

# **WEST VIRGINIA LEGISLATURE**

## **2023 REGULAR SESSION**

**Introduced**

### **House Bill 2880**

By Delegates E. Pritt and Griffith

[Introduced January 20, 2023; Referred to the  
Committee on Fire Departments and Emergency  
Medical Services then Finance]

1 A BILL to amend and reenact §17A-3-14 of the Code of West Virginia, 1931, as amended, and to  
 2 amend and reenact §17A-10-8 of said code; and to amend and reenact §17B-2-1 of said  
 3 code; and to amend and reenact and §17C-16-6 of said code; all relating to removing the  
 4 fees for license plates; vehicle registration; operator's licenses; and inspection fees for  
 5 volunteer fire fighters.

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

**ARTICLE 3. ORIGINALS AND RENEWAL REGISTRATION; ISSUANCE OF  
 CERTIFICATE OF TITLES.**

**§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 the  
 5 registration number assigned to the vehicle for which it is issued; the name of this state, which may  
 6 be abbreviated; and the year number for which it is issued or the date of expiration of the plate.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

66 (5) The division may issue honorably discharged veterans special registration plates as

67 follows:

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

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

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

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

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

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

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

92 (7) The division may issue recipients of the distinguished Purple Heart medal special

93 registration plates as follows:

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

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

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

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

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

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

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

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

119 the license plate.

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

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

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

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

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

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

143 (A) Any owner of a motor vehicle who is a resident of the State of West Virginia and who is  
144 a certified paramedic or emergency medical technician, a member of a paid fire department, a

145 member of a volunteer fire department, a member of the State Fire Commission, the State Fire  
146 Marshal, the State Fire Marshal's assistants, the State Fire Administrator, and voluntary rescue  
147 squad members may apply for a special license plate for any number of Class A vehicles titled in  
148 the name of the qualified applicant which bears the insignia of the profession, group, or  
149 commission. Any insignia shall be designed by the commissioner. License plates issued pursuant  
150 to this subdivision shall bear the requested insignia in addition to the registration number issued to  
151 the applicant pursuant to the provisions of this article.

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

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

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

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

168 (B) Each application submitted pursuant to this subdivision shall be accompanied by an  
169 affidavit stating that the applicant is justified in having a registration with the requested insignia,  
170 proof of compliance with all laws of this state regarding registration and licensure of motor

171 vehicles, and payment of all required fees. The firefighter certification department, section, or  
172 division of the West Virginia University fire service extension shall notify the commissioner in  
173 writing immediately when a firefighter loses his or her certification. If a firefighter loses his or her  
174 certification, the commissioner may not issue him or her a license plate under this subdivision.

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

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

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

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

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

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

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

196 (C) A surviving spouse may continue to use his or her deceased spouse's honorably

197 discharged Marine Corps League license plate until the surviving spouse dies, remarries, or does  
198 not renew the license plate.

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

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

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

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

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

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

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

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

223 registration plates shall be deposited in a special revenue account designated the Nongame  
224 Wildlife Fund and credited to the Division of Natural Resources.

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

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

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

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

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

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

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

248 (B) A special initial application fee of \$10 shall be charged in addition to all other fees

249 required by law. This special fee is to be collected by the division and deposited in the State Road  
250 Fund: *Provided*, That nothing in this section may be construed to exempt any veteran from any  
251 other provision of this chapter.

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

255 (19) Racing theme special registration plates:

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

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

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

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

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

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

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

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

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

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

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

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

299 (A) Any owner of a motor vehicle who is a resident of West Virginia and who is a volunteer  
300 firefighter may apply for a special license plate for any Class A vehicle titled in the name of the

301 qualified applicant which bears the insignia of the profession in white letters on a red background.  
302 The insignia shall be designed by the commissioner and shall contain a fireman's helmet insignia  
303 on the left side of the license plate.

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

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

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

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

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

324 (C) The provisions of §17A-3-14(d) of this code are not applicable for the issuance of the  
325 license plates designated by this subdivision.

