

Senate Bill No. 531

(By Senators Klempa, D. Face mire, Jenkins, Yost, Beach and
Prezioso)

[Introduced February 7, 2012; referred to the Committee on
Transportation and Infrastructure; and then to the Committee on
Finance.]

**FISCAL
NOTE**

A BILL to amend and reenact §17A-3-14 of the Code of West Virginia,
1931, as amended, relating to creating a special registration
plate for motor vehicles for the hearing impaired; and setting
forth the conditions for the plate's issuance and associated
fee.

Be it enacted by the Legislature of West Virginia:

That §17A-3-14 of the Code of West Virginia, 1931, as amended,
be amended and reenacted to read as follows:

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

§17A-3-14. Registration plates generally; description of plates;

1 **issuance of special numbers and plates; registration**
2 **fees; special application fees; exemptions;**
3 **commissioner to promulgate forms; suspension and**
4 **nonrenewal.**

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

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

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

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

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

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

3 (1) The Governor shall be issued two registration plates, on
4 one of which shall be imprinted the numeral one and on the other
5 the word one.

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

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

1 to the official and a Class G special registration plate for each
2 motorcycle titled to the official.

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

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

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

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

1 presentation of written evidence of retirement status, retired
2 members of this state's Army or Air National Guard, or retired
3 members of any reserve unit of the United States Armed Forces, are
4 eligible to purchase the special registration plate issued pursuant
5 to this subdivision.

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

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

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

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

1 comply with the request wherever possible.

2 (B) The commissioner shall propose rules for legislative
3 approval in accordance with the provisions of chapter twenty-nine-a
4 of this code regarding the orderly distribution of the plates:
5 *Provided*, That for purposes of this subdivision, the registration
6 plates requested and issued shall include all plates bearing the
7 numbers two through two thousand.

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

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

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

19 (B) The division shall charge a special initial application
20 fee of \$10 in addition to all other fees required by law. This
21 special fee is to compensate the Division of Motor Vehicles for
22 additional costs and services required in the issuing of the
23 special registration. All fees collected by the division shall be

1 deposited in the State Road Fund: *Provided*, That nothing in this
2 section may be construed to exempt any veteran from any other
3 provision of this chapter.

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

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

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

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

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

1 this chapter, for the second plate.

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

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

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

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

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

1 required by this chapter, for the second plate.

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

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

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

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

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

1 plate.

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

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

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

21 (C) The commissioner shall set an appropriate fee to defray
22 the administrative costs associated with designing and
23 manufacturing special registration plates for a nonprofit

1 charitable or educational organization. The nonprofit charitable
2 or educational organization shall collect this fee and forward it
3 to the division for deposit in the State Road Fund. The nonprofit
4 charitable or educational organization may also collect a fee for
5 marketing the special registration plates.

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

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

21 (B) Each application submitted pursuant to this subdivision
22 shall be accompanied by an affidavit signed by the fire chief or
23 department head of the applicant stating that the applicant is

1 justified in having a registration with the requested insignia;
2 proof of compliance with all laws of this state regarding
3 registration and licensure of motor vehicles; and payment of all
4 required fees.

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

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

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

23 (B) Each application submitted pursuant to this subdivision

1 shall be accompanied by an affidavit stating that the applicant is
2 justified in having a registration with the requested insignia;
3 proof of compliance with all laws of this state regarding
4 registration and licensure of motor vehicles; and payment of all
5 required fees. The firefighter certification department, section
6 or division of the West Virginia University fire service extension
7 shall notify the commissioner in writing immediately when a
8 firefighter loses his or her certification. If a firefighter loses
9 his or her certification, the commissioner may not issue him or her
10 a license plate under this subsection.

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

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

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

21 (B) The division shall charge a special one-time initial
22 application fee of \$10 in addition to all other fees required by
23 this chapter. All initial application fees collected by the

1 division shall be deposited into the State Road Fund.

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

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

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

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

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

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

1 the members of any military organization chartered by the United
2 States Congress upon receipt of a guarantee from the organization
3 of a minimum of one hundred applicants. The insignia on the plate
4 shall be designed by the commissioner.

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

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

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

21 (15) The division may issue special nongame wildlife
22 registration plates and special wildlife registration plates as
23 follows:

1 (A) Upon appropriate application, the division shall issue a
2 special registration plate displaying a species of West Virginia
3 wildlife which shall display a species of wildlife native to West
4 Virginia as prescribed and designated by the Commissioner and the
5 Director of the Division of Natural Resources.

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

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

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

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

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

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

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

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

23 (B) A special initial application fee of \$10 shall be charged

1 in addition to all other fees required by law. This special fee is
2 to be collected by the division and deposited in the State Road
3 Fund: *Provided*, That nothing in this section may be construed to
4 exempt any veteran from any other provision of this chapter.

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

9 (19) Racing theme special registration plates:

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

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

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

23 (20) The division may issue recipients of the Navy Cross,

1 Distinguished Service Cross, Distinguished Flying Cross, Air Force
2 Cross, Bronze Star, Silver Star or Air Medal special registration
3 plates as follows:

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

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

21 (C) A surviving spouse may continue to use his or her deceased
22 spouse's Navy Cross, Distinguished Service Cross, Distinguished
23 Flying Cross, Air Force Cross, Silver Star, Bronze Star or Air

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

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

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

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

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

23 (22) The division may issue special volunteer firefighter

1 registration plates as follows:

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

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

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

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

1 pride or recognition.

