

# **WEST VIRGINIA LEGISLATURE**

**2019 REGULAR SESSION**

**Originating**

## **Senate Bill 542**

BY SENATORS CLEMENTS, SWOPE, BEACH, PLYMALE,

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[Originating in the Committee on Transportation and

Infrastructure; Reported on February 6, 2019]



1 A BILL to amend and reenact §17A-3-14 of the Code of West Virginia, 1931, as amended, relating  
2 to registration fees for military-related special registration plates.

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

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

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

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

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

4 (1) Every registration plate shall be of reflectorized material and have displayed upon it  
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 100 feet during daylight: *Provided*, That  
10 the requirements of this subdivision shall not apply to the year number for which the plate is issued  
11 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 the  
42 applicant is a member thereof, the division shall issue to any member of the National Guard of  
43 this state or a member of any reserve unit of the United States armed forces a special registration

44 plate designed by the commissioner for any number of Class A motor vehicles owned by the  
45 member. Upon presentation of written evidence of retirement status, retired members of this  
46 state's Army or Air National Guard, or retired members of any reserve unit of the United States  
47 armed forces, are eligible to purchase the special registration plate issued pursuant to this  
48 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 §29A-1-1 *et seq.* 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 2,000.

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 the Division of Motor Vehicles and  
100 shall denote that those individuals who are granted this special registration plate are recipients of  
101 the Purple Heart. 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 the Division of 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 organization's 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 §29A-3-1 *et seq.* of this code regarding the procedures for and approval of special  
138 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 subdivision.

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 100 applicants. The insignia on the plate shall be designed by the  
207 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 §17A-10-3a of this code, a special registration plate designed  
244 by the commissioner. An annual fee of \$15, in addition to all other fees required by this chapter,  
245 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 the Division of Motor Vehicles for each award that denotes that those  
276 individuals who are granted this special registration plate are recipients of the Navy Cross,

277 Distinguished Service Cross, Distinguished Flying Cross, Air Force Cross, Silver Star, Bronze  
278 Star, or Air Medal as 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  
301 renew 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. The division shall also issue registration plates with the words "In  
320 God We Trust":

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

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

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

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

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

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

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

339 (25) The division may issue a special registration plate celebrating the centennial of the  
340 4-H youth development movement and honoring the Future Farmers of America organization as  
341 follows:

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

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

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

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



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

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

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

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

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

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

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

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

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

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

379 bears recognition of the applicant as a volunteer or employee of the American Red Cross for any  
380 number of vehicles titled in the name of the qualified applicant.

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

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

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

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

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

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

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

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

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

406 (D) Notwithstanding the provisions of §17A-3-14(d) of this code, the time period for the  
407 Knights of Columbus to comply with the minimum 100 prepaid applications is hereby extended to  
408 January 15, 2007.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

453 (34) The division may issue special registration plates bearing the logo, symbol, insignia,  
454 letters, or words demonstrating association with West Liberty State College to any resident owner  
455 of a motor vehicle. Resident owners may apply for the special license plate for any number of

456 Class A vehicles titled in the name of the applicant. The special registration plates shall be  
457 designed by the commissioner. Each application submitted pursuant to this subdivision shall be  
458 accompanied by payment of a special initial application fee of \$15, which is in addition to any  
459 other registration or license fee required by this chapter. The division shall charge an annual fee  
460 of \$15 for each special registration plate in addition to all other fees required by this chapter. All  
461 special fees shall be collected by the division and deposited into the State Road Fund.

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

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

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

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

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

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

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

482 Fund: *Provided*, That nothing in this section may be construed to exempt any registrants from any  
483 other provision of this chapter.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

605 (A) Upon appropriate application, the division may issue a special registration plate  
606 designed by the commissioner in consultation with Lions International for any number of vehicles

607 titled in the name of the qualified applicant. Persons desiring the special registration plate shall  
608 offer sufficient proof of membership in Lions International.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

645 (51) The division may issue special registration plates honoring coal miners and the coal  
646 industry as follows:

647 (A) Upon appropriate application, the division shall issue a special registration plate  
648 depicting and displaying coal miners in mining activities as prescribed and designated by the  
649 commissioner and the board of the National Coal Heritage Area Authority. The division may also  
650 issue registration plates with the words "Friends of Coal".

