

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Introduced

Senate Bill 386

FISCAL
NOTE

BY SENATOR RUCKER

[Introduced February 22, 2021; referred
to the Committee on Transportation and
Infrastructure; and then to the Committee on Finance]

1 A BILL to amend and reenact §17A-3-14 of the Code of West Virginia, 1931, as amended, relating
 2 to fees for certain military special registration plates for motor vehicles; providing that
 3 additional fee for the issuance of certain military special registration plates be equal to
 4 either the lesser of \$10 or the additional cost to produce the special plate; and reducing
 5 the fee for the renewal of the registration of a motor vehicle issued certain military special
 6 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~~ equal to the lesser of either: (i)
50 \$10, or (ii) the additional cost charged by the West Virginia Correctional Industries to the division
51 for the production of the special registration plate for each special registration plate issued
52 pursuant to this subdivision, which is in addition to all other fees required by this chapter:
53 Provided, That, notwithstanding the provisions of §17A-10-3 of this code, the fee for the renewal
54 of the registration of a motor vehicle for which the special registration plate is issued is \$9. Except
55 as otherwise provided herein, effective July 1, 2007, all fees currently held in the special revolving
56 fund used in the administration of this section and all fees collected by the division shall be
57 deposited in the State Road Fund.

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

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

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

66 (B) The commissioner shall propose rules for legislative approval in accordance with the
67 provisions of §29A-1-1 *et seq.* of this code regarding the orderly distribution of the plates:
68 *Provided*, That for purposes of this subdivision, the registration plates requested and issued shall
69 include all plates bearing the numbers two through 2,000.

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

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

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

78 (B) The division shall charge a special initial application fee of equal to the lesser of either:
79 (i) \$10, or (ii) the additional cost charged by the West Virginia Correctional Industries to the
80 division for the production of the special registration plate for each special registration plate
81 issued, in addition to all other fees required by law: *Provided, That, notwithstanding the provisions*
82 of §17A-10-3 of this code, the fee for the renewal of the registration of a motor vehicle for which
83 the special registration plate is issued is \$9. This special fee is to compensate the Division of
84 Motor Vehicles for additional costs and services required in the issuing of the special registration.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

137 (A) Approved nonprofit charitable and educational organizations previously authorized
138 under the prior enactment of this subdivision may accept and collect applications for special
139 registration plates from owners of Class A motor vehicles together with a special annual fee of
140 \$15, which is in addition to all other fees required by this chapter. The applications and fees shall
141 be submitted to the Division of Motor Vehicles with the request that the division issue a registration
142 plate bearing a combination of letters or numbers with the organization's logo or emblem, with the
143 maximum number of letters or numbers to be determined by the commissioner.

144 (B) The commissioner shall propose rules for legislative approval in accordance with the
145 provisions of §29A-3-1 *et seq.* of this code regarding the procedures for and approval of special
146 registration plates issued pursuant to this subdivision.

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

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

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

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

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

170 deposited into the State Road Fund.

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

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

179 (B) Each application submitted pursuant to this subdivision shall be accompanied by an
180 affidavit stating that the applicant is justified in having a registration with the requested insignia;
181 proof of compliance with all laws of this state regarding registration and licensure of motor
182 vehicles; and payment of all required fees. The firefighter certification department, section, or
183 division of the West Virginia University fire service extension shall notify the commissioner in
184 writing immediately when a firefighter loses his or her certification. If a firefighter loses his or her
185 certification, the commissioner may not issue him or her a license plate under this subdivision.

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

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

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

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

196 deposited into the State Road Fund.

197 (13) The division may issue honorably discharged Marine Corps League members special
198 registration plates as follows:

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

203 (B) The division may charge a special one-time initial application fee of equal to the lesser
204 of either: (i) \$10, or (ii) the additional cost charged by the West Virginia Correctional Industries to
205 the division for the production of the special registration plate for each special registration plate
206 issued, in addition to all other fees required by this chapter: *Provided, That, notwithstanding the*
207 provisions of §17A-10-3 of this code, the fee for the renewal of the registration of a motor vehicle
208 for which the special registration plate is issued is \$9. This special fee is to compensate the
209 Division of Motor Vehicles for additional costs and services required in the issuing of the special
210 registration and shall be collected by the division and deposited in the State Road Fund: *Provided,*
211 That nothing in this section may be construed to exempt any veteran from any other provision of
212 this chapter.

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

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

217 (A) The division may issue a special registration plate for the members of any military
218 organization chartered by the United States Congress upon receipt of a guarantee from the
219 organization of a minimum of 100 applicants. The insignia on the plate shall be designed by the
220 commissioner.

