

# **WEST VIRGINIA LEGISLATURE**

## **2016 REGULAR SESSION**

**Introduced**

### **House Bill 2472**

**2015 Carryover**

(BY DELEGATE RODIGHIERO)

[Introduced January 13, 2016; referred to the  
Committee on Roads and Transportation then  
Finance.]

1 A BILL to amend and reenact §17A-3-14 of the Code of West Virginia, 1931, as amended, relating  
 2 to the authority of the Commissioner of Motor Vehicles to issue a special registration plate  
 3 for persons who are residents of this state and who have a family member diagnosed with  
 4 autism spectrum disorder who operates a motor vehicle in this state.

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

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

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

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

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  
 5 the registration number assigned to the vehicle for which it is issued; the name of this state,  
 6 which may be abbreviated; and the year number for which it is issued or the date of expiration of  
 7 the plate.

8 (2) Every registration plate and the required letters and numerals on the plate shall be of  
 9 sufficient size to be plainly readable from a distance of one hundred feet during daylight:

10 *Provided,* That the requirements of this subdivision shall not apply to the year number for which  
 11 the plate is issued or the date of expiration.

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

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

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

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

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

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

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

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

39 (A) Upon receipt of an application on a form prescribed by the division and receipt of  
40 written evidence from the chief executive officer of the Army National Guard or Air National  
41 Guard, as appropriate, or the commanding officer of any United States Armed Forces reserve  
42 unit that the applicant is a member thereof, the division shall issue to any member of the  
43 National Guard of this state or a member of any reserve unit of the United States Armed Forces  
44 a special registration plate designed by the commissioner for any number of Class A motor  
45 vehicles owned by the member. Upon presentation of written evidence of retirement status,  
46 retired members of this state's Army or Air National Guard, or retired members of any reserve  
47 unit of the United States Armed Forces, are eligible to purchase the special registration plate  
48 issued pursuant to this subdivision.

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

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

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

58 (A) Upon appropriate application, any owner of a motor vehicle subject to Class A  
59 registration, or a motorcycle subject to Class G registration, as defined by this article, may  
60 request that the division issue a registration plate bearing specially arranged letters or numbers

61 with the maximum number of letters or numbers to be determined by the commissioner. The  
62 division shall attempt to comply with the request wherever possible.

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

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

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

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

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

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

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

84 (A) Upon appropriate application, the division shall issue to any disabled veteran who is

85 exempt from the payment of registration fees under the provisions of this chapter a registration  
86 plate for a vehicle titled in the name of the qualified applicant which bears the letters "DV" in red  
87 and also the regular identification numerals in red.

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

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

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

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

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

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

108 (D) A recipient of the Purple Heart medal may obtain a second Purple Heart medal

109 license plate as described in this section for use on a passenger vehicle titled in the name of the  
110 qualified applicant. The division shall charge a one-time fee of \$10 to be deposited into the  
111 State Road Fund, in addition to all other fees required by this chapter, for the second plate.

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

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

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

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

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

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

131 (A) Approved nonprofit charitable and educational organizations previously authorized  
132 under the prior enactment of this subdivision may accept and collect applications for special

133 registration plates from owners of Class A motor vehicles together with a special annual fee of  
134 \$15, which is in addition to all other fees required by this chapter. The applications and fees  
135 shall be submitted to the Division of Motor Vehicles with the request that the division issue a  
136 registration plate bearing a combination of letters or numbers with the organizations' logo or  
137 emblem, with the maximum number of letters or numbers to be determined by the  
138 commissioner.

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

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

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

150 (A) Any owner of a motor vehicle who is a resident of the State of West Virginia and who  
151 is a certified paramedic or emergency medical technician, a member of a paid fire department, a  
152 member of the state Fire Commission, the State Fire Marshal, the State Fire Marshal's  
153 assistants, the State Fire Administrator and voluntary rescue squad members may apply for a  
154 special license plate for any number of Class A vehicles titled in the name of the qualified  
155 applicant which bears the insignia of the profession, group or commission. Any insignia shall  
156 be designed by the commissioner. License plates issued pursuant to this subdivision shall

157 bear the requested insignia in addition to the registration number issued to the applicant  
158 pursuant to the provisions of this article.

