559 to all other fees required by this chapter, for the second plate.

560 (42) The division may issue a special registration plate for persons who are Native
561 Americans and residents of this state:

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

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

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

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

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

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

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

580 (44) The division may issue special registration plates recognizing and honoring breast
581 cancer survivors. The division may also issue special registration plates to support a cure for
582 childhood cancer:

583 (A) Upon appropriate application, the division may issue a special registration plate
584 designed by the commissioner to recognize and honor breast cancer survivors, such plate to
585 incorporate somewhere in the design the "pink ribbon emblem", for any number of vehicles titled
586 in the name of the applicant. Upon appropriate application, the division may also issue a special
587 registration plate designed by the commissioner to support a cure for childhood cancer, such plate

588 to incorporate somewhere in the design the gold ribbon emblem with “WV Kids Cancer Crusaders”
589 below or next to the emblem and “Cure Childhood Cancer” at the bottom of the plate, for any
590 number of vehicles titled in the name of the applicant.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

639 (A) Upon appropriate application, the division may issue a special registration plate

640 designed by the commissioner in consultation with the West Virginia Bar Association for any
641 number of vehicles titled in the name of the qualified applicant. Persons desiring the special
642 registration plate shall offer sufficient proof of membership in the West Virginia Bar Association.

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

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

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

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

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

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

658 (51) The division may issue special registration plates honoring coal miners and the coal
659 industry as follows:

660 (A) Upon appropriate application, the division shall issue a special registration plate
661 depicting and displaying coal miners in mining activities as prescribed and designated by the
662 commissioner and the board of the National Coal Heritage Area Authority. The division may also
663 issue registration plates with the words "Friends of Coal".

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

666 Road Fund.

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

669 (D) The provisions of subsection (d) of this section are not applicable for the issuance of
670 license plates designated by this subdivision.

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

673 (A) Upon appropriate application, the division may issue a special registration plate
674 designed by the commissioner for any number of vehicles titled in the name of the qualified
675 applicant. Persons desiring the special registration plate shall offer sufficient proof of present or
676 past membership in the Boy Scouts as either a member or a leader.

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

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

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

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

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

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

692 (54) The division may issue special registration plates recognizing and memorializing
693 victims of domestic violence:

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

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

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

702 (55) The division may issue special registration plates bearing the logo, symbol, insignia,
703 letters, or words demonstrating association with or support for the University of Charleston as
704 follows:

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

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

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

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

715 (A) Upon appropriate application, the division may issue a special registration plate
716 designed by the commissioner in consultation with the Sons of the American Revolution for any
717 number of vehicles titled in the name of the qualified applicant. Persons desiring the special

718 registration plate shall offer sufficient proof of membership in the Sons of the American
719 Revolution.

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

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

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

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

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

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

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

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

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

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

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

749 (59) The commissioner may issue special registration plates for retired or former justices
750 of the Supreme Court of Appeals of West Virginia as follows:

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

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

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

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

761 (60) Upon approval by the commissioner of an appropriate application, and upon all
762 requirements of this subdivision being satisfied, the division may issue special registration plates
763 to any business entity seeking to register 25 or more Class A or Class B vehicles in the name of
764 the business entity and bearing a logo image for that business, subject to the following provisions:

765 (A) A business entity requesting the creation and issuance of a special registration plate
766 shall make application with the division. The application shall include sufficient information, as
767 determined by the commissioner, to determine whether the special registration plate requested
768 and the entity making the application meet all of the requirements set forth in this subdivision. The
769 application shall also include a proposed design, including lettering, logo, image, or message to

770 be placed on the registration plate. The entity's lettering, logo, image, or message to be placed
771 on the registration plate, if created, may not be obscene, offensive, or objectionable as determined
772 by the commissioner in his or her sole discretion. The commissioner shall notify the business
773 entity of the commissioner's approval or disapproval of the application.

774 (B) (i) The commissioner may not begin the design or production of any license plates
775 authorized and approved pursuant to this subdivision until the business entity which applied for
776 the special registration plate has collected and submitted collectively to the division applications
777 completed for a minimum of 25 vehicles and deposited with the division all fees necessary to
778 cover the first year's basic registration, one-time design and manufacturing costs, and to cover
779 the first year's additional annual fee for all of the applications submitted.

780 (ii) If the business entity fails to submit the required number of applications and fees within
781 six months of the effective date of the approval of the application for the plate by the
782 commissioner, the plate will not be produced until a new application is submitted and is approved
783 by the commissioner: *Provided*, That a business entity that does not receive its special registration
784 plates pursuant to this subparagraph may not make a new application for a special plate until at
785 least two years have passed since the business entity's previous authorization by the
786 commissioner.