221 (B) Upon appropriate application, the division may issue members of the chartered

222 organization in good standing, as determined by the governing body of the chartered organization,
223 a special registration plate for any number of vehicles titled in the name of the qualified applicant.

224 (C) The division shall charge a special one-time initial application fee ~~of~~ equal to the lesser
225 of either: (i) \$10, or (ii) the additional cost charged by the West Virginia Correctional Industries to
226 the division for the production of the special registration plate for each special license plate issued,
227 which is in addition to all other fees required by this chapter: Provided, That, notwithstanding the
228 provisions of §17A-10-3 of this code, the fee for the renewal of the registration of a motor vehicle
229 for which the special registration plate is issued is \$9. All initial application fees collected by the
230 division shall be deposited into the State Road Fund: *Provided, That* nothing in this section may
231 be construed to exempt any veteran from any other provision of this chapter.

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

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

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

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

246 (C) The division shall charge a special one-time initial application fee of \$10 in addition to
247 all other fees required by this chapter. All initial application fees collected by the division shall be

248 deposited in the State Road Fund.

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

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

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

259 (17) Upon appropriate application, the commissioner shall issue to a classic motor vehicle
260 or classic motorcycle, as defined in §17A-10-3a of this code, a special registration plate designed
261 by the commissioner. An annual fee of \$15, in addition to all other fees required by this chapter,
262 shall be charged for each classic registration plate.

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

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

269 (B) A special initial application fee of equal to the lesser of either: (i) \$10, or (ii) the
270 additional cost charged by the West Virginia Correctional Industries to the division for the
271 production of the special registration plate for each special registration plate issued shall be
272 charged in addition to all other fees required by law: Provided, That, notwithstanding the
273 provisions of §17A-10-3 of this code, the fee for the renewal of the registration of a motorcycle for

274 which the special registration plate is issued is \$9. This special fee is to be collected by the division
275 and deposited in the State Road Fund: *Provided*, That nothing in this section may be construed
276 to exempt any veteran from any other provision of this chapter.

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

280 (19) Racing theme special registration plates:

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

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

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

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

292 (A) Upon appropriate application, the division shall issue to any recipient of the Navy
293 Cross, Distinguished Service Cross, Distinguished Flying Cross, Air Force Cross, Silver Star,
294 Bronze Star, or Air Medal, a registration plate for any number of vehicles titled in the name of the
295 qualified applicant bearing letters or numbers. A separate registration plate shall be designed by
296 the Commissioner of the Division of Motor Vehicles for each award that denotes that those
297 individuals who are granted this special registration plate are recipients of the Navy Cross,
298 Distinguished Service Cross, Distinguished Flying Cross, Air Force Cross, Silver Star, Bronze
299 Star, or Air Medal as applicable.

300 (B) The division shall charge a special initial application fee ~~of~~ equal to the lesser of either:
301 (i) \$10, or (ii) the additional cost charged by the West Virginia Correctional Industries to the
302 division for the production of the special registration plate for each special registration plate
303 issued, in addition to all other fees required by law: Provided, That, notwithstanding the provisions
304 of §17A-10-3 of this code, the fee for the renewal of the registration of a motor vehicle for which
305 the special registration plate is issued is \$9. This special fee shall be collected by the division and
306 deposited in the State Road Fund: *Provided*, That nothing in this section exempts the applicant
307 for a special registration plate under this subdivision from any other provision of this chapter.

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

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

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

320 (B) The division shall charge a special one-time initial application fee ~~of~~ equal to the lesser
321 of either: (i) \$10, or (ii) the additional cost charged by the West Virginia Correctional Industries to
322 the division for the production of a special registration plate for each special registration plate
323 issued in addition to all other fees required by law: Provided, That, notwithstanding the provisions
324 of §17A-10-3 of this code, the fee for the renewal of the registration of a motor vehicle for which
325 the special registration plate is issued is \$9. This special fee shall be collected by the division and

326 deposited in the State Road Fund: *Provided*, That nothing contained in this section may be
327 construed to exempt any veteran from any other provision of this chapter.

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

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

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

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

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

346 (23) The division may issue special registration plates which reflect patriotic themes,
347 including the display of any United States symbol, icon, phrase, or expression which evokes
348 patriotic pride or recognition. The division shall also issue registration plates with the words "In
349 God We Trust":

350 (A) Upon appropriate application, the division shall issue to an applicant a registration
351 plate of the applicant's choice, displaying a patriotic theme as provided in this subdivision, for a

352 vehicle titled in the name of the applicant. A series of registration plates displaying patriotic themes
353 shall be designed by the Commissioner of the Division of Motor Vehicles for distribution to
354 applicants.

