

Senate Bill No. 501

(By Senators Chafin, Barnes, Nohe and Fitzsimmons)

[Introduced March 12, 2013; referred to the Committee on
Transportation and Infrastructure; and then to the Committee on
Finance.]

**FISCAL
NOTE**

A BILL to amend and reenact §17A-3-14 of the Code of West Virginia,
1931, as amended, relating to permitting the Division of Motor
Vehicles to issue special registration plates to family
members of law-enforcement officers who have been killed in
the line of duty.

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;**

1 **commissioner to promulgate forms; suspension and**
2 **nonrenewal.**

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

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

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

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

19 (3) Registration numbering for registration plates shall begin
20 with number two.

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

23 (1) The Governor shall be issued two registration plates, on
24 one of which shall be imprinted the numeral one and on the other

1 the word one.

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

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

22 (B) Each plate issued pursuant to this subdivision shall bear
23 any combination of letters and numbers not to exceed an amount
24 determined by the commissioner and a designation of the office.

1 Each plate shall supersede the regular numbered plate assigned to
2 the official or his or her spouse during the official's term of
3 office and while the motor vehicle is owned by the official or his
4 or her spouse.

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

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

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

24 (B) The division shall charge an initial application fee of

1 \$10 for each special registration plate issued pursuant to this
2 subdivision, which is in addition to all other fees required by
3 this chapter. Except as otherwise provided herein, effective July
4 1, 2007, all fees currently held in the special revolving fund used
5 in the administration of this section and all fees collected by the
6 division shall be deposited in the State Road Fund.

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

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

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

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

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

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

6 (A) Upon appropriate application, the division shall issue to
7 any honorably discharged veteran of any branch of the armed
8 services of the United States 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 of the Division of
11 Motor Vehicles.

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

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

24 (6) The division may issue disabled veterans special

1 registration plates as follows:

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

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

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

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

19 (A) Upon appropriate application, there shall be issued to any
20 armed service person holding the distinguished Purple Heart medal
21 for persons wounded in combat a registration plate for a vehicle
22 titled in the name of the qualified applicant bearing letters or
23 numbers. The registration plate shall be designed by the
24 Commissioner of Motor Vehicles and shall denote that those

1 individuals who are granted this special registration plate are
2 recipients of the Purple Heart. All letterings shall be in purple
3 where practical.

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

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

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

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

18 (A) Upon appropriate application, the owner of a motor vehicle
19 who was enlisted in any branch of the armed services that
20 participated in and survived the attack on Pearl Harbor on December
21 7, 1941, the division shall issue a special registration plate for
22 a vehicle titled in the name of the qualified applicant. The
23 registration plate shall be designed by the Commissioner of Motor
24 Vehicles.

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

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

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

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

18 (A) Approved nonprofit charitable and educational
19 organizations previously authorized under the prior enactment of
20 this subdivision may accept and collect applications for special
21 registration plates from owners of Class A motor vehicles together
22 with a special annual fee of \$15, which is in addition to all other
23 fees required by this chapter. The applications and fees shall be
24 submitted to the Division of Motor Vehicles with the request that

1 the division issue a registration plate bearing a combination of
2 letters or numbers with the organizations' logo or emblem, with the
3 maximum number of letters or numbers to be determined by the
4 commissioner.

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

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

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

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

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

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

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

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

23 (A) Any owner of a motor vehicle who is a resident of the
24 State of West Virginia and who is a certified firefighter may apply

1 for a special license plate which bears the insignia of the
2 profession, for any number of Class A vehicles titled in the name
3 of the qualified applicant. Any insignia shall be designed by the
4 commissioner. License plates issued pursuant to this subdivision
5 shall bear the requested insignia pursuant to the provisions of
6 this article. Upon presentation of written evidence of
7 certification as a certified firefighter, certified firefighters
8 are eligible to purchase the special registration plate issued
9 pursuant to this subdivision.

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

21 (C) Each application submitted pursuant to this subdivision
22 shall be accompanied by payment of a special initial application
23 fee of \$10, which is in addition to any other registration or
24 license fee required by this chapter. All special fees shall be

1 collected by the division and deposited into the State Road Fund.

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

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

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

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

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

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

1 any other provision of this chapter.