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

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

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

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

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

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

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

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

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

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

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

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

681 (A) Upon appropriate application, the division may issue a special registration plate  
682 designed by the commissioner to recognize and memorialize victims of domestic violence, such

683 plate to incorporate somewhere in the design the “purple ribbon emblem”, for any number of  
684 vehicles titled in the name of the applicant.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



756 (i) The organization must be a nonprofit organization organized and existing under Section  
757 501(c)(3) of Title 26 of the Internal Revenue Code and based, headquartered, or have a chapter  
758 in West Virginia;

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

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

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

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

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

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

780 (C)(i) The commissioner may not begin the design or production of any license plates  
781 authorized and approved pursuant to this subdivision until the organization which applied for the

782 special registration plate has collected and submitted collectively to the division applications  
783 completed by at least 250 persons and collectively deposited with the division all fees necessary  
784 to cover the first year's basic registration, one-time design and manufacturing costs, and to cover  
785 the first year additional annual fee for all of the applications submitted.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

843 (1) The commissioner may issue or renew for a period of no more than 10 years any  
844 registration plate exempted from registration fees pursuant to any provision of this code or any  
845 restricted use antique motor vehicle license plate authorized by §17A-10-3a of this code:  
846 *Provided*, That the provisions of this subsection do not apply to any person who has had a special  
847 registration suspended for failure to maintain motor vehicle liability insurance as required by  
848 §17D-2A-3 of this code or failure to pay personal property taxes as required by §17A-3-3a of this  
849 code.

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

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

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.

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

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

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

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

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

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

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

885 (2) "Nonexempt military special registration plate" means a special registration plate

886 related to military service that is issued pursuant to this section for which registration fees are not

887 exempt pursuant to this section or §17A-10-8 of this code, including, but not limited to, special

888 registration plate issued to one of the following:

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

890 (B) An honorably discharged veteran pursuant to §17A-3-14(c)(5) or §17A-3-14(c)(21) of

891 this code;

892 (C) An honorably discharged Marine Corps League member pursuant to §17A-3-14(c)(13)

893 of this code;

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

895 (E) A recipient of the Navy Cross, Distinguished Service Cross, Distinguished Flying

896 Cross, Air Force Cross, Bronze Star, Silver Star, or Air Medal pursuant to §17A-3-14(c)(20) of this

897 code;

898 (F) A recipient of the Combat Infantry Badge or the Combat Medic Badge pursuant to

899 §17A-3-14(c)(29) of this code;

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

901 (H) A person retired from any branch of the armed services of the United States pursuant

902 to §17A-3-14(c)(36) of this code; or

903 (I) A member of the 82nd Airborne Division Association pursuant to §17A-3-14(c)(40) of

904 this code.

905 (3) "Qualifying applicant" means an applicant who qualifies for an exempt military special

906 registration plate, and who also qualifies for a nonexempt military special registration plate, who

907 requests that the division issue one such nonexempt military special registration plate instead of

908 such exempt military special registration plate in order to have such nonexempt military special  
909 registration plate be exempt from the payment of registration fees.

NOTE: The purpose of this bill is to allow a veteran or current member of the military who qualifies for a military special registration plate that is exempt from all registration fees (such as the Purple Heart combat wounded plate), but who also qualifies for another military special registration plate for which registration fees are not exempt (such as a Marine Corps plate), to select one nonexempt plate instead of the exempt plate without having to pay the registration fee for the nonexempt plate. This would, for example, permit a Purple Heart recipient to obtain one Marine Corps plate instead of the Purple Heart plate without having to pay registration fees for such Marine Corps plate.

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