

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1990



ENROLLED

Com. Sub. for
HOUSE BILL No. 4458

(By ~~Mr.~~ *Del. Stewart & Anderson*)



Passed *March 8,* 1990

In Effect *From* Passage

ENROLLED

COMMITTEE SUBSTITUTE

FOR

H. B. 4458

(By DELEGATES SEACRIST AND ANDERSON)

[Passed March 8, 1990; in effect from passage.]

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 registration plates for motor vehicles; authorizing special registration plates for members of United States Armed Forces Reserve Units, veterans, survivors of the attack on Pearl Harbor, certified paramedics, and emergency medical technicians; vehicles of the survivors of the attack on Pearl Harbor are exempt from payment of registration fees; special fees to be charged to veterans, certified paramedics, and emergency medical technicians.

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 division upon registering a vehicle shall issue to
2 the owner one registration plate for a motorcycle,

3 trailer, semitrailer or other motor vehicle.

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

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

16 The division shall not issue, permit to be issued, or
17 distribute any special numbers except as follows:

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

21 (b) Upon appropriate application, there shall be
22 issued to the secretary of state, state superintendent of
23 free schools, auditor, treasurer, commissioner of agricul-
24 ture, and the attorney general, the members of both
25 houses of the Legislature, including the elected officials
26 thereof, the justices of the supreme court of appeals of
27 West Virginia, the representatives and senators of the
28 state in the Congress of the United States, the judges
29 of the United States district courts for the state of West
30 Virginia and the judges of the United States court of
31 appeals for the fourth circuit, if any of said judges shall
32 be residents of West Virginia, a special registration
33 plate for a motor vehicle owned by said official or
34 spouse, but not to exceed two plates for each such
35 official, which plate shall bear any combination of
36 letters not to exceed an amount determined by the
37 commissioner, and with a designation of the office and
38 which plate shall supersede, during his term of office
39 and while such motor vehicle is owned by said official
40 or spouse, the regular numbered plate assigned to him.

41 (c) Upon receipt of an application on a form pres-

42 cribed by the division and receipt of written evidence
43 from the chief executive officer of the army national
44 guard or air national guard, as appropriate, or the
45 commanding officer of any United States Armed Forces
46 Reserve Unit that the applicant is a member thereof, the
47 division shall issue to any member of the national guard
48 of this state or a member of any reserve unit of the
49 United States Armed Forces a special registration plate
50 designed by the commissioner for a motor vehicle owned
51 by the member or the member's spouse, but not to
52 exceed one plate for each such member.

53 (d) Upon appropriate application, any owner of a
54 motor vehicle subject to Class A registration, or the
55 owner of a motorcycle subject to Class G registration,
56 under the provisions of this article, may request that the
57 division issue a registration plate bearing specially
58 arranged letters or numbers with the maximum
59 number of letters or numbers to be determined by the
60 commissioner. The division shall attempt to comply with
61 such request wherever possible and shall promulgate
62 appropriate rules and regulations for the orderly
63 distribution of such plates: *Provided*, That for purposes
64 of this subdivision, such registration plates so requested
65 and issued shall include all plates bearing the numbers
66 two through two thousand and shall be subject to the
67 provisions of subdivision (k) of this section.

68 (e) Upon appropriate application, there shall be
69 issued to any honorably discharged veteran, of any
70 branch of the armed services of the United States, a
71 special registration plate with an insignia designed by
72 the commissioner of the division of motor vehicles. A
73 special fee of five dollars shall be charged in addition
74 to all other fees required by law. This special fee is to
75 compensate the division of motor vehicles for additional
76 costs and services required in the issuing of such special
77 registration and shall be collected by the division and
78 deposited in a special revolving fund to be used for the
79 administration of this section: *Provided*, That nothing in
80 this section shall be construed to exempt said veterans
81 from any other provision in this chapter.

82 (f) Upon appropriate application, there shall be issued

83 to any disabled veteran, who is exempt from the
84 payment of registration fees under the provisions of this
85 chapter, a registration plate which bears the letters
86 "DV" in red, and also the regular identification
87 numerals in red.

88 (g) Upon appropriate application, there shall be
89 issued to any armed service person holding the distin-
90 guished purple heart medal for persons wounded in
91 combat a registration plate bearing letters or numbers.
92 The registration plate designed by the commissioner of
93 motor vehicles shall denote that those individuals who
94 are granted this special registration plate are recipients
95 of the purple heart. All letterings as herein provided
96 shall be in purple where practical. Further, the
97 registration plates herein provided shall be exempt from
98 registration fees under the provisions of this chapter.

99 (h) Upon appropriate application, the owner of a
100 motor vehicle who was enlisted in any branch of the
101 armed services that participated in and survived the
102 attack on Pearl Harbor on the seventh day of December,
103 one thousand nine hundred forty-one, shall be issued a
104 special registration plate designed by the commissioner
105 of motor vehicles and shall be exempt from the payment
106 of registration fees as required under the provisions of
107 this chapter.

