

# WEST VIRGINIA LEGISLATURE

## 2024 REGULAR SESSION

Introduced

### Senate Bill 181

FISCAL  
NOTE

By Senators Stuart, Chapman, Deeds, and Woodrum

[Introduced January 10, 2024; referred  
to the Committee on Government Organization; and  
then to the Committee on Finance]

1 A BILL to amend and reenact §17A-3-14g of the Code of West Virginia, 1931, as amended; to  
 2 amend said code by adding thereto a new section, designated §18B-10-7e; and to amend  
 3 said code by adding thereto a new article, designated §29-37-1, §29-37-2, and §29-37-3,  
 4 all relating to establishing the First Responder Financial Assistance Act; creating a  
 5 surcharge for the purpose of vanity license plate purchases to be deposited into the First  
 6 Responder Financial Assistance Fund; providing for a tuition waiver for first responders;  
 7 providing for definitions; establishing the act; providing certain benefits for first responders;  
 8 and providing a fund for the act.

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

**CHAPTER 17A. MOTOR VEHICLE ADMINISTRATION, REGISTRATION,  
 CERTIFICATE OF TITLE, AND ANTITHEFT PROVISIONS.**

**ARTICLE 3. ORIGINAL AND RENEWAL OF REGISTRATION; ISSUANCE OF  
 CERTIFICATES OF TITLE.**

**§17A-3-14g. Special registration plates for first responders.**

1 (a) The division may issue special emergency or volunteer registration plates as follows:  
 2 (1) Any owner of a motor vehicle who is a resident of the State of West Virginia and who is a  
 3 certified paramedic or emergency medical technician, member of a paid fire department, member  
 4 of the State Fire Commission, the State Fire Marshal, State Fire Marshal assistant, State Fire  
 5 Administrator, or voluntary rescue squad member may apply for a special license plate for any  
 6 number of Class A vehicles titled in the name of the qualified applicant which bears the insignia of  
 7 the profession, group, or commission. Any insignia shall be designed by the commissioner.  
 8 License plates issued pursuant to this subsection shall bear the requested insignia in addition to  
 9 the registration number issued to the applicant pursuant to the provisions of this article.  
 10 (2) Each application submitted pursuant to this subsection shall be accompanied by an  
 11 affidavit signed by the fire chief or department head of the applicant stating that the applicant is

12 justified in having a registration with the requested insignia, proof of compliance with all laws of this  
13 state regarding registration and licensure of motor vehicles, and payment of all required fees.

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

18 (b) The division may issue special certified firefighter registration plates as follows:

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

26 (2) Each application submitted pursuant to this subsection shall be accompanied by an  
27 affidavit stating that the applicant is justified in having a registration with the requested insignia,  
28 proof of compliance with all laws of this state regarding registration and licensure of motor  
29 vehicles, and payment of all required fees. The firefighter certification department, section, or  
30 division of the West Virginia University fire service extension shall notify the commissioner in  
31 writing immediately when a firefighter loses his or her certification. If a firefighter loses his or her  
32 certification, the commissioner may not issue him or her a license plate under this subsection.

33 (3) Each application submitted pursuant to this subsection shall be accompanied by  
34 payment of a special initial application fee of \$10, which is in addition to all other fees required by  
35 this chapter. All special fees shall be collected by the division and deposited into the State Road  
36 Fund.

37 (c) The division may issue special volunteer firefighter registration plates as follows:

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

43           (2) Each application submitted pursuant to this subsection shall be accompanied by an  
44 affidavit signed by the applicant's fire chief, stating that the applicant is a volunteer firefighter and  
45 is justified in having a registration plate with the requested insignia. The applicant must comply  
46 with all other laws of this state regarding registration and licensure of motor vehicles and must pay  
47 all required fees.

48           (3) Each application submitted pursuant to this subsection shall be accompanied by  
49 payment of a special one-time initial application fee of \$10, which is in addition to all other fees  
50 required by this chapter. All application fees shall be deposited into the State Road Fund.

51           (d) The division may issue special registration plates to applicants supporting law-  
52 enforcement officers, to retired members of the West Virginia State Police, and to survivors of  
53 wounds received in the line of duty as a member with a West Virginia law-enforcement agency as  
54 follows:

55           (1) Upon appropriate application, the division shall issue a special registration plate  
56 designed by the commissioner which recognizes, supports, and honors the men and women of  
57 law-enforcement and includes the words Back the Blue. Upon appropriate application, the division  
58 shall issue to any member of a municipal police department, sheriff's department, the State Police,  
59 or the law-enforcement division of the Division of Natural Resources who has been wounded in the  
60 line of duty and awarded a Purple Heart in recognition thereof by the West Virginia Chiefs of Police  
61 Association, the West Virginia Sheriffs' Association, the West Virginia Troopers Association, or the  
62 Division of Natural Resources a special registration plate for one vehicle titled in the name of the  
63 qualified applicant with an insignia appropriately designed by the commissioner.