787 (C) The division shall charge a special initial application fee of \$75 for each special license
788 plate in addition to all other fees required by law.

789 (D) The division shall charge an annual fee of \$25 for each special registration plate
790 issued, in addition to all other fees required by this chapter.

791 ~~(60)~~ (61) Upon approval by the commissioner of an appropriate application, and upon all
792 requirements of this subdivision being satisfied, the division may issue special registration plates
793 for Class A and Class G motor vehicles to members of an organization for which a special
794 registration plate has not been issued pursuant to any other subdivision in this subsection prior to
795 January 1, 2010, in accordance with the provisions of this subdivision:

796 (A) An organization desiring to create a special registration plate must comply with the
797 following requirements to be eligible to apply for the creation and issuance of a special registration
798 plate:

799 (i) The organization must be a nonprofit organization organized and existing under Section
800 501(c)(3) of Title 26 of the Internal Revenue Code and based, headquartered, or have a chapter
801 in West Virginia;

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

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

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

809 (v) The name of the organization may not be the name of a special product or brand name,
810 and may not be construed, as determined by the commissioner, as promoting a product or brand
811 name; and

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

815 (B) Beginning July 1, 2010, an organization requesting the creation and issuance of a
816 special registration plate may make application with the division. The application shall include
817 sufficient information, as determined by the commissioner, to determine whether the special
818 registration plate requested and the organization making the application meet all of the
819 requirements set forth in this subdivision. The application shall also include a proposed design,
820 including lettering, logo, image, or message to be placed on the registration plate. The
821 commissioner shall notify the organization of the commissioner's approval or disapproval of the

822 application.

823 (C)(i) The commissioner may not begin the design or production of any license plates
824 authorized and approved pursuant to this subdivision until the organization which applied for the
825 special registration plate has collected and submitted collectively to the division applications
826 completed by at least 250 persons and collectively deposited with the division all fees necessary
827 to cover the first year's basic registration, one-time design and manufacturing costs, and to cover
828 the first year additional annual fee for all of the applications submitted.

829 (ii) If the organization fails to submit the required number of applications and fees within
830 six months of the effective date of the approval of the application for the plate by the
831 commissioner, the plate will not be produced until a new application is submitted and is approved
832 by the commissioner: *Provided*, That an organization that is unsuccessful in obtaining the
833 minimum number of applications may not make a new application for a special plate until at least
834 two years have passed since the approval of the previous application of the organization.

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

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

840 (F) Upon appropriate application, the division may issue a special registration plate
841 designed by the commissioner in consultation with the organization for any number of vehicles
842 titled in the name of a qualified registration plate applicant. Persons desiring the special
843 registration plate shall offer sufficient proof of membership in the organization.

844 (G) The commissioner shall discontinue the issuance or renewal of the registration of any
845 special plate issued pursuant to this subdivision if:

846 (i) The number of valid registrations for the specialty plate falls below 250 plates for at
847 least 12 consecutive months; or

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

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

852 (1) The commissioner may not begin the design or production of any license plates for
853 which eligibility is based on membership or affiliation with a particular private organization until at
854 least 100 persons complete an application and deposit with the organization a check to cover the
855 first year's basic registration, one-time design and manufacturing costs, and to cover the first ~~year~~
856 year's additional annual fee. If the organization fails to submit the required number of applications
857 with attached checks within six months of the effective date of the original authorizing legislation,
858 the plate will not be produced and will require legislative reauthorization: *Provided*, That an
859 organization or group that is unsuccessful in obtaining the minimum number of applications may
860 not request reconsideration of a special plate until at least two years have passed since the
861 effective date of the original authorization: *Provided, however*, That the provisions of this
862 subdivision are not applicable to the issuance of plates authorized pursuant to subdivisions (60)
863 and (61), subsection (c) of this section.

864 (2) The commissioner may not begin the design or production of any license plates
865 authorized by this section for which membership or affiliation with a particular organization is not
866 required until at least 250 registrants complete an application and deposit a fee with the division
867 to cover the first year's basic registration fee, one-time design and manufacturing fee, and
868 additional annual fee if applicable. If the commissioner fails to receive the required number of
869 applications within six months of the effective date of the original authorizing legislation, the plate
870 will not be produced and will require legislative reauthorization: *Provided*, That if the minimum
871 number of applications is not satisfied within the six months of the effective date of the original
872 authorizing legislation, a person may not request reconsideration of a special plate until at least
873 two years have passed since the effective date of the original authorization.

