

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Introduced

House Bill 2970

FISCAL
NOTE

BY DELEGATES CAMPBELL, LAVENDER-BOWE, HANNA,

ROHRBACH, HORNBUCKLE, TONEY, BUTLER, HILL, J.

KELLY, HIGGINBOTHAM AND CANESTRARO

[Introduced February 11, 2019; Referred
to the Committee on Technology and Infrastructure
then Finance.]

1 A BILL to amend and reenact §17A-3-14 of the Code of West Virginia, 1931, as amended; and to
2 amend said code by adding thereto a new article designated §17B-2C-1, §17B-2C-2,
3 §17B-2C-3, §17B-2C-4, §17B-2C-5, and §17B-2C-6, all relating to establishing a special
4 plate with a medical condition diagnosis for persons with medical conditions affecting
5 speech, mobility, or other motor functions; providing for a short title; providing for obtaining
6 a medical condition designated driver's license, providing for obtaining a medical condition
7 designated license plate; providing for confidentiality of medical records; providing for rule-
8 making authority; and providing for an effective date.

Be it enacted by the Legislature of West Virginia:

**CHAPTER 17A. MOTOR VEHICLE ADMINISTRATION, REGISTRATION,
CERTIFICATE OF TITLE, AND ANTITHEFT PROVISIONS.**

**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
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 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 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 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 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 §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 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 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 section 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, symbol
636 or insignia combined with the words "SHARE THE ROAD" designed to promote bicycling in the
637 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-10-15, §17A-3-3,
852 or §17A-10-3a 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 commissioner shall design a license plate, in any color scheme and with any
873 designation, to provide law-enforcement notice that the driver of the vehicle has a medical
874 condition that affects speech, mobility, or other motor functions. The plate shall follow current
875 vehicle classifications and standard pricing; *Provided*, That the commissioner shall not charge
876 more for special medical designation plate than a standard plate in this state. The commissioner
877 may issue up to two plates per applicant for the primary vehicles a person with a medical condition
878 operates.

CHAPTER 17B. MOTOR VEHICLE DRIVER'S LICENSES.

ARTICLE 2C. JEFF JONES MEDICAL LICENSE DESIGNATION ACT.

§17B-2C-1. Short title.

1 This article may be cited as the “Jeff Jones Act.”

§17B-2C-2. Legislative intent.

1 (a) The Legislature finds that medical conditions may affect a person’s speech, mobility,
2 emotional reactions, or other basic motor functions to the detriment of the individual when
3 encountering law-enforcement.

4 (b) The Legislature finds that a designation on the driver’s license and license plate of a
5 driver is prudent to notify law-enforcement of a person’s medical condition that may adversely
6 affect speech, mobility, or other motor functions.

§17B-2C-3. Driver’s license with medical condition designation.

1 (a) The commissioner shall design and place on the driver’s license of anyone with a
2 medical condition that affects speech, mobility, or other motor functions of a driver with a known
3 medical condition a medical condition designation: *Provided*, That the person is permitted to
4 operate a motor vehicle in this state with or without restrictions pursuant to §17B-2-1 *et seq.* of
5 this code.

6 (b) Prior to issuing a driver’s license with a medical designation, the commissioner shall
7 require documentation indicating that the person suffers from a condition, the condition affects
8 the person’s speech, mobility, or other motor functions, the documentation is from a qualified
9 physician, and the physician is the person’s primary physician treating the condition.

10 (c) All medical record information shall be kept confidential pursuant to the provisions in
11 §17B-2C-5 of this code.

12 (d) The commissioner shall not charge any fees for a license with a medical condition
13 designation: *Provided*, That standard driver’s license fees will still apply pursuant to §17B-2-1 *et*
14 *seq.* of this code.

§17B-2C-4. License plate medical condition designations.

1 (a) The commissioner shall design, in any color scheme or graphic, a designation to use

2 for motor vehicles titled and registered as the primary vehicle of a person with a medical condition
3 that affects speech, mobility, or other motor functions of the driver. Any plate issued to a person
4 with a medical condition designation shall be issued pursuant to the provisions of §17A-3-2 and
5 §17-3-14 of this code.

6 (b) The commissioner shall require documentation pursuant to §17B-2C-3(b) to verify that
7 a medical condition is present.

8 (c) All medical record information shall be kept confidential pursuant to the provisions in
9 §17B-2C-5 of this code.

§17B-2C-5. Confidentiality of medical records.

1 All information relating to medical conditions is confidential and may be retained on file in
2 a secure location to ensure the medical designation on remains on a person's driver's license
3 when the person renews the license. Information retained relating to medical conditions cannot
4 be used for any other purpose than the purpose provided in this article. All records are subject to
5 federal and state laws protecting such information and ensuring it is not used for an improper
6 purpose.

§17B-2C-6. Effective date; rulemaking.

1 The commission may establish any rule, form, application, or other means necessary
2 pursuant to §29A-3-1 et seq. of this code to ensure the provisions of this article are in effect by
3 January 1, 2020.

NOTE: The purpose of this bill is to permit the commissioner of Motor Vehicles to design a license plate and a driver's license with a specific medical condition designation to notify law-enforcement the operator has a medical condition affecting speech, mobility, or other motor functions.

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