108 (i) Subject to rules promulgated by the commissioner,
109 nonprofit charitable and educational organizations shall
110 be authorized to design a logo or emblem for inclusion
111 on a special registration plate and to market this special
112 registration plate to organization members and the
113 general public. Approved nonprofit organizations may
114 accept applications for the special registration plate
115 from the owner of motor vehicles subject to a Class A
116 registration and payment of fees therefor under the
117 provisions of this article and may request that the
118 division issue a registration plate bearing a combination
119 of letters or numbers with the organizations' logo or
120 emblem, with the maximum number of letters or
121 numbers to be determined by the commissioner:
122 *Provided,* That such rules, regulations and standards
123 that are promulgated by the commissioner for purpose

124 of this subdivision shall be promulgated in accordance
125 with the provisions of chapter twenty-nine-a of this code.
126 Nonprofit organizations seeking to market such plates
127 shall be authorized to collect a fee for successfully
128 processing a registration plate application and shall
129 deposit an appropriate fee, which shall be determined
130 by the commissioner, with the division of motor vehicles
131 to defray the administrative costs associated with
132 designing and manufacturing special registration plates
133 for the organization.

134 (j) Any owner of a motor vehicle who is a resident of
135 the state of West Virginia, and who is a certified
136 paramedic or emergency medical technician, a member
137 of a volunteer fire company, a paid fire department, a
138 member of the state fire commission, the state fire
139 marshal, the state fire marshal's assistants, the state fire
140 administrator and voluntary rescue squad members
141 upon application, accompanied by an affidavit signed by
142 the fire chief or department head of the applicant,
143 stating that the applicant is justified in having a
144 registration with an insignia designed by the commis-
145 sioner of the division of motor vehicles to denote those
146 individuals who are granted special registration plates
147 under this article, complying with the motor vehicle
148 laws of the state relative to registration and licensing
149 of motor vehicles, and upon payment of the registration,
150 license and other fees required by law, and the payment
151 of the additional special fee herein provided, shall be
152 issued a license plate for a private passenger car, upon
153 which, in lieu of the registration number prescribed by
154 law, shall be inscribed the insignia designed by the
155 commissioner of the division of motor vehicles to denote
156 those individuals who are granted this special registra-
157 tion insignia in addition to their existing registration
158 numbers.

159 The special fee that shall be charged each applicant
160 for the issuance of a license plate bearing the insignia
161 designed by the commissioner of the division of motor
162 vehicles to denote those individuals who are granted this
163 special registration insignia in addition to their existing
164 registration number, shall be five dollars, which special

165 fee shall be in addition to all other fees required by law.
166 This special fee is for the purpose of compensating the
167 division of motor vehicles for additional costs and
168 services required in the issuing of such special registra-
169 tion and shall be collected by the division and deposited
170 in a special revolving fund to be used for the adminis-
171 tration of this section.

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

175 (k) In addition to the regular registration fees set
176 forth in section three, article ten of this chapter, a fee
177 of fifteen dollars shall be paid to the division in each
178 case in which an application for a special registration
179 plate is made as provided in subdivisions (a), (b), (c) and
180 (d): *Provided*, That nothing in this section shall be
181 construed to require a charge for a free prisoner of war
182 license plate authorized by other provisions of this code.

183 Notwithstanding the provisions of this section, or of
184 any other provision of this chapter, the commissioner
185 may, in his discretion, issue a type of registration plate
186 of reflectorized material suitable for permanent use on
187 motor vehicles, trailers and semitrailers, together with
188 appropriate devices to be attached thereto to indicate
189 the year for which such vehicles have been properly
190 registered or the date of expiration of such registration.
191 The design of such plates shall be determined by the
192 commissioner.

193 Further, notwithstanding any provisions of this
194 chapter to the contrary, any license plate issued or
195 renewed pursuant to this chapter, which is paid for by
196 a check that is returned for nonsufficient funds, shall
197 be void without further notice to the applicant, and the
198 applicant may not reinstate the registration until the
199 returned check is paid by the applicant in cash, money
200 order or certified check and all applicable fees assessed
201 as a result thereof have been paid.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Frederick L. Burke
Chairman Senate Committee

Bernard V. Kelly
Chairman House Committee

Originating in the House.

Takes effect from passage.

Parrell E. Abma
Clerk of the Senate

David L. Nepp
Clerk of the House of Delegates

Kathy Sundette
President of the Senate

Robert J. ...
Speaker of the House of Delegates

The within *is approved* this the *16th* day of *March*, 19*00*.

Walter C. Caperton
Governor

PRESENTED TO THE

GOVERNOR

Date 3/16/90

Time 4:02 pm