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

358 (C) The provisions of subsection (d) of this section are not applicable for the issuance of
359 the license plates designated by this subdivision.

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

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

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

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

368 (25) The division may issue a special registration plate celebrating the centennial of the
369 4-H youth development movement and honoring the Future Farmers of America organization as
370 follows:

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

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

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

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

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

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

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

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

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

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

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

401 (D) Notwithstanding the provisions of subsection (d) of this section, the time period for the
402 Nemesis Shrine to comply with the minimum 100 prepaid applications is hereby extended to
403 January 15, 2005.

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

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

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

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

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

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

421 (B) The division shall charge a special initial application fee of equal to the lesser of either:
422 (i) \$10, or (ii) the additional cost charged by the West Virginia Correctional Industries to the
423 division for the production of the special registration plate for each special registration plate issued
424 in addition to all other fees required by law: *Provided, That, notwithstanding the provisions of*
425 §17A-10-3 of this code, the fee for the renewal of the registration of a motor vehicle for which the
426 special registration plate is issued is \$9. This special fee shall be collected by the division and
427 deposited in the State Road Fund.

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

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

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

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

439 (D) Notwithstanding the provisions of subsection (d) of this section, the time period for the
440 Knights of Columbus to comply with the minimum 100 prepaid applications is hereby extended to
441 January 15, 2007.

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

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

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

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

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

455 (A) The division shall design and issue special registration plates for use by democratic

456 state or county executive committee members. The design of the plates shall include an insignia
457 of a donkey and shall differentiate by wording on the plate between state and county executive
458 committee members.

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

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

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

469 (E) Notwithstanding the provisions of subsection (d) of this section, the time period for the
470 democratic executive committee to comply with the minimum 100 prepaid applications is hereby
471 extended to January 15, 2005.

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

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

479 (B) A special initial application fee of equal to the lesser of either: (i) \$10, or (ii) the
480 additional cost charged by the West Virginia Correctional Industries to the division for the
481 production of the special registration plate for each special registration plate issued shall be

482 charged in addition to all other fees required by law: Provided, That, notwithstanding the
483 provisions of §17A-10-3 of this code, the fee for the renewal of the registration of a motor vehicle
484 for which the special registration plate is issued is \$9. This special fee shall be collected by the
485 division and deposited in the State Road Fund: *Provided, That* nothing in this section may be
486 construed to exempt any veteran from any other provision of this chapter.

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

490 (34) The division may issue special registration plates bearing the logo, symbol, insignia,
491 letters, or words demonstrating association with West Liberty State College to any resident owner
492 of a motor vehicle. Resident owners may apply for the special license plate for any number of
493 Class A vehicles titled in the name of the applicant. The special registration plates shall be
494 designed by the commissioner. Each application submitted pursuant to this subdivision shall be
495 accompanied by payment of a special initial application fee of \$15, which is in addition to any
496 other registration or license fee required by this chapter. The division shall charge an annual fee
497 of \$15 for each special registration plate in addition to all other fees required by this chapter. All
498 special fees shall be collected by the division and deposited into the State Road Fund.

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

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

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

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

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

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

517 (B) A special initial application fee of equal to the lesser of either: (i) \$10, or (ii) the
518 additional cost charged by the West Virginia Correctional Industries to the division for the
519 production of the special registration plate for each special registration plate issued shall be
520 charged in addition to all other fees required by law: Provided, That, notwithstanding the
521 provisions of §17A-10-3 of this code, the fee for the renewal of the registration of a motor vehicle
522 for which the special registration plate is issued is \$9. This special fee shall be collected by the
523 division and deposited in the State Road Fund: *Provided, That* nothing in this section may be
524 construed to exempt any registrants from any other provision of this chapter.

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

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

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

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

534 Road Fund.

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

537 (38) The division may issue special registration plates honoring the farmers of West
538 Virginia, and the division may issue special beekeeper pollinator registration plates as follows:

539 (A) Upon appropriate application, the division shall issue a special registration plate
540 depicting a farming scene or other apt reference to farming, whether in pictures or words, at the
541 discretion of the commissioner. Upon appropriate application, the division shall issue a special
542 registration plate displaying a pollinator species or advocating its protection as prescribed and
543 designated by the commissioner.

544 (B) The division shall charge a special initial application fee of \$10 for each plate in addition
545 to all other fees required by law. This special fee shall be collected by the division and deposited
546 in the State Road Fund.