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

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

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

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

176 (B) Each application submitted pursuant to this subdivision shall be accompanied by an  
177 affidavit stating that the applicant is justified in having a registration with the requested insignia;  
178 proof of compliance with all laws of this state regarding registration and licensure of motor  
179 vehicles; and payment of all required fees. The firefighter certification department, section or  
180 division of the West Virginia University fire service extension shall notify the commissioner in

181 writing immediately when a firefighter loses his or her certification. If a firefighter loses his or  
182 her certification, the commissioner may not issue him or her a license plate under this  
183 subsection.

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

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

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

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

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

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

201 (B) The division may charge a special one-time initial application fee of \$10 in addition to  
202 all other fees required by this chapter. This special fee is to compensate the Division of Motor  
203 Vehicles for additional costs and services required in the issuing of the special registration and  
204 shall be collected by the division and deposited in the State Road Fund: *Provided, That*

205 nothing in this section may be construed to exempt any veteran from any other provision of this  
206 chapter.

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

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

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

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

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

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

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

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

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

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

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

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

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

251 (17) Upon appropriate application, the commissioner shall issue to a classic motor  
252 vehicle or classic motorcycle as defined in section three-a, article ten of this chapter, a special

253 registration plate designed by the commissioner. An annual fee of \$15, in addition to all other  
254 fees required by this chapter, shall be charged for each classic registration plate.

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

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

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

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

268 (19) Racing theme special registration plates:

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

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

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

277 Fund.

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

281 (A) Upon appropriate application, the division shall issue to any recipient of the Navy  
282 Cross, Distinguished Service Cross, Distinguished Flying Cross, Air Force Cross, Silver Star,  
283 Bronze Star or Air Medal, a registration plate for any number of vehicles titled in the name of the  
284 qualified applicant bearing letters or numbers. A separate registration plate shall be designed  
285 by the Commissioner of Motor Vehicles for each award that denotes that those individuals who  
286 are granted this special registration plate are recipients of the Navy Cross, Distinguished  
287 Service Cross, Distinguished Flying Cross, Air Force Cross, Silver Star or Bronze Star, or Air  
288 Medal as applicable.

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

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

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

299 (A) Upon appropriate application, the division shall issue to any honorably discharged  
300 veteran of any branch of the armed services of the United States with verifiable service during

301 World War II, the Korean War, the Vietnam War, the Persian Gulf War or the War Against  
302 Terrorism a special registration plate for any number of vehicles titled in the name of the  
303 qualified applicant with an insignia designed by the commissioner denoting service in the  
304 applicable conflict.

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

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

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

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

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

323 (C) Each application submitted pursuant to this subdivision shall be accompanied by  
324 payment of a special one-time initial application fee of \$10, which is in addition to any other

325 registration or license fee required by this chapter. All application fees shall be deposited into  
326 the State Road Fund.

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

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

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

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

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

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

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

346 (25) The division may issue a special registration plate celebrating the centennial of the  
347 4-H youth development movement and honoring the Future Farmers of America organization as  
348 follows:

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

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

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

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

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

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

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

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

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

373 applicant. Persons desiring the special registration plate shall offer sufficient proof of  
374 membership in Nemesis Shrine.

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

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

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

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

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

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

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

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

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

397 designed by the commissioner for any number of vehicles titled in the name of the qualified  
398 applicant. Persons desiring the special registration plate shall offer sufficient proof that they  
399 have received either the Combat Infantry Badge or the Combat Medic Badge.

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

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

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

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

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

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

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

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

421 applicant. Persons desiring the special registration plate shall offer sufficient proof of former  
422 service as an elected or appointed member of the West Virginia House of Delegates or the  
423 West Virginia Senate.

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

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

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

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

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

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

443 (D) The division shall not begin production of a plate authorized under the provisions of  
444 this subdivision until the division receives at least one hundred completed applications from the

445 state or county executive committee members, including all fees required pursuant to this  
446 subdivision.

