

H. B. 2522

(By Delegates Marcum, R. Phillips, J. Nelson, White, Eldridge, Reynolds, Tomblin, Barill, L. Phillips, Ellington and E. Nelson)

[Introduced February 18, 2013; referred to the Committee on Roads and Transportation then Finance.]

**FISCAL NOTE**

A BILL to amend and reenact §17A-3-14 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Motor Vehicles to issue a special "HATFIELD and MCCOY" license plate.

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

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

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

**§17A-3-14. Registration plates generally; description of plates; issuance of special numbers and plates; registration fees; special application fees; exemptions; commissioner to promulgate forms; suspension and nonrenewal.**

(a) The division upon registering a vehicle shall issue to the owner one registration plate for a motorcycle, trailer, semitrailer

1 or other motor vehicle.

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

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

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

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

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

19 (1) The Governor shall be issued two registration plates, on  
20 one of which shall be imprinted the numeral one and on the other  
21 the word one.

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

24 (A) Upon appropriate application, the division shall issue to

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

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

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

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

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

20           (B) The division shall charge an initial application fee of  
21 \$10 for each special registration plate issued pursuant to this  
22 subdivision, which is in addition to all other fees required by  
23 this chapter. Except as otherwise provided herein, effective July  
24 1, 2007, all fees currently held in the special revolving fund used

1 in the administration of this section and all fees collected by the  
2 division shall be deposited in the State Road Fund.

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

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

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

15 (B) The commissioner shall propose rules for legislative  
16 approval in accordance with the provisions of chapter twenty-nine-a  
17 of this code regarding the orderly distribution of the plates:  
18 *Provided*, That for purposes of this subdivision, the registration  
19 plates requested and issued shall include all plates bearing the  
20 numbers two through two thousand.

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

24 (5) The division may issue honorably discharged veterans

1 special registration plates as follows:

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

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

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

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

22       (A) Upon appropriate application, the division shall issue to  
23 any disabled veteran who is exempt from the payment of registration  
24 fees under the provisions of this chapter a registration plate for

1 a vehicle titled in the name of the qualified applicant which bears  
2 the letters "DV" in red and also the regular identification  
3 numerals in red.

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

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

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

15 (A) Upon appropriate application, there shall be issued to any  
16 armed service person holding the distinguished Purple Heart medal  
17 for persons wounded in combat a registration plate for a vehicle  
18 titled in the name of the qualified applicant bearing letters or  
19 numbers. The registration plate shall be designed by the  
20 Commissioner of Motor Vehicles and shall denote that those  
21 individuals who are granted this special registration plate are  
22 recipients of the Purple Heart. All letterings shall be in purple  
23 where practical.

24 (B) Registration plates issued pursuant to this subdivision

1 are exempt from all registration fees otherwise required by the  
2 provisions of this chapter.

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

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

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

14 (A) Upon appropriate application, the owner of a motor vehicle  
15 who was enlisted in any branch of the armed services that  
16 participated in and survived the attack on Pearl Harbor on December  
17 7, 1941, the division shall issue a special registration plate for  
18 a vehicle titled in the name of the qualified applicant. The  
19 registration plate shall be designed by the Commissioner of Motor  
20 Vehicles.

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

24 (C) A surviving spouse may continue to use his or her deceased



1 spouse's survivors of the attack on Pearl Harbor license plate  
2 until the surviving spouse dies, remarries or does not renew the  
3 license plate.

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

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

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

1 (B) The commissioner shall propose rules for legislative  
2 approval in accordance with the provisions of article three,  
3 chapter twenty-nine-a of this code regarding the procedures for and  
4 approval of special registration plates issued pursuant to this  
5 subdivision.

6 (C) The commissioner shall set an appropriate fee to defray  
7 the administrative costs associated with designing and  
8 manufacturing special registration plates for a nonprofit  
9 charitable or educational organization. The nonprofit charitable  
10 or educational organization shall collect this fee and forward it  
11 to the division for deposit in the State Road Fund. The nonprofit  
12 charitable or educational organization may also collect a fee for  
13 marketing the special registration plates.