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

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

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

553 (B) The division shall charge a special initial application fee of \$10 in addition to all other
554 fees required by law. This special fee shall be collected by the division and deposited in the State
555 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 (40) The division may issue members of the 82nd Airborne Division Association special
559 registration plates as follows:

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

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

566 (C) The division shall charge a special one-time initial application fee ~~of~~ equal to the lesser
567 of either: (i) \$10, or (ii) the additional cost charged by the West Virginia Correctional Industries to
568 the division for the production of the special registration plate for each special license plate issued
569 in addition to all other fees required by this chapter: Provided, That, notwithstanding the provisions
570 of §17A-10-3 of this code, the fee for the renewal of the registration of a motor vehicle for which
571 the special registration plate is issued is \$9. All initial application fees collected by the division
572 shall be deposited into the State Road Fund: *Provided, That* nothing in this section may be
573 construed to exempt the applicant from any other provision of this chapter.

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

577 (41) The division may issue special registration plates supporting law-enforcement
578 officers, and the division may issue special registration plates to survivors of wounds received in
579 the line of duty as a member with a West Virginia law-enforcement agency as follows:

580 (A) Upon appropriate application, the division shall issue a special registration plate
581 designed by the commissioner which recognizes, supports, and honors the men and women of
582 law-enforcement and includes the words "Back the Blue". Upon appropriate application, the
583 division shall issue to any member of a municipal police department, sheriff's department, the
584 State Police, or the law-enforcement division of the Division of Natural Resources who has been
585 wounded in the line of duty and awarded a Purple Heart in recognition thereof by the West Virginia

586 Chiefs of Police Association, the West Virginia Sheriffs' Association, the West Virginia Troopers
587 Association, or the Division of Natural Resources a special registration plate for one vehicle titled
588 in the name of the qualified applicant with an insignia appropriately designed by the
589 commissioner.

590 (B) For special registration plates supporting law-enforcement officers, the division shall
591 charge a special initial application fee of \$10 in addition to all other fees required by law. This
592 special fee shall be collected by the division and deposited in the State Road Fund. An annual
593 fee of \$15 shall be charged for each plate supporting law-enforcement officers in addition to all
594 other fees required by this chapter.

595 (C) Registration plates issued pursuant to this subdivision to survivors of wounds received
596 in the line of duty as a member with a West Virginia law-enforcement agency are exempt from
597 the registration fees otherwise required by the provisions of this chapter. A surviving spouse may
598 continue to use his or her deceased spouse's special registration plate until the surviving spouse
599 dies, remarries, or does not renew the plate. Survivors of wounds received in the line of duty as
600 a member with a West Virginia law-enforcement agency may obtain a license plate as described
601 in this subdivision for use on a passenger vehicle titled in the name of the qualified applicant. The
602 division shall charge a one-time fee of \$10 to be deposited into the State Road Fund, in addition
603 to all other fees required by this chapter, for the second plate.

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

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

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

612 the State Road Fund.

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

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

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

620 (B) The division shall charge a special initial application fee of \$10. This special fee shall
621 be collected by the division and deposited in the State 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 (44) The division may issue special registration plates recognizing and honoring breast
625 cancer survivors. The division may also issue special registration plates to support a cure for
626 childhood cancer:

627 (A) Upon appropriate application, the division may issue a special registration plate
628 designed by the commissioner to recognize and honor breast cancer survivors, such plate to
629 incorporate somewhere in the design the "pink ribbon emblem", for any number of vehicles titled
630 in the name of the applicant. Upon appropriate application, the division may also issue a special
631 registration plate designed by the commissioner to support a cure for childhood cancer, such plate
632 to incorporate somewhere in the design the gold ribbon emblem with "WV Kids Cancer Crusaders"
633 below or next to the emblem and "Cure Childhood Cancer" at the bottom of the plate, for any
634 number of vehicles titled in the name of the applicant.

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

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

638 required by this chapter.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

715 (52) The division may issue special registration plates to present and former Boy Scouts

716 as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

768 required by this chapter.

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

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

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

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

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

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

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

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

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

793 (59) The commissioner may issue special registration plates for retired or former justices

794 of the Supreme Court of Appeals of West Virginia as follows:

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

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

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

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

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

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

813 (i) The organization must be a nonprofit organization organized and existing under Section
814 501(c)(3) of Title 26 of the Internal Revenue Code and based, headquartered, or have a chapter
815 in West Virginia;

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

818 (iii) The organization may not be a political party and may not have been created or exist
819 primarily to promote a specific political or social belief, as determined by the commissioner in his

820 or her sole discretion;

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

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

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

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

837 (C)(i) The commissioner may not begin the design or production of any license plates
838 authorized and approved pursuant to this subdivision until the organization which applied for the
839 special registration plate has collected and submitted collectively to the division applications
840 completed by at least 250 persons and collectively deposited with the division all fees necessary
841 to cover the first year's basic registration, one-time design and manufacturing costs, and to cover
842 the first year additional annual fee for all of the applications submitted.