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

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

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

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

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

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

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

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

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

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

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

353 Road Fund.

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

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

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

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

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

367 (D) Notwithstanding the provisions of §17A-3-14(d) of this code, the time period for the  
368 Nemesis Shrine to comply with the minimum 100 prepaid applications is hereby extended to  
369 January 15, 2005.

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

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

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

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

381 (29) The division shall issue special registration plates to individuals who have received  
382 the U.S. Army Combat Infantryman Badge, Combat Action Badge, or Combat Medical Badge; the  
383 U.S. Marine Corps, U.S. Navy, or U.S. Coast Guard Combat Action Ribbon; or the U.S. Air Force  
384 Combat Action Medal as follows:

385 (A) Upon appropriate application, the division shall issue a special registration plate  
386 designed by the commissioner for any number of vehicles titled in the name of the qualified  
387 applicant. Persons desiring the special registration plate shall offer sufficient proof that they have  
388 received the U.S. Army Combat Infantryman Badge, Combat Action Badge, or Combat Medical  
389 Badge; the U.S. Marine Corps, U.S. Navy, or U.S. Coast Guard Combat Action Ribbon; or the U.S.  
390 Air Force Combat Action Medal.

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

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

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

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

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

405 (D) Notwithstanding the provisions of §17A-3-14(d) of this code, the time period for the  
406 Knights of Columbus to comply with the minimum 100 prepaid applications is hereby extended to  
407 January 15, 2007.

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

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

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

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

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

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

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

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

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

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

435 (E) Notwithstanding the provisions of §17A-3-14(d) of this code, the time period for the  
436 democratic executive committee to comply with the minimum 100 prepaid applications is hereby  
437 extended to January 15, 2005.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

532 (41) The division may issue special registration plates to applicants supporting law-  
533 enforcement officers, to retired members of the West Virginia State Police, and to survivors of  
534 wounds received in the line of duty as a member with a West Virginia law-enforcement agency as

535 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 commissioner.

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

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

559 (D) Upon appropriate application, the division may issue special registration plates  
560 designed by the commissioner for any number of vehicles titled in the name of the qualified

561 applicant who offers sufficient proof of being a retired member of the West Virginia State Police.  
562 The division shall charge a special initial application fee of \$10 in addition to all other fees required  
563 by law. This special fee shall be collected by the division and deposited in the State Road Fund.

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

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

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

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

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

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

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

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

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

587 (A) Upon appropriate application, the division may issue a special registration plate  
588 designed by the commissioner to recognize and honor breast cancer survivors, such plate to  
589 incorporate somewhere in the design the "pink ribbon emblem", for any number of vehicles titled in  
590 the name of the applicant. Upon appropriate application, the division may also issue a special  
591 registration plate designed by the commissioner to support a cure for childhood cancer, such plate  
592 to incorporate somewhere in the design the gold ribbon emblem with "WV Kids Cancer Crusaders"  
593 below or next to the emblem and "Cure Childhood Cancer" at the bottom of the plate, for any  
594 number of vehicles titled in the name of the applicant.

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

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

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

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

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

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

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

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

613 designed by the commissioner for any number of vehicles titled in the name of the qualified  
614 applicant.

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

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

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

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

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

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

631 (48) The division may issue special registration plates supporting organ donation and  
632 adoption as follows:

633 (A) Upon appropriate application, the division may issue a special registration plate  
634 designed by the commissioner which recognizes, supports, and honors organ and tissue donors  
635 and includes the words "Donate Life", and the division may issue a special registration plate  
636 designed by the commissioner which supports and encourages adoption and includes the words  
637 "Choose Life".

638 (B) The division shall charge a special initial application fee of \$10 in addition to all other

639 fees required by law. This special fee shall be collected by the division and deposited in the State  
640 Road Fund.

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

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

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

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

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

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

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

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

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

664 (51) The division may issue special registration plates honoring coal miners and the coal

665 industry, as well as other professions, as set forth in this subdivision as follows:

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

669 (ii) The division may issue registration plates with the words "Friends of Coal".

670 (iii) The division may issue special registration plates recognizing the occupation of  
671 linemen, showing appreciation for workers who construct and maintain utility lines, and depicting a  
672 scene or other apt reference to the occupation of linemen, whether in words or pictures, at the  
673 discretion of the commissioner.

