

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

House Bill 4327

BY DELEGATES R. PHILLIPS, MARCUM, PERDUE, J.

NELSON, ELDRIDGE, RODIGHIERO, ROHRBACH, SOBONYA,

MOFFATT, WELD AND O'NEIL

BY REQUEST

[Introduced January 29, 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 authorizing a special registration plate for elk.

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, which
6 may be abbreviated; and the year number for which it is issued or the date of expiration of the
7 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: *Provided,*
10 That the requirements of this subdivision shall not apply to the year number for which the plate
11 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 imprinted

16 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 plate
26 for a Class A motor vehicle and a special registration plate for a Class G motorcycle owned by
27 the official or his or her spouse: *Provided*, That the division may issue a Class A special
28 registration plate for each vehicle titled to the official and a Class G special registration plate for
29 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 the
32 office. Each plate shall supersede the regular numbered plate assigned to the official or his or her
33 spouse during the official's term of office and while the motor vehicle is owned by the official or
34 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 Guard,
41 as appropriate, or the commanding officer of any United States Armed Forces Reserve unit that

42 the applicant is a member thereof, the division shall issue to any member of the National Guard
43 of this state or a member of any Reserve unit of the United States Armed Forces a special
44 registration plate designed by the commissioner for any number of Class A motor vehicles owned
45 by the member. Upon presentation of written evidence of retirement status, retired members of
46 this state's Army or Air National Guard, or retired members of any Reserve unit of the United
47 States Armed Forces, are eligible to purchase the special registration plate issued pursuant to
48 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 the
52 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 Guard
55 forces license plate until the surviving spouse dies, remarries or does not renew the license plate.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

119 (C) A surviving spouse may continue to use his or her deceased spouse's survivors of the

120 attack on Pearl Harbor license plate until the surviving spouse dies, remarries or does not renew
121 the license plate.

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

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

129 (A) Approved nonprofit charitable and educational organizations previously authorized
130 under the prior enactment of this subdivision may accept and collect applications for special
131 registration plates from owners of Class A motor vehicles together with a special annual fee of
132 \$15, which is in addition to all other fees required by this chapter. The applications and fees shall
133 be submitted to the Division of Motor Vehicles with the request that the division issue a registration
134 plate bearing a combination of letters or numbers with the organizations' logo or emblem, with the
135 maximum number of letters or numbers to be determined by the commissioner.

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

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

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

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

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

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

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

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

171 (B) Each application submitted pursuant to this subdivision shall be accompanied by an

172 affidavit stating that the applicant is justified in having a registration with the requested insignia;
173 proof of compliance with all laws of this state regarding registration and licensure of motor
174 vehicles; and payment of all required fees. The firefighter certification department, section or
175 division of the West Virginia University fire service extension shall notify the commissioner in
176 writing immediately when a firefighter loses his or her certification. If a firefighter loses his or her
177 certification, the commissioner may not issue him or her a license plate under this subsection.

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

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

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

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

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

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

195 (B) The division may charge a special one-time initial application fee of \$10 in addition to
196 all other fees required by this chapter. This special fee is to compensate the Division of Motor
197 Vehicles for additional costs and services required in the issuing of the special registration and

198 shall be collected by the division and deposited in the State Road Fund: *Provided*, That nothing
199 in this section may be construed to exempt any veteran from any other provision of this chapter.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

250 any number of motorcycles subject to Class G registration titled in the name of the qualified
251 applicant with an insignia designed by the Commissioner of the Division of Motor Vehicles.

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

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

259 (19) Racing theme special registration plates:

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

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

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

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

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

276 granted this special registration plate are recipients of the Navy Cross, Distinguished Service
277 Cross, Distinguished Flying Cross, Air Force Cross, Silver Star or Bronze Star, or Air Medal as
278 applicable.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

335 (25) The division may issue a special registration plate celebrating the centennial of the
336 4-H youth development movement and honoring the Future Farmers of America organization as
337 follows:

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

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

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

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

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

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

354 Road Fund.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

405 (31) The division may issue special registration plates to former members of the

406 Legislature as follows:

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

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

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

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

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

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

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

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

432 subdivision.

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

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

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

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

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

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

458 special fees shall be collected by the division and deposited into the State Road Fund.

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

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

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

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

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

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

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

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

483 (37) The division may issue special registration plates bearing the logo, symbol, insignia,

484 letters or words demonstrating association with or support for Fairmont State College as follows:

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

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

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

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

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

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

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

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

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

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

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

510 required by this chapter.

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

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

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

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

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

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

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

535 (B) Registration plates issued pursuant to this subdivision are exempt from the registration

536 fees otherwise required by the provisions of this chapter.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

588 designed by the commissioner for any number of vehicles titled in the name of the qualified
589 applicant.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

638 (A) Upon appropriate application, the division shall issue a special registration plate
639 depicting and displaying coal miners in mining activities as prescribed and designated by the

640 commissioner and the board of the National Coal Heritage Area Authority.

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

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

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

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

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

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

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

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

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

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

666 required by this chapter.

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

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

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

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

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

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

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

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

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

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

692 number of vehicles titled in the name of the qualified applicant. Persons desiring the special
693 registration plate shall offer sufficient proof of membership in the Sons of the American
694 Revolution.

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

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

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

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

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

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

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

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

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

718 next of kin.

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

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

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

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

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

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

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

736 (60) The division may issue a special registration plate featuring elk in scenic vistas of the
737 state as follows:

738 (A) Upon appropriate application, the commissioner shall issue a special registration plate
739 displaying a scenic design of West Virginia featuring elk in the scene.

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

743 (C) The division shall charge an annual fee of \$15 for each special registration plate in

744 addition to all other fees required by this chapter.

745 ~~(60)~~ (61) Upon approval by the commissioner of an appropriate application, and upon all
746 requirements of this subdivision being satisfied, the division may issue special registration plates
747 for class A and class G motor vehicles to members of an organization for which a special
748 registration plate has not been issued pursuant to any other subdivision in this subsection prior to
749 January 1, 2010, in accordance with the provisions of this subdivision.

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

753 (i) The organization must be a nonprofit organization organized and existing under Section
754 501(c)(3) of Title 26 of the Internal Revenue Code and based, headquartered or have a chapter
755 in West Virginia;

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

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

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

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

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

769 (B) Beginning July 1, 2010, an organization requesting the creation and issuance of a

770 special registration plate may make application with the division. The application shall include
771 sufficient information, as determined by the commissioner, to determine whether the special
772 registration plate requested and the organization making the application meet all of the
773 requirements set forth in this subdivision ~~(60)~~ (61). The application shall also include a proposed
774 design, including lettering, logo, image or message to be placed on the registration plate. The
775 commissioner shall notify the organization of the commissioner's approval or disapproval of the
776 application.

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

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

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

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

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

796 designed by the commissioner in consultation with the organization for any number of vehicles
797 titled in the name of a qualified registration plate applicant. Persons desiring the special
798 registration plate shall offer sufficient proof of membership in the organization.

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

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

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

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

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

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

822 the division to cover the first year's basic registration fee, one-time design and manufacturing fee
823 and additional annual fee if applicable. If the commissioner fails to receive the required number
824 of applications within six months of the effective date of the original authorizing legislation, the
825 plate will not be produced and will require legislative reauthorization: *Provided*, That if the
826 minimum number of applications is not satisfied within the six months of the effective date of the
827 original authorizing legislation, a person may not request reconsideration of a special plate until
828 at least two years have passed since the effective date of the original authorization.

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

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

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

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

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

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

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

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

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

NOTE: The purpose of this bill is to authorize the issuance of a special registration plate featuring an elk.

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