

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

Senate Bill 70

**FISCAL
NOTE**

By Senators Phillips and Rucker

[Introduced January 11, 2023; referred

to the Committee on Transportation and

Infrastructure; and then to the Committee on Finance]

1 A BILL to amend and reenact §17A-3-14 of the Code of West Virginia, 1931, as amended, relating
2 to permitting special registration plates for certain persons with medical conditions that
3 may cause erratic behavior; and requiring medical certification that person may operate
4 motor vehicle if properly following dietary restrictions and medical prescriptions.

Be it enacted by the Legislature of West Virginia:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(A) Upon receipt of an application on a form prescribed by the division and receipt of written evidence from the chief executive officer of the Army National Guard or Air National Guard, as appropriate, or the commanding officer of any United States armed forces reserve unit that the applicant is a member thereof, the division shall issue to any member of the National Guard of this

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(A) Any owner of a motor vehicle who is a resident of the State of West Virginia and who is a certified paramedic or emergency medical technician, a member of a paid fire department, a member of the State Fire Commission, the State Fire Marshal, the State Fire Marshal's assistants,

the State Fire Administrator, and voluntary rescue squad members may apply for a special license plate for any number of Class A vehicles titled in the name of the qualified applicant which bears the insignia of the profession, group, or commission. Any insignia shall be designed by the commissioner. License plates issued pursuant to this subdivision shall bear the requested insignia in addition to the registration number issued to the applicant pursuant to the provisions of this article.

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

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

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

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

(B) Each application submitted pursuant to this subdivision shall be accompanied by an affidavit stating that the applicant is justified in having a registration with the requested insignia, proof of compliance with all laws of this state regarding registration and licensure of motor vehicles, and payment of all required fees. The firefighter certification department, section, or

division of the West Virginia University fire service extension shall notify the commissioner in writing immediately when a firefighter loses his or her certification. If a firefighter loses his or her certification, the commissioner may not issue him or her a license plate under this subdivision.

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

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

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

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

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

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

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

(C) A surviving spouse may continue to use his or her deceased spouse's honorably discharged Marine Corps League license plate until the surviving spouse dies, remarries, or does

not renew the license plate.

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

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

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

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

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

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

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

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

224 Wildlife Fund and credited to the Division of Natural Resources.

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

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

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

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

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

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

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

248 (B) A special initial application fee of \$10 shall be charged in addition to all other fees
249 required by law. This special fee is to be collected by the division and deposited in the State Road

250 Fund: *Provided*, That nothing in this section may be construed to exempt any veteran from any
251 other provision of this chapter.

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

255 (19) Racing theme special registration plates:

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

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

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

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

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

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

fees required by law. This special fee shall be collected by the division and deposited in the State Road Fund: *Provided*, That nothing in this section exempts the applicant for a special registration plate under this subdivision from any other provision of this chapter.

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

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

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

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

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

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

(A) Any owner of a motor vehicle who is a resident of West Virginia and who is a volunteer firefighter may apply for a special license plate for any Class A vehicle titled in the name of the qualified applicant which bears the insignia of the profession in white letters on a red background.

The insignia shall be designed by the commissioner and shall contain a fireman's helmet insignia on the left side of the license plate.

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

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

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

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

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

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

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

(A) Upon appropriate application, the division shall issue special registration plates which

shall display the American flag and the logo "9/11/01".

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(C) An annual fee of \$15 shall be charged for each plate in addition to all other fees

required by this chapter.

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

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

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

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

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

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

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

(D) Notwithstanding the provisions of §17A-3-14(d) of this code, the time period for the

Knights of Columbus to comply with the minimum 100 prepaid applications is hereby extended to January 15, 2007.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

registration or license fee required by this chapter. The division shall charge an annual fee of \$15 for each special registration plate in addition to all other fees required by this chapter. All special fees shall be collected by the division and deposited into the State Road Fund.