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

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

679 (D) The provisions of §17A-3-14(d) of this code are not applicable for the issuance of  
680 license plates designated by this subdivision.

681 (52) The division may issue special registration plates to present and former Boy Scouts,  
682 and to present and former members of the Civil Air Patrol as follows:

683 (A) Upon appropriate application, the division may issue a special registration plate  
684 designed by the commissioner for any number of vehicles titled in the name of the qualified  
685 applicant. Persons desiring the special registration plate shall offer sufficient proof of present or  
686 past membership in the Boy Scouts as either a member or a leader, or in the Civil Air Patrol, as  
687 applicable. The special registration plates for the Civil Air Patrol shall be designed by the  
688 commissioner in cooperation with the Civil Air Patrol.

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

691 Road Fund.

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

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

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

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

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

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

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

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

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

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

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

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

727 (A) Upon appropriate application, the division may issue a special registration plate  
728 designed by the commissioner in consultation with the Sons of the American Revolution for any  
729 number of vehicles titled in the name of the qualified applicant. Persons desiring the special  
730 registration plate shall offer sufficient proof of membership in the Sons of the American Revolution.

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

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

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

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

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

743 Road Fund.

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

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

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

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

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

758 (D) The provisions of §17A-3-14(d) of this code are not applicable for the issuance of  
759 special license plates designated by this subdivision.

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

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

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

768 (C) The division shall charge an annual fee of \$15 for each special registration plate in

769 addition to all other fees required by this chapter.

770 (D) The provisions of §17A-3-14(d) of this code are not applicable for the issuance of  
771 special license plates designated by this subdivision.

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

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

780 (i) The organization must be a nonprofit organization organized and existing under Section  
781 501(c)(3) of Title 26 of the Internal Revenue Code and based, headquartered, or have a chapter in  
782 West Virginia;

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

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

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

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

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

795 commissioner in his or her sole discretion.

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

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

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

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

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

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

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

827 (i) The number of valid registrations for the specialty plate falls below 250 plates for at least  
828 12 consecutive months; or

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

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

833 (1) The commissioner may not begin the design or production of any license plates for  
834 which eligibility is based on membership or affiliation with a particular private organization until at  
835 least 100 persons complete an application and deposit with the organization a check to cover the  
836 first year's basic registration, one-time design and manufacturing costs, and to cover the first year  
837 additional annual fee. If the organization fails to submit the required number of applications with  
838 attached checks within six months of the effective date of the original authorizing legislation, the  
839 plate will not be produced and will require legislative reauthorization: *Provided*, That an  
840 organization or group that is unsuccessful in obtaining the minimum number of applications may  
841 not request reconsideration of a special plate until at least two years have passed since the  
842 effective date of the original authorization: *Provided, however*, That the provisions of this  
843 subdivision are not applicable to the issuance of plates authorized pursuant to §17A-3-14(c)(60) of  
844 this code.

845 (2) The commissioner may not begin the design or production of any license plates  
846 authorized by this section for which membership or affiliation with a particular organization is not

847 required until at least 250 registrants complete an application and deposit a fee with the division to  
848 cover the first year's basic registration fee, one-time design and manufacturing fee, and additional  
849 annual fee, if applicable. If the commissioner fails to receive the required number of applications  
850 within six months of the effective date of the original authorizing legislation, the plate will not be  
851 produced and will require legislative reauthorization: *Provided*, That if the minimum number of  
852 applications is not satisfied within the six months of the effective date of the original authorizing  
853 legislation, a person may not request reconsideration of a special plate until at least two years  
854 have passed since the effective date of the original authorization.

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

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

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

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

866 (1) The commissioner may issue or renew for a period of no more than 10 years any  
867 registration plate exempted from registration fees pursuant to any provision of this code or any  
868 restricted use antique motor vehicle license plate authorized by §17A-10-3a of this code:  
869 *Provided*, That the provisions of this subsection do not apply to any person who has had a special  
870 registration suspended for failure to maintain motor vehicle liability insurance as required by §17D-  
871 2A-3 of this code or failure to pay personal property taxes as required by §17A-3-3a of this code.