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

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

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

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

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

464 (34) The division may issue special registration plates bearing the logo, symbol, insignia,  
465 letters or words demonstrating association with West Liberty State College to any resident  
466 owner of a motor vehicle. Resident owners may apply for the special license plate for any  
467 number of Class A vehicles titled in the name of the applicant. The special registration plates  
468 shall be designed by the commissioner. Each application submitted pursuant to this

469 subdivision shall be accompanied by payment of a special initial application fee of \$15, which is  
470 in addition to any other registration or license fee required by this chapter. The division shall  
471 charge an annual fee of \$15 for each special registration plate in addition to all other fees  
472 required by this chapter. All special fees shall be collected by the division and deposited into  
473 the State Road Fund.

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

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

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

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

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

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

492 (B) A special initial application fee of \$10 shall be charged in addition to all other fees

493 required by law. This special fee shall be collected by the division and deposited in the State  
494 Road Fund: *Provided*, That nothing in this section may be construed to exempt any registrants  
495 from any other provision of this chapter.

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

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

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

503 (B) The division shall charge a special initial application fee of \$10 in addition to all other  
504 fees required by law. This special fee shall be collected by the division and deposited in the  
505 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 (38) The division may issue special registration plates honoring the farmers of West  
509 Virginia as follows:

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

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

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

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

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

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

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

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

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

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

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

540 (D) A surviving spouse may continue to use his or her deceased spouse's special 82nd

541 Airborne Division Association registration plate until the surviving spouse dies, remarries or  
542 does not renew the special registration plate.

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

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

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

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

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

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

563 (A) Upon appropriate application, the division shall issue to an applicant who is a Native  
564 American resident of West Virginia a registration plate for a vehicle titled in the name of the

565 applicant with an insignia designed by the Commissioner of the Division of Motor Vehicles to  
566 designate the recipient as a Native American.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

612 (47) The division may issue special registration plates to members of Lions International

613 as follows:

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

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

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

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

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

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

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

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

635 (A) Upon appropriate application, the division may issue a special registration plate  
636 designed by the commissioner in consultation with the West Virginia Bar Association for any

637 number of vehicles titled in the name of the qualified applicant. Persons desiring the special  
638 registration plate shall offer sufficient proof of membership in the West Virginia Bar Association.

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

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

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

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

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

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

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

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

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

665 (A) Upon appropriate application, the division may issue a special registration plate  
666 designed by the Commissioner for any number of vehicles titled in the name of the qualified  
667 applicant. Persons desiring the special registration plate shall offer sufficient proof of present  
668 or past membership in the Boy Scouts as either a member or a leader.

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

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

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

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

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

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

684 (54) The division may issue special registration plates recognizing and memorializing

685 victims of domestic violence.

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

690 (B) The division shall charge a special initial application fee of \$10. This special fee  
691 shall be 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 (55) The division may issue special registration plates bearing the logo, symbol, insignia,  
695 letters or words demonstrating association with or support for the University of Charleston as  
696 follows:

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

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 collected by the division and deposited in the  
702 State Road Fund.

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

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

707 (A) Upon appropriate application, the division may issue a special registration plate  
708 designed by the commissioner in consultation with the Sons of the American Revolution for any

709 number of vehicles titled in the name of the qualified applicant. Persons desiring the special  
710 registration plate shall offer sufficient proof of membership in the Sons of the American  
711 Revolution.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

754 (60) The division may issue a special registration plate for persons who are residents of  
755 this state and who have a family member diagnosed with autism spectrum disorder who  
756 operates a motor vehicle in this state.

757 (A) Upon appropriate application, the division shall issue to an applicant who is a  
758 resident of West Virginia a registration plate for a vehicle titled in the name of the applicant, who  
759 has a family member diagnosed with autism spectrum disorder who operates a motor vehicle in  
760 this state, with an insignia designed by the Commissioner of the Division of Motor Vehicles to  
761 designate the recipient has a family member driver diagnosed with autism spectrum disorder.