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

16 (A) Any owner of a motor vehicle who is a resident of the  
17 State of West Virginia and who is a certified paramedic or  
18 emergency medical technician, a member of a paid fire department,  
19 a member of the state Fire Commission, the State Fire Marshal, the  
20 State Fire Marshal's assistants, the State Fire Administrator and  
21 voluntary rescue squad members may apply for a special license  
22 plate for any number of Class A vehicles titled in the name of the  
23 qualified applicant which bears the insignia of the profession,  
24 group or commission. Any insignia shall be designed by the

1 commissioner. License plates issued pursuant to this subdivision  
2 shall bear the requested insignia in addition to the registration  
3 number issued to the applicant pursuant to the provisions of this  
4 article.

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

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

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

19 (A) Any owner of a motor vehicle who is a resident of the  
20 State of West Virginia and who is a certified firefighter may apply  
21 for a special license plate which bears the insignia of the  
22 profession, for any number of Class A vehicles titled in the name  
23 of the qualified applicant. Any insignia shall be designed by the  
24 commissioner. License plates issued pursuant to this subdivision

1 shall bear the requested insignia pursuant to the provisions of  
2 this article. Upon presentation of written evidence of  
3 certification as a certified firefighter, certified firefighters  
4 are eligible to purchase the special registration plate issued  
5 pursuant to this subdivision.

6 (B) Each application submitted pursuant to this subdivision  
7 shall be accompanied by an affidavit stating that the applicant is  
8 justified in having a registration with the requested insignia;  
9 proof of compliance with all laws of this state regarding  
10 registration and licensure of motor vehicles; and payment of all  
11 required fees. The firefighter certification department, section  
12 or division of the West Virginia University fire service extension  
13 shall notify the commissioner in writing immediately when a  
14 firefighter loses his or her certification. If a firefighter loses  
15 his or her certification, the commissioner may not issue him or her  
16 a license plate under this subsection.

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

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

24 (A) Upon appropriate application, the commissioner shall issue

1 a special registration plate displaying a scenic design of West  
2 Virginia which displays the words "Wild Wonderful" as a slogan.

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

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

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

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

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

1 license plate.

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

4       (A) The division may issue a special registration plate for  
5 the members of any military organization chartered by the United  
6 States Congress upon receipt of a guarantee from the organization  
7 of a minimum of one hundred applicants. The insignia on the plate  
8 shall be designed by the commissioner.

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

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

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

1           (15) The division may issue special nongame wildlife  
2 registration plates and special wildlife registration plates as  
3 follows:

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

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

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

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

22           (A) Upon appropriate application, the division shall issue to  
23 any person who is a duly qualified member of the Silver Haired  
24 Legislature a specialized registration plate which bears

1 recognition of the applicant as a member of the Silver Haired  
2 Legislature.

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

10       (17) Upon appropriate application, the commissioner shall  
11 issue to a classic motor vehicle or classic motorcycle as defined  
12 in section three-a, article ten of this chapter, a special  
13 registration plate designed by the commissioner. An annual fee of  
14 \$15, in addition to all other fees required by this chapter, shall  
15 be charged for each classic registration plate.

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

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



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

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

10 (19) Racing theme special registration plates:

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

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

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

24 (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  
24 Medal special registration plate until the surviving spouse dies,

1 remarries or does not renew the special registration plate.

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

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

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: *Provided*, That nothing contained  
16 in this section may be construed to exempt any veteran from any  
17 other provision of this chapter.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 (C) The division shall charge an annual fee of \$15 for each

1 special educator registration plate in addition to all other fees  
2 required by this chapter.

3 (27) The division may issue special registration plates to  
4 members of the Nemesis Shrine 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 Persons desiring the special registration plate shall offer  
9 sufficient proof of membership in Nemesis Shrine.

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

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

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

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

22 (A) Upon appropriate application, the division shall issue to  
23 any person who is a duly qualified volunteer or employee of the  
24 American Red Cross a specialized registration plate which bears

1 recognition of the applicant as a volunteer or employee of the  
2 American Red Cross for any number of vehicles titled in the name of  
3 the qualified applicant.