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

69 (3) Registration plates issued pursuant to this subsection to survivors of wounds received  
70 in the line of duty as a member with a West Virginia law-enforcement agency are exempt from the  
71 registration fees otherwise required by the provisions of this chapter. A surviving spouse may  
72 continue to use his or her deceased spouse's special registration plate until the surviving spouse  
73 dies, remarries, or does not renew the plate. Survivors of wounds received in the line of duty as a  
74 member with a West Virginia law-enforcement agency may obtain a license plate as described in  
75 this subsection for use on a passenger vehicle titled in the name of the qualified applicant. The  
76 division shall charge for the second plate a one-time fee of \$10, to be deposited into the State  
77 Road Fund, which is in addition to all other fees required by this chapter.

78 (4) Upon appropriate application, the division may issue special registration plates  
79 designed by the commissioner for any number of vehicles titled in the name of the qualified  
80 applicant who offers sufficient proof of being a retired member of the West Virginia State Police.  
81 The division shall charge a special initial application fee of \$10 in addition to all other fees required  
82 by this chapter. This special fee shall be collected by the division and deposited in the State Road  
83 Fund.

84 (5) Additionally, there is established a \$10 surcharge for the purchase of a vanity license  
85 plate under this section to be deposited into the First Responder Financial Assistance Fund set  
86 forth in §29-37-3 of this code. This surcharge shall be separate from the other fees established in  
87 this section.

## **CHAPTER 18B. HIGHER EDUCATION.**

**ARTICLE 10. FEES AND OTHER MONEY COLLECTED AT STATE INSTITUTIONS OF HIGHER EDUCATION.**

**§18B-10-7e. Tuition waivers for first responders.**

1       The governing boards shall make provision for institutions under their respective  
2 jurisdictions to award a tuition and fee waiver for undergraduate courses at state institutions of  
3 higher education for any student who is a first responder, as otherwise set forth in §29-37-1 of this  
4 code. The first responder must provide proof of their employment as a first responder as defined in  
5 §29-37-1 of this code.

6       To be eligible for a waiver award, a student must first: (1) Apply to and be accepted at the  
7 institution; and (2) apply for other student financial assistance, other than student loans, in  
8 compliance with federal financial aid rules, including the federal Pell grant.

9       Waiver renewal is contingent upon the student continuing to meet the academic progress  
10 standards established by the institution.

11       The waiver provided by this section for each eligible student may be used for no more than  
12 four years of undergraduate study. An initial waiver must be granted within two years of graduation  
13 from high school or passing the GED examination.

14       The waiver may only be used after other sources of financial aid that are dedicated solely  
15 to tuition and fees are exhausted.

16       Any award under this section is in addition to the number of fee waivers permitted in  
17 sections five and six of this article for undergraduate, graduate and professional schools.

18       No student who is enrolled in an institution of higher education as of the effective date of  
19 this section is eligible for a waiver award under the provisions of this section.

20       The governing boards may establish any limitations on the provisions of this section as  
21 they consider proper.

**CHAPTER 29. MISCELLANEOUS BOARDS AND OFFICERS.**

**ARTICLE 37. FIRST RESPONDER FINANCIAL ASSISTANCE ACT.**

**§29-37-1. Definitions.**

1 (a) "First responders" shall include, but are not limited to, emergency medical technicians,  
2 firefighters, law-enforcement officers, neighborhood assistance officers, and paramedics.

3 (b) "Medical or emergency responders" means paid or volunteer firefighters, law-  
4 enforcement officers, emergency medical technicians, paramedics, or other emergency service  
5 personnel, providers, or entities acting within the usual course of their duties.

**§29-37-2. First Responder Financial Assistance Act.**

1 (a) There is hereby created the First Responder Financial Assistance Act.

2 (b) This article shall provide educational assistance for first responders, as set forth in  
3 §18B-10-7e of this code.

4 (c) Additionally, this article shall provide the following financial assistance to first  
5 responders:

6 (1) Childcare assistance;

7 (2) Retention bonuses; and

8 (3) Retirement supplements.

9 (e) The Department of Homeland Security shall be responsible for administering the  
10 benefits set forth in this article, with funding coming from §29-37-3 of this code.

**§29-37-3. First Responder Financial Assistance Fund created.**

1 (a) There is hereby created in the State Treasury a special revenue account to be known  
2 as the First Responder Financial Assistance Fund. The fund shall be administered by the  
3 Department of Homeland Security. The fund shall consist of all moneys that may be appropriated  
4 and designated for the fund by the Legislature, and all interest or other return earned from  
5 investment of the fund. The fund may receive any appropriations, gifts, grants, contributions, or  
6 other money from any source that is designated for deposit into the fund.

7 (b) Expenditures from the fund shall be for the purposes set forth in this article and are not

8 authorized from collections but are to be made only in accordance with appropriation by the  
9 Legislature. Any balance, including accrued interest and other returns, remaining in the fund at the  
10 end of each fiscal year shall not revert to the General Revenue Fund, but shall remain in the fund  
11 and be expended as provided by this section.

12 (c) The amount of the surcharge collected from vanity license plates as otherwise set forth  
13 in §17A-3-14g of this code shall also be deposited into this fund.

NOTE: The purpose of this bill is to establish the First Responder Financial Assistance Act. The bill creates a surcharge for the purpose of vanity license plate purchases to be deposited into the First Responder Financial Assistance Fund. The bill provides for a tuition waiver for first responders. The bill provides for definitions. The bill establishes the Act and provides certain benefits for first responders. Finally, the bill establishes a fund for the Act.

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