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

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

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

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

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

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

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

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

484 license plate until the surviving spouse dies, remarries, or does not renew the license plate.

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

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

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

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

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

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

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

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

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

509 (A) Upon appropriate application, the division shall issue a special registration plate

displaying a children's education-related theme as prescribed and designated by the commissioner and the State Superintendent of Schools.

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

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

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

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

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

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

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

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

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

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

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

(D) Upon appropriate application, the division may issue special registration plates designed by the commissioner for any number of vehicles titled in the name of the qualified applicant who offers sufficient proof of being a retired member of the West Virginia State Police.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

614 applicant.

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

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

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

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

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

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

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

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

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

640 Road Fund.

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

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

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

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

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

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

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

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

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

664 (51) The division may issue special registration plates honoring coal miners and the coal
665 industry, as well as other professions, as set forth in this subdivision as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

718 designed by the commissioner for any number of vehicles titled in the name of the qualified
719 applicant.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(60) (A) The division may issue special license plates to persons who have medical conditions, such as diabetes, that do not prohibit the person from operating a motor vehicle, but which conditions may, during the operation of a motor vehicle or at a time when the person is not operating a motor vehicle, cause erratic behavior.

(B) Persons applying for this special registration plate shall submit a certified statement of medical condition from a primary medical provider that indicates the applicant's medical condition, that the condition does not prohibit the applicant from operating a motor vehicle, but that the condition may cause the applicant to act erratically if not timely taking required prescribed medications or otherwise following required dietary restrictions for the medical condition.

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

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

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

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

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

796 plate:

797 (i) The organization must be a nonprofit organization organized and existing under Section
798 501(c)(3) of Title 26 of the Internal Revenue Code and based, headquartered, or have a chapter in
799 West Virginia;

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

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

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

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

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

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

821 (C)(i) The commissioner may not begin the design or production of any license plates

authorized and approved pursuant to this subdivision until the organization which applied for the special registration plate has collected and submitted collectively to the division applications completed by at least 250 persons and collectively deposited with the division all fees necessary to cover the first year's basic registration, one-time design and manufacturing costs, and to cover the first year additional annual fee for all of the applications submitted.

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

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

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

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

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

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

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

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

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

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

(e)(1) Nothing in this section requires a charge for a free prisoner of war license plate or a free recipient of the Congressional Medal of Honor license plate for a vehicle titled in the name of

the qualified applicant as authorized by other provisions of this code.

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

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

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

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

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

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

(h) The commissioner may, in his or her discretion, issue a registration plate of reflectorized material suitable for permanent use on motor vehicles, trailers, and semitrailers, together with appropriate devices to be attached to the registration to indicate the year for which the vehicles have been properly registered or the date of expiration of the registration. The design and expiration of the plates shall be determined by the commissioner. The commissioner shall,

whenever possible and cost effective, implement the latest technology in the design, production, and issuance of registration plates, indices of registration renewal and vehicle ownership documents, including, but not limited to, offering Internet renewal of vehicle registration and the use of bar codes for instant identification of vehicles by scanning equipment to promote the efficient and effective coordination and communication of data for improving highway safety, aiding law enforcement, and enhancing revenue collection.

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

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

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

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

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

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

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

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

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

926 registration plate issued to one of the following:

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

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

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

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

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

936 (F) A recipient of the Combat Infantry Badge or the Combat Medic Badge pursuant to
937 §17A-3-14(c)(29) of this code;

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

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

941 (I) A member of the 82nd Airborne Division Association pursuant to §17A-3-14(c)(40) of
942 this code.

943 (3) "Qualifying applicant" means an applicant who qualifies for an exempt military special
944 registration plate, and who also qualifies for a nonexempt military special registration plate, who
945 requests that the division issue one such nonexempt military special registration plate instead of
946 such exempt military special registration plate in order to have such nonexempt military special
947 registration plate be exempt from the payment of registration fees.