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

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

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



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

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

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

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

18          (A) Upon appropriate application, the division shall issue a  
19 special registration plate designed by the commissioner for any  
20 number of vehicles titled in the name of the qualified applicant.  
21 Persons desiring the special registration plate shall offer  
22 sufficient proof of former service as an elected or appointed  
23 member of the West Virginia House of Delegates or the West Virginia  
24 Senate.

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. The design of the plate shall indicate total  
5 years of service in the Legislature.

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

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

10 (A) The division shall design and issue special registration  
11 plates for use by democratic state or county executive committee  
12 members. The design of the plates shall include an insignia of a  
13 donkey and shall differentiate by wording on the plate between  
14 state and county executive committee members.

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

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  
24 deposited into the State Road Fund.

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

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

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

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

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

23 (C) A surviving spouse may continue to use his deceased  
24 spouse's honorably discharged veterans license plate until the

1 surviving spouse dies, remarries or does not renew the license  
2 plate.

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

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

19       (A) Upon appropriate application, the division may 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 of membership in the Harley Owners Group.

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

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

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

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

24 (37) The division may issue special registration plates

1 bearing the logo, symbol, insignia, letters or words demonstrating  
2 association with or support for Fairmont State College as follows:

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

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

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

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

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

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

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

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

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

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

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

13 (A) The division may issue a special registration plate for  
14 members of the 82nd Airborne Division Association upon receipt of  
15 a guarantee from the organization of a minimum of one hundred  
16 applicants. The insignia on the plate shall be designed by the  
17 commissioner.

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

23 (C) The division shall charge a special one-time initial  
24 application fee of \$10 for each special license plate in addition

1 to all other fees required by this chapter. All initial  
2 application fees collected by the division shall be deposited into  
3 the State Road Fund: *Provided*, That nothing in this section may be  
4 construed to exempt the applicant from any other provision of this  
5 chapter.

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

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

13 (A) Upon appropriate application, the division shall issue to  
14 any member of a municipal police department, sheriff's department,  
15 the State Police or the law-enforcement division of the Division of  
16 Natural Resources who has been wounded in the line of duty and  
17 awarded a Purple Heart in recognition thereof by the West Virginia  
18 Chiefs of Police Association, the West Virginia Sheriffs'  
19 Association, the West Virginia Troopers Association or the Division  
20 of Natural Resources a special registration plate for one vehicle  
21 titled in the name of the qualified applicant with an insignia  
22 appropriately designed by the commissioner.

23 (B) Registration plates issued pursuant to this subdivision  
24 are exempt from the registration fees otherwise required by the



1 provisions of this chapter.

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

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

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

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

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

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

1 addition to all other fees required by this chapter.

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

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

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

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

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

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

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

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

1 addition to all other fees required by this chapter.

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

4       (A) Upon appropriate application, the division may issue a  
5 special registration plate designed by the commissioner 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 Knights of Pythias or Pythian  
9 Sisters.

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       (46) The commissioner may issue special registration plates  
17 for whitewater rafting 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  
24 State Road Fund.

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

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

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

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

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

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

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

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

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

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

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

1 special registration plate designed by the commissioner for any  
2 number of vehicles titled in the name of the applicant.

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

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

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

23 (A) Upon appropriate application, the division may issue a  
24 special registration plate designed by the Commissioner for any

1 number of vehicles titled in the name of the qualified applicant.  
2 Persons desiring the special registration plate shall offer  
3 sufficient proof of present or past membership in the Boy Scouts as  
4 either a member or a leader.

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

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

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

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 deposited in the 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.

24 (54) The division may issue special registration plates

1 recognizing and memorializing victims of domestic violence.

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

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

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

19 (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  
24 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  
24 State Road Fund.