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

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

767 ~~(60)~~ (61) Upon approval by the commissioner of an appropriate application, and upon all  
768 requirements of this subdivision being satisfied, the division may issue special registration  
769 plates for class A and class G motor vehicles to members of an organization for which a special  
770 registration plate has not been issued pursuant to any other subdivision in this subsection prior  
771 to January 1, 2010, in accordance with the provisions of this subdivision.

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

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

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

780 (iii) The organization may not be a political party and may not have been created or exist

781 primarily to promote a specific political or social belief, as determined by the commissioner in his  
782 or her sole discretion;

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

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

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

791 (B) Beginning July 1, 2010, an organization requesting the creation and issuance of a  
792 special registration plate may make application with the division. The application shall include  
793 sufficient information, as determined by the commissioner, to determine whether the special  
794 registration plate requested and the organization making the application meet all of the  
795 requirements set forth in this subdivision ~~(60)~~ (61). The application shall also include a  
796 proposed design, including lettering, logo, image or message to be placed on the registration  
797 plate. The commissioner shall notify the organization of the commissioner's approval or  
798 disapproval of the application.

799 (C) (i) The commissioner may not begin the design or production of any license plates  
800 authorized and approved pursuant to this subdivision ~~(60)~~ (61), subsection (c) of this section  
801 until the organization which applied for the special registration plate has collected and submitted  
802 collectively to the division applications completed by at least two hundred fifty persons and  
803 collectively deposited with the division all fees necessary to cover the first year's basic  
804 registration, one-time design and manufacturing costs and to cover the first year additional

805 annual fee for all of the applications submitted.

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

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

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

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

822 (G) The commissioner shall discontinue the issuance or renewal of the registration of  
823 any special plate issued pursuant to this subdivision ~~(60)~~ (61) if:

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

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

828 (d) The minimum number of applications required prior to design and production of a

829 special license plate shall be as follows:

830 (1) The commissioner may not begin the design or production of any license plates for  
831 which eligibility is based on membership or affiliation with a particular private organization until  
832 at least one hundred persons complete an application and deposit with the organization a  
833 check to cover the first year's basic registration, one-time design and manufacturing costs and  
834 to cover the first year additional annual fee. If the organization fails to submit the required  
835 number of applications with attached checks within six months of the effective date of the  
836 original authorizing legislation, the plate will not be produced and will require legislative  
837 reauthorization: *Provided*, That an organization or group that is unsuccessful in obtaining the  
838 minimum number of applications may not request reconsideration of a special plate until at least  
839 two years have passed since the effective date of the original authorization: *Provided*,  
840 *however*, That the provisions of this subdivision (1) are not applicable to the issuance of plates  
841 authorized pursuant to subdivision ~~(60)~~ (61), subsection (c) of this section.

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

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

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

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

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

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

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

876 (g) The provisions of this section may not be construed to exempt any registrant from

877 maintaining motor vehicle liability insurance as required by section three, article two-a, chapter  
878 seventeen-d of this code or from paying personal property taxes on any motor vehicle as  
879 required by section three-a of this article.

880 (h) The commissioner may, in his or her discretion, issue a registration plate of  
881 reflectorized material suitable for permanent use on motor vehicles, trailers and semitrailers,  
882 together with appropriate devices to be attached to the registration to indicate the year for which  
883 the vehicles have been properly registered or the date of expiration of the registration. The  
884 design and expiration of the plates shall be determined by the commissioner. The  
885 commissioner shall, whenever possible and cost effective, implement the latest technology in  
886 the design, production and issuance of registration plates, indices of registration renewal and  
887 vehicle ownership documents, including, but not limited to, offering Internet renewal of vehicle  
888 registration and the use of bar codes for instant identification of vehicles by scanning equipment  
889 to promote the efficient and effective coordination and communication of data for improving  
890 highway safety, aiding law enforcement and enhancing revenue collection.

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

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NOTE: The purpose of this bill is to authorize the Commissioner of Motor Vehicles to issue a special registration plate for persons who are residents of this state and who have a family member diagnosed with autism spectrum disorder who operates a motor vehicle in this state.

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

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