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

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

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

885 (f) The division may issue special 10-year registration plates as follows:

886 (1) The commissioner may issue or renew for a period of no more than 10 years any
887 registration plate exempted from registration fees pursuant to any provision of this code or any
888 restricted use antique motor vehicle license plate authorized by §17A-10-3a of this code:
889 *Provided*, That the provisions of this subsection do not apply to any person who has had a special
890 registration suspended for failure to maintain motor vehicle liability insurance as required by
891 §17D-2A-3 of this code or failure to pay personal property taxes as required by §17A-3-3a of this
892 code.

893 (2) An initial nonrefundable fee shall be charged for each special registration plate issued
894 pursuant to this subsection, which is the total amount of fees required by §17A-3-3, §17A-10-3a,
895 or §17A-10-15 of this code for the period requested.

896 (g) The provisions of this section may not be construed to exempt any registrant from
897 maintaining motor vehicle liability insurance as required by §17D-2A-3 of this code or from paying
898 personal property taxes on any motor vehicle as required by §17A-3-3a of this code.

899 (h) The commissioner may, in his or her discretion, issue a registration plate of

900 reflectorized material suitable for permanent use on motor vehicles, trailers, and semitrailers,
901 together with appropriate devices to be attached to the registration to indicate the year for which
902 the vehicles have been properly registered or the date of expiration of the registration. The design
903 and expiration of the plates shall be determined by the commissioner. The commissioner shall,
904 whenever possible and cost effective, implement the latest technology in the design, production,
905 and issuance of registration plates, indices of registration renewal and vehicle ownership
906 documents, including, but not limited to, offering internet renewal of vehicle registration and the
907 use of bar codes for instant identification of vehicles by scanning equipment to promote the
908 efficient and effective coordination and communication of data for improving highway safety,
909 aiding law enforcement, and enhancing revenue collection.

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

915 (j) The division shall, upon request of a qualifying applicant, exempt one nonexempt
916 military special registration plate per qualifying applicant from all registration fees. For purposes
917 of this subsection:

918 (1) "Exempt military special registration plate" means a special registration plate related
919 to military service that is issued pursuant to this section for which registration fees are exempt
920 pursuant to this section or §17A-10-8 of this code, including, but not limited to, a special
921 registration plate issued to one of the following:

922 (A) A disabled veteran pursuant to subdivision (6), subsection (c) of this section, 17A-10-
923 8(4), or §17A-10-8(5) of this code;

924 (B) A recipient of the Purple Heart medal pursuant to subdivision (7), subsection (c) of this
925 section §17A-3-14(7)(c);

926 (C) A survivor of the attack on Pearl Harbor pursuant to subdivision (8), subsection (c) of
927 this section;

928 (D) A former prisoner of war pursuant to §17A-10-8(6) of this code; or

929 (E) A recipient of the Congressional Medal of Honor pursuant to §17A-10-8(7) of this code.

930 (2) "Nonexempt military special registration plate" means a special registration plate
931 related to military service that is issued pursuant to this section for which registration fees are not
932 exempt pursuant to this section or §17A-10-8 of this code, including, but not limited to, special
933 registration plate issued to one of the following:

934 (A) A member of the National Guard forces pursuant to subdivision (3), subsection (c) of
935 this section;

936 (B) An honorably discharged veteran pursuant to subdivisions (5) or (21), subsection (c)
937 of this section;

938 (C) An honorably discharged Marine Corps League member pursuant to subdivision (13),
939 subsection (c) of this section;

940 (D) A member of a military organization pursuant to subdivision (14), subsection (c) of this
941 section;

942 (E) A recipient of the Navy Cross, Distinguished Service Cross, Distinguished Flying
943 Cross, Air Force Cross, Bronze Star, Silver Star, or Air Medal pursuant to subdivision (20),
944 subsection (c) of this section;

945 (F) A recipient of the Combat Infantry Badge or the Combat Medic Badge pursuant to
946 subdivision (29), subsection (c) of this section;

947 (G) An honorably discharged female veteran pursuant to subdivision (33), subsection (c)
948 of this section;

949 (H) A person retired from any branch of the armed services of the United States pursuant
950 to subdivision (36), subsection (c) of this section; or

951 (I) A member of the 82nd Airborne Division Association pursuant to subdivision (40),

952 subsection (c) of this section.

953 (3) "Qualifying applicant" means an applicant who qualifies for an exempt military special
954 registration plate, and who also qualifies for a nonexempt military special registration plate, who
955 requests that the division issue one such nonexempt military special registration plate instead of
956 such exempt military special registration plate in order to have such nonexempt military special
957 registration plate be exempt from the payment of registration fees.

NOTE: The purpose of this bill is to authorize the Division of Motor Vehicles to issue custom license plates bearing the logo of a business that registers a fleet of 25 or more vehicles.

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