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

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

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

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

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

24 (59) The commissioner may issue special registration plates

1 for retired or former Justices of the Supreme Court of Appeals of  
2 West Virginia as follows:

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

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

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

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

16 (60) Upon approval by the commissioner of an appropriate  
17 application, and upon all requirements of this subdivision being  
18 satisfied, the division may issue special registration plates for  
19 class A and class G motor vehicles to members of an organization  
20 for which a special registration plate has not been issued pursuant  
21 to any other subdivision in this subsection prior to January 1,  
22 2010, in accordance with the provisions of this subdivision.

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

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

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

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

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

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

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

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

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

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

22 (ii) If the organization fails to submit the required number  
23 of applications and fees within six months of the effective date of  
24 the approval of the application for the plate by the commissioner,

1 the plate will not be produced until a new application is submitted  
2 and is approved by the commissioner: *Provided*, That an  
3 organization that is unsuccessful in obtaining the minimum number  
4 of applications may not make a new application for a special plate  
5 until at least two years have passed since the approval of the  
6 previous application of the organization.

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

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

14 (F) Upon appropriate application, the division may issue a  
15 special registration plate designed by the commissioner in  
16 consultation with the organization for any number of vehicles  
17 titled in the name of a qualified registration plate applicant.  
18 Persons desiring the special registration plate shall offer  
19 sufficient proof of membership in the organization.

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

23 (i) The number of valid registrations for the specialty plate  
24 falls below two hundred fifty plates for at least twelve

1 consecutive months; or

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

4 (61) The commissioner may issue special registration plates  
5 stating "HATFIELD and MCCOY COUNTRY" for persons desiring those  
6 plates, as follows:

7 (A) Upon appropriate application, the division may issue a  
8 special registration plate designed by the commissioner, which will  
9 feature an insignia and design representing the Hatfields and  
10 McCoys, for any number of vehicles titled in the name of the  
11 qualified applicant.

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

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

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

22 (1) The commissioner may not begin the design or production of  
23 any license plates for which eligibility is based on membership or  
24 affiliation with a particular private organization until at least

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

16 (2) The commissioner may not begin the design or production of  
17 any license plates authorized by this section for which membership  
18 or affiliation with a particular organization is not required until  
19 at least two hundred fifty registrants complete an application and  
20 deposit a fee with the division to cover the first year's basic  
21 registration fee, one-time design and manufacturing fee and  
22 additional annual fee if applicable. If the commissioner fails to  
23 receive the required number of applications within six months of  
24 the effective date of the original authorizing legislation, the



1 plate will not be produced and will require legislative  
2 reauthorization: *Provided*, That if the minimum number of  
3 applications is not satisfied within the six months of the  
4 effective date of the original authorizing legislation, a person  
5 may not request reconsideration of a special plate until at least  
6 two years have passed since the effective date of the original  
7 authorization.

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

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

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

24 (f) The division may issue special ten-year registration

1 plates as follows:

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

12       (2) An initial nonrefundable fee shall be charged for each  
13 special registration plate issued pursuant to this subsection,  
14 which is the total amount of fees required by section fifteen,  
15 article ten of this chapter, section three, article three of this  
16 chapter or section three-a, article ten of this chapter for the  
17 period requested.

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

23       (h) The commissioner may, in his or her discretion, issue a  
24 registration plate of reflectorized material suitable for permanent

1 use on motor vehicles, trailers and semitrailers, together with  
2 appropriate devices to be attached to the registration to indicate  
3 the year for which the vehicles have been properly registered or  
4 the date of expiration of the registration. The design and  
5 expiration of the plates shall be determined by the commissioner.  
6 The commissioner shall, whenever possible and cost effective,  
7 implement the latest technology in the design, production and  
8 issuance of registration plates, indices of registration renewal  
9 and vehicle ownership documents, including, but not limited to,  
10 offering Internet renewal of vehicle registration and the use of  
11 bar codes for instant identification of vehicles by scanning  
12 equipment to promote the efficient and effective coordination and  
13 communication of data for improving highway safety, aiding law  
14 enforcement and enhancing revenue collection.

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

NOTE: The purpose of this bill is to provide for the issuance  
of special license plates stating "HATFIELD and MCCOY".

Strike-throughs indicate language that would be stricken from

the present law, and underscoring indicates new language that would be added.