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

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

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

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

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

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

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

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

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

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

24 (16) The division may issue members of the Silver Haired

1 Legislature special registration plates as follows:

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

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

14 (17) Upon appropriate application, the commissioner shall
15 issue to a classic motor vehicle or classic motorcycle as defined
16 in section three-a, article ten of this chapter, a special
17 registration plate designed by the commissioner. An annual fee of
18 \$15, in addition to all other fees required by this chapter, shall
19 be charged for each classic registration plate.

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

23 (A) Upon appropriate application, there shall be issued to any
24 honorably discharged veteran of any branch of the armed services of

1 the United States a special registration plate for any number of
2 motorcycles subject to Class G registration titled in the name of
3 the qualified applicant with an insignia designed by the
4 Commissioner of the Division of Motor Vehicles.

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

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

14 (19) Racing theme special registration plates:

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

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

23 (C) A special application fee of \$10 shall be charged at the
24 time of initial application as well as upon application for any

1 duplicate or replacement registration plate, in addition to all
2 other fees required by this chapter. All application fees shall be
3 deposited into the State Road Fund.

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

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

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: *Provided*, That nothing in this section exempts
23 the applicant for a special registration plate under this
24 subdivision from any other provision of this chapter.

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

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

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

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

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

1 registration plate.

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

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

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

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

23 (23) The division may issue special registration plates which
24 reflect patriotic themes, including the display of any United

1 States symbol, icon, phrase or expression which evokes patriotic
2 pride or recognition.

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

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

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

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

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

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

1 deposited into the State Road Fund.

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

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

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

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

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

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

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

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

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

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

24 (28) The division may issue volunteers and employees of the

1 American Red Cross special registration plates as follows:

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

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

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

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

17 (A) Upon appropriate application, the division shall 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 Persons desiring the special registration plate shall offer
21 sufficient proof that they have received either the Combat Infantry
22 Badge or the Combat Medic Badge.

23 (B) The division shall charge a special initial application
24 fee of \$10 in addition to all other fees required by law. This

1 special fee shall be collected by the division and deposited in the
2 State Road Fund.

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

5 (A) Upon appropriate application, the division shall 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 the Knights of Columbus.

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 Knights of Columbus to comply with
18 the minimum one hundred prepaid applications is hereby extended to
19 January 15, 2007.

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

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

1 Persons desiring the special registration plate shall offer
2 sufficient proof of former service as an elected or appointed
3 member of the West Virginia House of Delegates or the West Virginia
4 Senate.

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

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

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

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

24 (C) A special application fee of \$10 shall be charged at the

1 time of initial application as well as upon application for any
2 duplicate or replacement registration plate, in addition to all
3 other fees required by this chapter. All application fees shall be
4 deposited into the State Road Fund.

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

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

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

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

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

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

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

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

21 (35) The division may issue special registration plates to
22 members of the Harley Owners Group 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 membership in the Harley Owners Group.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 (B) Upon appropriate application, the division may issue
23 members of the 82nd Airborne Division Association in good standing,
24 as determined by the governing body of the organization, a special

1 registration plate for any number of vehicles titled in the name of
2 the qualified applicant.

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

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

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

17 (A) Upon appropriate application, the division shall issue to
18 any member of a municipal police department, sheriff's department,
19 the State Police or the law-enforcement division of the Division of
20 Natural Resources who has been wounded in the line of duty and
21 awarded a Purple Heart in recognition thereof by the West Virginia
22 Chiefs of Police Association, the West Virginia Sheriffs'
23 Association, the West Virginia Troopers Association or the Division
24 of Natural Resources a special registration plate for one vehicle

1 titled in the name of the qualified applicant with an insignia
2 appropriately designed by the commissioner.

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

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

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

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

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

24 (B) The division shall charge a special one-time initial

1 application fee of \$10 in addition to all other fees required by
2 law. This special fee shall be collected by the division and
3 deposited in the 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 (43) The division may issue special registration plates
7 commemorating the centennial anniversary of the creation of Davis
8 and Elkins College as follows:

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

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

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

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

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

1 (B) The division shall charge a special initial application
2 fee of \$10. This special fee shall be deposited in the State Road
3 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 (45) The division may issue special registration plates to
7 members of the Knights of Pythias or Pythian Sisters as follows:

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

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

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

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

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

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

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

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

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

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

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

1 special registration plate designed by the commissioner which
2 recognizes, supports and honors organ and tissue donors and
3 includes the words "Donate Life".