872 (2) An initial nonrefundable fee shall be charged for each special registration plate issued

873 pursuant to this subsection, which is the total amount of fees required by §17A-3-3, §17A-10-3a, or  
874 §17A-10-15 of this code for the period requested.

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

878 (h) The commissioner may, in his or her discretion, issue a registration plate of  
879 reflectorized material suitable for permanent use on motor vehicles, trailers, and semitrailers,  
880 together with appropriate devices to be attached to the registration to indicate the year for which  
881 the vehicles have been properly registered or the date of expiration of the registration. The design  
882 and expiration of the plates shall be determined by the commissioner. The commissioner shall,  
883 whenever possible and cost effective, implement the latest technology in the design, production,  
884 and issuance of registration plates, indices of registration renewal and vehicle ownership  
885 documents, including, but not limited to, offering Internet renewal of vehicle registration and the  
886 use of bar codes for instant identification of vehicles by scanning equipment to promote the  
887 efficient and effective coordination and communication of data for improving highway safety,  
888 aiding law enforcement, and enhancing revenue collection.

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

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

896 (1) "Exempt military special registration plate" means a special registration plate related to  
897 military service that is issued pursuant to this section for which registration fees are exempt  
898 pursuant to this section or §17A-10-8 of this code, including, but not limited to, a special

899 registration plate issued to one of the following:

900 (A) A disabled veteran pursuant to §17A-3-14(c)(6), §17A-10-8(4), or §17A-10-8(5) of this  
901 code;

902 (B) A recipient of the Purple Heart medal pursuant to §17A-3-14(c)(7) of this code;

903 (C) A survivor of the attack on Pearl Harbor pursuant to §17A-3-14(c)(8) of this code;

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

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

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

910 (A) A member of the National Guard forces pursuant to §17A-3-14(c)(3) of this code;

911 (B) An honorably discharged veteran pursuant to §17A-3-14(c)(5) or §17A-3-14(c)(21) of  
912 this code;

913 (C) An honorably discharged Marine Corps League member pursuant to §17A-3-14(c)(13)  
914 of this code;

915 (D) A member of a military organization pursuant to §17A-3-14(c)(14) of this code;

916 (E) A recipient of the Navy Cross, Distinguished Service Cross, Distinguished Flying  
917 Cross, Air Force Cross, Bronze Star, Silver Star, or Air Medal pursuant to §17A-3-14(c)(20) of this  
918 code;

919 (F) A recipient of the Combat Infantry Badge or the Combat Medic Badge pursuant to  
920 §17A-3-14(c)(29) of this code;

921 (G) An honorably discharged female veteran pursuant to §17A-3-14(c)(33) of this code;

922 (H) A person retired from any branch of the armed services of the United States pursuant  
923 to §17A-3-14(c)(36) of this code; or

924 (I) A member of the 82nd Airborne Division Association pursuant to §17A-3-14(c)(40) of

925 this code.

926 (3) "Qualifying applicant" means an applicant who qualifies for an exempt military special  
927 registration plate, and who also qualifies for a nonexempt military special registration plate, who  
928 requests that the division issue one such nonexempt military special registration plate instead of  
929 such exempt military special registration plate in order to have such nonexempt military special  
930 registration plate be exempt from the payment of registration fees.

## **ARTICLE 10. FEES FOR REGISTRATION, LICENSING, ETC.**

### **§17A-10-8. Vehicles exempt from payment of registration fees.**

1 The following specified vehicles shall be exempt from the payment of any registration fees:

2 (1) Any vehicle owned or operated by the United States government, the State of West  
3 Virginia or any of their political subdivisions. The proper representative of the United States  
4 government, the State of West Virginia or any of their political subdivisions shall make an  
5 application for registration for the vehicle and the registration plate or plates issued for the vehicle  
6 shall be displayed as provided in this chapter;

7 (2) Any fire vehicle owned or operated by a volunteer fire department organized for the  
8 protection of community property;

9 (3) Any ambulance or any other emergency rescue vehicle owned or operated by a  
10 nonprofit, charitable organization and used exclusively for charitable purposes;

