AN ACT to amend and reenact section fourteen, article three, chapter seventeen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to special registration plates; authorizing the commissioner of motor vehicles to determine the maximum number of letters or numbers on special registration plates; providing for a special registration plate for recipients of the purple heart medal and exempting such plates from registration fees; providing for special registration plates bearing logos or emblems of non-profit charitable and educational organizations to members of such organizations and to the general public, and providing that such special registration plates are to comply with the fees and law regarding Class A registration plates; authorizing legislative rules; authorizing the commissioner of motor vehicles to set certain fees; setting fees; providing for a special registration plate for members of volunteer fire companies, paid fire departments, state fire marshal and assistants, state fire administrator and voluntary rescue squad members, setting the fee therefor, and establishing a special revolving fund; and providing sanctions for a check which is returned for nonsufficient funds.

Be it enacted by the Legislature of West Virginia:

That section fourteen, article three, chapter seventeen-a of
the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

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

§17A-3-14. Registration plates generally.

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

2. Every registration plate shall be of reflectorized material and have displayed upon it the registration number assigned to the vehicle for which it is issued, also the name of this state, which may be abbreviated, and the year number for which it is issued or the date of expiration thereof.

3. Such registration plate and the required letters and numerals thereon, except the year number for which issued or the date of expiration, shall be of sufficient size to be plainly readable from a distance of one hundred feet during daylight, said registration numbering to begin with number two.

4. The department shall not issue, permit to be issued, or distribute any special numbers except as follows:

   (a) The governor shall be issued registration plates, on one of which shall be imprinted the numeral one and on the other the word one.

   (b) Upon appropriate application, there shall be issued to the secretary of state, state superintendent of free schools, auditor, treasurer, commissioner of agriculture, and the attorney general, the members of both houses of the Legislature, including the elected officials thereof, the justices of the supreme court of appeals of West Virginia, the representatives and senators of the state in the Congress of the United States, the judges of the United States district courts for the state of West Virginia and the judges of the United States court of appeals for the fourth circuit, if any of said judges shall be residents of West Virginia, a special registration plate for a motor vehicle owned by said official or spouse, but not to exceed two plates for each such
official, which plate shall bear any combination of letters not to exceed an amount determined by the commissioner, and with a designation of the office and which plate shall supersede, during his term of office and while such motor vehicle is owned by said official or spouse, the regular numbered plate assigned to him.

(c) Upon receipt of an application on a form prescribed by the department and receipt of written evidence from the chief executive officer of the army national guard or air national guard, as appropriate, that the applicant is a member thereof, the department shall issue to any member of the national guard of this state a special registration plate designed by the commissioner for a motor vehicle owned by the member or the member's spouse, but not to exceed one plate for each such member.

(d) Upon appropriate application, any owner of a motor vehicle subject to Class A registration or the owner of a motorcycle subject to Class G registration under the provisions of this article may request that the department issue a registration plate bearing specially arranged letters or numbers with the maximum number of letters or numbers to be determined by the commissioner. The department shall attempt to comply with such request wherever possible and shall promulgate appropriate rules and regulations for the orderly distribution of such plates: Provided, That for purposes of this subdivision, such registration plates so requested and issued shall include all plates bearing the numbers two through two thousand and shall be subject to the provisions of subdivision (i) of this section.

(e) Upon appropriate application, there shall be issued to any disabled veteran, who is exempt from the payment of registration fees under the provisions of this chapter, a registration plate which bears the letters "DV" in red, and also the regular identification numerals in red.

(f) Upon appropriate application, there shall be issued to any armed service person holding the distinguished purple heart medal for persons wounded in combat a
registration plate bearing letters or numbers. The registration plate designed by the commissioner of motor vehicles shall denote that those individuals who are granted this special registration plate are recipients of the purple heart. All letterings as herein provided shall be in purple where practical. Further, the registration plates herein provided shall be exempt from registration fees under the provisions of this chapter.

(g) Subject to rules promulgated by the commissioner, nonprofit charitable and educational organizations shall be authorized to design a logo or emblem for inclusion on a special registration plate and to market this special registration plate to organization members and the general public. Approved nonprofit organizations may accept applications for the special registration plate from the owner of motor vehicles subject to a Class A registration and payment of fees therefor under the provisions of this article and may request that the department issue a registration plate bearing a combination of letters or numbers with the organizations' logo or emblem, with the maximum number of letters or numbers to be determined by the commissioner:

Provided, That such rules, regulations and standards that are promulgated by the commissioner for purpose of this subdivision shall be promulgated in accordance with the provisions of chapter twenty-nine-a of this code.

Nonprofit organizations seeking to market such plates shall be authorized to collect, a fee for successfully processing a registration plate application and shall deposit an appropriate fee, which shall be determined by the commissioner, with the department of motor vehicles to defray the administrative costs associated with designing and manufacturing special registration plates for the organization.

(h) Any owner of a motor vehicle who is a resident of the state of West Virginia, and who is a member of a volunteer fire company, a paid fire department, a member of the state fire commission, the state fire marshal, the state fire marshal's assistants, the state fire administrator and voluntary rescue squad members upon application, accompanied by an affidavit signed by
the fire chief or department head of the applicant, stating that the applicant is justified in having a registration with an insignia designed by the commissioner of the department of motor vehicles to denote those individuals who are granted special registration plates under this article, complying with the motor vehicle laws of the state relative to registration and licensing of motor vehicles, and upon payment of the registration, license and other fees required by law, and the payment of the additional special fee herein provided, shall be issued a license plate for a private passenger car, upon which, in lieu of the registration number prescribed by law, shall be inscribed the insignia designed by the commissioner of the department of motor vehicles to denote those individuals who are granted this special registration insignia in addition to their existing registration numbers.

The special fee that shall be charged each applicant for the issuance of a license plate bearing the insignia designed by the commissioner of the department of motor vehicles to denote those individuals who are granted this special registration insignia in addition to their existing registration number, shall be five dollars, which special fee shall be in addition to all other fees required by law. This special fee is for the purpose of compensating the department of motor vehicles for additional costs and services required in the issuing of such special registration and shall be collected by the department and deposited in a special revolving fund to be used for the administration of this section.

The commissioner is authorized to prescribe proper forms to be used in making application for the special license plates authorized by this section.

(i) In addition to the regular registration fees set forth in section three, article ten of this chapter, a fee of fifteen dollars shall be paid to the department in each case in which an application for a special registration plate is made as provided in subdivisions (a), (b), (c) and (d): Provided, That nothing in this section shall be construed to require a charge for a free prisoner of war license plate authorized by other provisions of this code.
Notwithstanding the provisions of this section, or of any other provision of this chapter, the commissioner may, in his discretion, issue a type of registration plate of reflectorized material suitable for permanent use on motor vehicles, trailers and semitrailers, together with appropriate devices to be attached thereto to indicate the year for which such vehicles have been properly registered or the date of expiration of such registration. The design of such plates shall be determined by the commissioner.

Further, notwithstanding any provisions of this chapter to the contrary, any license plate issued or renewed pursuant to this chapter, which is paid for by a check that is returned for nonsufficient funds, shall be void without further notice to the applicant, and the applicant may not reinstate the registration until the returned check is paid by the applicant in cash, money order or certified check and all applicable fees assessed as a result thereof have been paid.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect July 1, 1989.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within is approved this the 21st day of April, 1989.

Governor
PRESENTED TO THE
GOVERNOR
Date 4/24/89
Time 8:17