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

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

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

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

24 (50) The division may issue special registration plates

1 bearing an appropriate logo, symbol or insignia combined with the
2 words "SHARE THE ROAD" designed to promote bicycling in the state
3 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 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) An annual fee of \$15 shall be charged for each plate in
12 addition to all other fees required by this chapter.

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

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

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 (52) The division may issue special registration plates to
2 present and former Boy Scouts 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 Persons desiring the special registration plate shall offer
7 sufficient proof of present or past membership in the Boy Scouts as
8 either a member or a leader.

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

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

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

23 (B) The division shall charge a special initial application
24 fee of \$10 in addition to all other fees required by law. This

1 special fee shall be deposited in the State Road Fund.

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

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

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

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

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

23 (B) The division shall charge a special initial application
24 fee of \$10 in addition to all other fees required by law. This

1 special fee shall be collected by the division and deposited in the
2 State Road Fund.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 (60) The commissioner may issue special registration plates to
21 family members of law-enforcement officers killed in the line of
22 duty as follows:

23 (A) Upon appropriate application, the division shall issue a
24 special registration plate designed by the commissioner for family

1 members of law-enforcement officers who have been killed in the
2 line of duty, such plate to incorporate somewhere in the design
3 "Family Member of a Law-Enforcement Officer Killed in the Line of
4 Duty" for a vehicle titled in the name of the applicant.

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) The provisions of subsection (d) of this section are not
10 applicable for the issuance of the special license plates
11 designated by this subdivision.

12 ~~(60)~~ (61) Upon approval by the commissioner of an appropriate
13 application, and upon all requirements of this subdivision being
14 satisfied, the division may issue special registration plates for
15 class A and class G motor vehicles to members of an organization
16 for which a special registration plate has not been issued pursuant
17 to any other subdivision in this subsection prior to January 1,
18 2010, in accordance with the provisions of this subdivision.

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

23 (i) The organization must be a nonprofit organization
24 organized and existing under Section 501(c)(3) of Title 26 of the

1 Internal Revenue Code and based, headquartered or have a chapter in
2 West Virginia;

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

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

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

13 (v) The name of the organization may not be the name of a
14 special product or brand name, and may not be construed, as
15 determined by the commissioner, as promoting a product or brand
16 name; and

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

21 (B) Beginning July 1, 2010, an organization requesting the
22 creation and issuance of a special registration plate may make
23 application with the division. The application shall include
24 sufficient information, as determined by the commissioner, to

1 determine whether the special registration plate requested and the
2 organization making the application meet all of the requirements
3 set forth in this subdivision. ~~(60)~~. The application shall also
4 include a proposed design, including lettering, logo, image or
5 message to be placed on the registration plate. The commissioner
6 shall notify the organization of the commissioner's approval or
7 disapproval of the application.

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

18 (ii) If the organization fails to submit the required number
19 of applications and fees within six months of the effective date of
20 the approval of the application for the plate by the commissioner,
21 the plate will not be produced until a new application is submitted
22 and is approved by the commissioner: *Provided, That an*
23 organization that is unsuccessful in obtaining the minimum number
24 of applications may not make a new application for a special plate

1 until at least two years have passed since the approval of the
2 previous application of the organization.

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

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

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

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

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

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

24 (d) The minimum number of applications required prior to

1 design and production of a special license plate shall be as
2 follows:

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

21 (2) The commissioner may not begin the design or production of
22 any license plates authorized by this section for which membership
23 or affiliation with a particular organization is not required until
24 at least two hundred fifty registrants complete an application and

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

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

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

22 (3) Qualified former prisoners of war and recipients of the
23 Congressional Medal of Honor may obtain a second special
24 registration plate for use on a passenger vehicle titled in the

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

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

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

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

23 (g) The provisions of this section may not be construed to
24 exempt any registrant from maintaining motor vehicle liability

1 insurance as required by section three, article two-a, chapter
2 seventeen-d of this code or from paying personal property taxes on
3 any motor vehicle as required by section three-a of this article.

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

20 (i) Any license plate issued or renewed pursuant to this
21 chapter which is paid for by a check that is returned for
22 nonsufficient funds is void without further notice to the
23 applicant. The applicant may not reinstate the registration until
24 the returned check is paid by the applicant in cash, money order or

1 certified check and all applicable fees assessed as a result
2 thereof have been paid.

NOTE: The purpose of this bill is to permit the Division of Motor Vehicles to issue special registration plates to family members of law-enforcement officers who have been killed in the line of duty.

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