11 (4) Any vehicle owned by a disabled veteran as defined by the provisions of Public Law  
12 663 of the 79th Congress of the United States, or Public Law 187 of the 82nd Congress of the  
13 United States, or Public Law 77 of the 90th Congress of the United States; except for vehicles  
14 used for hire which are owned by disabled veterans;

15 (5) Not more than one vehicle owned by a veteran with a hundred percent total and  
16 permanent service-connected disability as certified by the Director of the Department of Veterans'  
17 Affairs of West Virginia and not used for commercial purposes;

18 (6) Not more than one Class A or Class G vehicle, as defined in section one of this article,

19 owned by a former prisoner of war and not used for commercial purposes. For purposes of this  
20 subdivision, the term "prisoner of war" means any member of the Armed Forces of the United  
21 States, including the United States Coast Guard and National Guard, who was held by any hostile  
22 force with which the United States was actually engaged in armed conflict during any period of the  
23 incarceration; or any person, military or civilian, assigned to duty on the U.S.S. Pueblo who was  
24 captured by the military forces of North Korea on January 23, 1968, and thereafter held prisoner;  
25 except any person who, at any time, voluntarily, knowingly and without duress, gave aid to or  
26 collaborated with or in any manner served any such hostile force;

27 (7) Not more than one Class A or Class G vehicle, as defined in section one of this article,  
28 owned by a recipient of the Congressional Medal of Honor and not used for commercial purposes;  
29 and

30 (8) Vehicles registered in the name of community action agencies and used exclusively for  
31 a Head Start program; and

32 (9) Not more than one Class A vehicle owned by a member of a volunteer fire department  
33 organized for the protection of community property and not used for commercial purposes.

## **ARTICLE 2. ISSUANCE OF LICENSE, EXPIRATION AND RENEWAL.**

### **§17B-2-1. Drivers must be licensed; types of licenses; licensees need not obtain local government license; motorcycle driver license; identification cards.**

1 (a) (1) No person, except those hereinafter expressly exempted, may drive a motor vehicle  
2 upon a street or highway in this state or upon a subdivision street used by the public generally  
3 unless the person has a valid driver's license issued pursuant to this code for the type or class of  
4 vehicle being driven.

5 (2) Any person licensed to operate a motor vehicle pursuant to this code may exercise the  
6 privilege thereby granted in the manner provided in this code and, except as otherwise provided by  
7 law, is not required to obtain any other license to exercise the privilege by a county, municipality, or  
8 local board or body having authority to adopt local police regulations.

9 (b) The division, upon issuing a driver's license, shall indicate on the license the type or  
10 general class or classes of vehicles the licensee may operate in accordance with this code, federal  
11 law, or rule. Licenses shall be issued in different colors for those drivers under age 18, those  
12 drivers age 18 to 21, and adult drivers. The commissioner is authorized to select and assign  
13 colors to the licenses of the various age groups.

14 (c) The following drivers' licenses classifications are hereby established:

15 (1) A Class A, B, or C license shall be issued to those persons 18 years of age or older with  
16 two years of driving experience who have qualified for the commercial driver's license established  
17 by Chapter 17E of this code and the federal Motor Carrier Safety and Improvement Act of 1999  
18 subsequent rules, and have paid the required fee.

19 (2) A Class D license shall be issued to those persons 18 years and older with one year of  
20 driving experience who operate motor vehicles other than those types of vehicles which require  
21 the operator to be licensed under the provisions of Chapter 17E of this code and federal law and  
22 rule and whose primary function or employment is the transportation of persons or property for  
23 compensation or wages and have paid the required fee. For the purpose of regulating the  
24 operation of motor vehicles, wherever the term "chauffeur's license" is used in this code, it means  
25 the Class A, B, C, or D license described in this section or Chapter 17E of this code or federal law  
26 or rule: Provided, That anyone not required to be licensed under the provisions of Chapter 17E of  
27 this code and federal law or rule and who operates a motor vehicle registered or required to be  
28 registered as a Class A motor vehicle, as that term is defined in §17A-10-1 of this code, with a  
29 gross vehicle weight rating of less than 8,001 pounds, is not required to obtain a Class D license.