843 (ii) If the organization fails to submit the required number of applications and fees within
844 six months of the effective date of the approval of the application for the plate by the
845 commissioner, the plate will not be produced until a new application is submitted and is approved

846 by the commissioner: *Provided*, That an organization that is unsuccessful in obtaining the
847 minimum number of applications may not make a new application for a special plate until at least
848 two years have passed since the approval of the previous application of the organization.

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

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

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

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

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

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

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

866 (1) The commissioner may not begin the design or production of any license plates for
867 which eligibility is based on membership or affiliation with a particular private organization until at
868 least 100 persons complete an application and deposit with the organization a check to cover the
869 first year's basic registration, one-time design and manufacturing costs, and to cover the first year
870 additional annual fee. If the organization fails to submit the required number of applications with
871 attached checks within six months of the effective date of the original authorizing legislation, the

872 plate will not be produced and will require legislative reauthorization: *Provided*, That an
873 organization or group that is unsuccessful in obtaining the minimum number of applications may
874 not request reconsideration of a special plate until at least two years have passed since the
875 effective date of the original authorization: *Provided, however*, That the provisions of this
876 subdivision are not applicable to the issuance of plates authorized pursuant to subdivision (60),
877 subsection (c) of this section.

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

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

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

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

898 plate.

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

900 (1) The commissioner may issue or renew for a period of no more than 10 years any
901 registration plate exempted from registration fees pursuant to any provision of this code or any
902 restricted use antique motor vehicle license plate authorized by §17A-10-3a of this code:
903 *Provided*, That the provisions of this subsection do not apply to any person who has had a special
904 registration suspended for failure to maintain motor vehicle liability insurance as required by
905 §17D-2A-3 of this code or failure to pay personal property taxes as required by §17A-3-3a of this
906 code.

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

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

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

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

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

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

936 (A) A disabled veteran pursuant to subdivision (6), subsection (c) of this section, §17A-10-
937 8(4), or §17A-10-8(5) of this code;

938 (B) A recipient of the Purple Heart medal pursuant to subdivision (7), subsection (c) of this
939 section;

940 (C) A survivor of the attack on Pearl Harbor pursuant to subdivision (8), subsection (c) of
941 this section;

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

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

944 (2) "Nonexempt military special registration plate" means a special registration plate
945 related to military service that is issued pursuant to this section for which registration fees are not
946 exempt pursuant to this section or §17A-10-8 of this code, including, but not limited to, special
947 registration plate issued to one of the following:

948 (A) A member of the National Guard forces pursuant to subdivision (3), subsection (c) of
949 this section;

950 (B) An honorably discharged veteran pursuant to subdivisions (5) or (21), subsection (c)
951 of this section;

952 (C) An honorably discharged Marine Corps League member pursuant to subdivision (13),
953 subsection (c) of this section;

954 (D) A member of a military organization pursuant to subdivision (14), subsection (c) of this
955 section;

956 (E) A recipient of the Navy Cross, Distinguished Service Cross, Distinguished Flying
957 Cross, Air Force Cross, Bronze Star, Silver Star, or Air Medal pursuant to subdivision (20),
958 subsection (c) of this section;

959 (F) A recipient of the Combat Infantry Badge or the Combat Medic Badge pursuant to
960 subdivision (29), subsection (c) of this section;

961 (G) An honorably discharged female veteran pursuant to subdivision (33), subsection (c)
962 of this section;

963 (H) A person retired from any branch of the armed services of the United States pursuant
964 to subdivision (36), subsection (c) of this section; or

965 (I) A member of the 82nd Airborne Division Association pursuant to subdivision (40),
966 subsection (c) of this section.

967 (3) "Qualifying applicant" means an applicant who qualifies for an exempt military special
968 registration plate, and who also qualifies for a nonexempt military special registration plate, who
969 requests that the division issue one such nonexempt military special registration plate instead of
970 such exempt military special registration plate in order to have such nonexempt military special
971 registration plate be exempt from the payment of registration fees.

NOTE: The purpose of this bill is to provide that the additional fee for the issuance of certain military special registration plates for motor vehicles be equal to either the lesser of \$10 or the additional cost to produce the special plate. The bill also reduces the fee for the renewal of the registration of a motor vehicle issued certain military special registration plates to an amount equal to the actual cost of a registration renewal.

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