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

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

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

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

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

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

1 deposited into the State Road Fund.

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

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

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

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

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

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

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

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

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

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

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

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

21 (D) Notwithstanding the provisions of subsection (d) of this
22 section, the time period for the Nemesis Shrine to comply with the
23 minimum one hundred prepaid applications is hereby extended to

1 January 15, 2005.

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

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

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

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

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

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

1 Badge or the Combat Medic Badge.

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

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

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

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

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

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

23 (31) The division may issue special registration plates to

1 former members of the Legislature as follows:

2 (A) Upon appropriate application, the division shall issue a
3 special registration plate designed by the commissioner for any
4 number of vehicles titled in the name of the qualified applicant.
5 Persons desiring the special registration plate shall offer
6 sufficient proof of former service as an elected or appointed
7 member of the West Virginia House of Delegates or the West Virginia
8 Senate.

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

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

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

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

23 (B) An annual fee of \$25 shall be charged for each democratic

1 state or county executive committee member registration plate in
2 addition to all other fees required by this chapter. All annual
3 fees collected for each special plate issued under this subdivision
4 shall be deposited into the State Road Fund.

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

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

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

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

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

1 number of vehicles titled in the name of the qualified applicant
2 with an insignia designed by the Commissioner of the Division of
3 Motor Vehicles to designate the recipient as a woman veteran.

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

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

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

1 plate in addition to all other fees required by this chapter. All
2 special fees shall be collected by the division and deposited into
3 the State Road Fund.

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

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

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

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

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

20 (A) Upon appropriate application, there shall be issued to any
21 person who has retired after service in any branch of the armed
22 services of the United States, a special registration plate for any
23 number of vehicles titled in the name of the qualified applicant

1 with an insignia designed by the Commissioner of the Division of
2 Motor Vehicles to designate the recipient as retired from the armed
3 services of the United States.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 (A) The division may issue a special registration plate for
4 members of the 82nd Airborne Division Association upon receipt of
5 a guarantee from the organization of a minimum of one hundred
6 applicants. The insignia on the plate shall be designed by the
7 commissioner.

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

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

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

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

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

14 (B) Registration plates issued pursuant to this subdivision
15 are exempt from the registration fees otherwise required by the
16 provisions of this chapter.

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

20 (D) Survivors of wounds received in the line of duty as a
21 member with a West Virginia law-enforcement agency may obtain a
22 license plate as described in this section for use on a passenger
23 vehicle titled in the name of the qualified applicant. The

1 division shall charge a one-time fee of \$10 to be deposited into
2 the State Road Fund, in addition to all other fees required by this
3 chapter, for the second plate.

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

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

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

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

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

21 (A) Upon appropriate application, the division may issue a
22 special registration plate designed by the commissioner to
23 commemorate the centennial anniversary of Davis and Elkins College

1 for any number of vehicles titled in the name of the applicant.

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

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

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

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

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

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

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

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

1 Persons desiring the special registration plate shall offer
2 sufficient proof of membership in the Knights of Pythias or Pythian
3 Sisters.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 addition to all other fees required by this chapter.

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

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

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

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

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

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

23 (B) The division shall charge a special initial application

1 fee of \$10 in addition to all other fees required by law. This
2 special fee shall be collected by the division and deposited in the
3 State Road Fund.

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

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

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

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

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

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

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

1 sufficient proof of present or past membership in the Boy Scouts as
2 either a member or a leader.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 State Road Fund.

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

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

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

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

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

22 (D) The provisions of subsection (d) of this section are not
23 applicable for the issuance of the special license plates

1 designated by this subdivision.

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

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

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

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

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

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

1 2010, in accordance with the provisions of this subdivision.

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

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

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

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

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

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

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

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

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

1 and to cover the first year additional annual fee for all of the
2 applications submitted.

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

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

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

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

1 sufficient proof of membership in the organization.

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

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

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

10 (61) The commissioner may issue special registration plates
11 for persons who are hearing impaired as certified by a licensed
12 physician or an audiologist certified by the American Speech-
13 Language-Hearing Association as follows:

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

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

21 (C) The minimum number of applications requirements of
22 subsection (d) of this section are not applicable for the issuance
23 of the special license plates designated by this subdivision.

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

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

22 (2) The commissioner may not begin the design or production of
23 any license plates authorized by this section for which membership

1 or affiliation with a particular organization is not required until
2 at least two hundred fifty registrants complete an application and
3 deposit a fee with the division to cover the first year's basic
4 registration fee, one-time design and manufacturing fee and
5 additional annual fee if applicable. If the commissioner fails to
6 receive the required number of applications within six months of
7 the effective date of the original authorizing legislation, the
8 plate will not be produced and will require legislative
9 reauthorization: *Provided*, That if the minimum number of
10 applications is not satisfied within the six months of the
11 effective date of the original authorizing legislation, a person
12 may not request reconsideration of a special plate until at least
13 two years have passed since the effective date of the original
14 authorization.

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

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

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

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

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

20 (2) An initial nonrefundable fee shall be charged for each
21 special registration plate issued pursuant to this subsection,
22 which is the total amount of fees required by section fifteen,
23 article ten of this chapter, section three, article three of this

1 chapter or section three-a, article ten of this chapter for the
2 period requested.

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

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

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

NOTE: The purpose of this bill is to create a special registration plate for motor vehicles for the hearing impaired. The bill sets forth the conditions for the plate's issuance and associated fees.

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