30 (3) A Class E license shall be issued to persons who have qualified for a driver's license  
31 under the provisions of this chapter and who are not required to obtain a Class A, B, C, or D license  
32 and who have paid the required fee. The Class E license may be endorsed under §17B-2-7b of  
33 this code for motorcycle operation. The Class E or G license for a person under the age of 18 may  
34 also be endorsed with the appropriate graduated driver license level in accordance with §17B-2-

35 3a of this code.

36 (4) A Class F license shall be issued to those persons who successfully complete the  
37 motorcycle examination procedure provided by this chapter and have paid the required fee but  
38 who do not possess a Class A, B, C, D, or E driver's license.

39 (5) A Class G driver's license or instruction permit shall be issued to a person using bioptic  
40 telescopic lenses who has successfully completed an approved driver training program and  
41 complied with all other requirements of §17B-2B-1 *et seq.* of this code.

42 (d) All licenses issued under this section may contain information designating the licensee  
43 as a diabetic, an organ donor, deaf or hard-of-hearing, as having any other handicap or disability,  
44 or that the licensee is an honorably discharged veteran of any branch of the Armed Forces of the  
45 United States, according to criteria established by the division, if the licensee requests this  
46 information on the license. An honorably discharged veteran may be issued a replacement license  
47 without charge if the request is made before the expiration date of the current license and the only  
48 purpose for receiving the replacement license is to get the veterans designation placed on the  
49 license.

50 (e) No person, except those hereinafter expressly exempted, may drive a motorcycle on a  
51 street or highway in this state or on a subdivision street used by the public generally unless the  
52 person has a valid motorcycle license, a valid license which has been endorsed under §17A-2-17b  
53 of this code for motorcycle operation, or a valid motorcycle instruction permit.

54 (f) (1) An identification card may be issued to a person who:

55 (A) Is a resident of this state in accordance with §17A-3-1a of this code;

56 (B) Has reached the age of two years or, for good cause shown, under the age of two;

57 (C) Has paid the required fee of \$5 per year. The Division of Motor Vehicles may adjust this  
58 fee every five years on September 1, based on the U.S. Department of Labor, Bureau of Labor  
59 Statistics most current Consumer Price Index: *Provided*, That an increase in such fee may not  
60 exceed 10 percent of the total fee amount in a single year: *Provided, however*, That no fees or

61 charges, including renewal fees, are required if the applicant:

62 (i) Is 65 years or older;

63 (ii) Is legally blind; or

64 (iii) Will be at least 18 years of age at the next general, municipal, or special election and  
65 intends to use this identification card as a form of identification for voting; and

66 (D) Presents a birth certificate or other proof of age and identity acceptable to the division  
67 with a completed application on a form supplied by the division.

68 (2) The identification card shall contain the same information as a driver's license except  
69 that the identification card shall be clearly marked as an identification card. The division may issue  
70 an identification card with less information to persons under the age of 16. The division may issue  
71 an identification card without a photograph pursuant to subdivision (4) of this subsection. An  
72 identification card may be renewed annually on application and payment of the fee required by this  
73 section.

74 (A) Every identification card issued to a person who has attained his or her 21st birthday  
75 expires on the licensee's birthday in those years in which the licensee's age is evenly divisible by  
76 five. Except as provided in paragraph (B) of this subdivision, no identification card may be issued  
77 for less than three years or for more than seven years and expires on the licensee's birthday in  
78 those years in which the licensee's age is evenly divisible by five.

79 (B) Every identification card issued to a person who has not attained his or her 21st  
80 birthday expires 30 days after the licensee's 21st birthday.

81 (C) Every identification card issued to persons under the age of 16 shall be issued for a  
82 period of two years and expire on the last day of the month in which the applicant's birthday  
83 occurs.

84 (3) The division may issue an identification card to an applicant whose privilege to operate  
85 a motor vehicle has been refused, canceled, suspended, or revoked under the provisions of this  
86 code.

87 (4) Notwithstanding the provisions of this article to the contrary, the division may issue an  
88 identification card without a photograph to an applicant who under oath or affirmation affirms,  
89 subject to the laws of perjury and on a form supplied by the division, that the applicant is a member  
90 of a recognized religious sect that has established tenets and teachings due to which the applicant  
91 is conscientiously opposed to posing for a photograph. The form supplied by the division pursuant  
92 to this subdivision shall advise the applicant that an identification card without a photograph may  
93 not be acceptable for all identification purposes.

94 (g) For any person over the age of 50 years who wishes to obtain a driver's license or  
95 identification card under the provisions of this section:

96 (1) A raised seal or stamp on the birth certificate or certified copy of the birth certificate is  
97 not required if the issuing jurisdiction does not require one; and

98 (2) If documents are lacking to prove all changes of name in the history of any such  
99 applicant, applicants renewing a driver's license or identification card under the provisions of this  
100 section may complete a Name Variance Approval Document as instituted by the division, so long  
101 as they can provide:

102 (A) Proof of identity;

103 (B) Proof of residency; and

104 (C) A valid Social Security number.

105 (3) The division may waive any documents necessary to prove a match between names,  
106 so long as the division determines the person is not attempting to:

107 (A) Change his or her identity;

108 (B) Assume another person's identity; or

109 (C) Commit fraud.

110 (h) A person over the age of 70 years, or who is on Social Security Disability, who wishes to  
111 obtain or renew a driver's license or identification card under the provisions of this section, may not  
112 be required to supply a copy of a birth certificate if they can provide:

- 113 (1) Proof of identity;
- 114 (2) Proof of residency;
- 115 (3) A valid Social Security number; and
- 116 (4) One of the following identifying items:
- 117 (A) A form of military identification, including a DD214 or equivalent;
- 118 (B) A U.S. passport, whether valid or expired;
- 119 (C) School records, including a yearbook;
- 120 (D) A religious document, that in the judgment of the division is sufficient and authentic to
- 121 reflect that the person was born in the United States; or
- 122 (E) An expired driver's license, employment identification card, or other reliable
- 123 identification card with a recognizable photograph of the person.
- 124 (i) There shall be no fee charged for the renewal of a driver's license for a member of a
- 125 volunteer fire department organized for the protection of community property who presents
- 126 documentation of that membership.
- 127 (j) Any person violating the provisions of this section is guilty of a misdemeanor and, upon
- 128 conviction thereof, shall be fined not more than \$500 and, upon a second or subsequent
- 129 conviction, shall be fined not more than \$500 or confined in jail not more than six months, or both
- 130 fined and confined.

## **ARTICLE 16. INSPECTION OF VEHICLES.**

### **§17C-16-6. Assignment, transfer and posting of official inspection station permit; issuance and record of certificate of inspection; inspection fee.**

1 (a) No permit for an official inspection station shall be assigned or transferred or used at

2 any location other than designated in the permit and every permit shall be posted in a conspicuous

3 place at the station location designated in the permit.

4 (b) The person operating the station shall issue a certificate of inspection and approval,

5 upon an official form, to the owner of a vehicle upon inspecting the vehicle and determining that its

6 equipment required under this article is in good condition and proper adjustment, but otherwise no  
7 certificate shall be issued, except one issued pursuant to section two of this article. When required  
8 by the superintendent, a record and report shall be made of every inspection and every certificate  
9 issued.

10 (c) A fee of not more than \$14 may be charged for an inspection and any necessary  
11 headlight adjustment to proper focus, not including any replacement parts required, and the  
12 issuance of the certificate, but the imposition of the charge is not mandatory.

13 (d) There shall be no fee for inspection for not more than one Class A vehicle owned by a  
14 member of a volunteer fire department organized for the protection of community property and not  
15 used for commercial purposes. Upon presentation of the appropriate documentation of the  
16 inspection and the waiver of the fee to the State Police, the station performing the inspection shall  
17 be refunded the \$3 cost of each inspection sticker provided to member of a volunteer fire  
18 department organized for the protection of community property and up to \$11 in the remaining cost  
19 of performing the inspection.

NOTE: The purpose of this bill is to remove the fees for license plates, vehicle registration, operator's licenses, registration, and inspection fees for volunteer fire fighters.

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