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SB 183

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CLERK OF WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE
Regular Session, 2006



ENROLLED

Committee Substitute for

SENATE BILL NO. 183

(By Senator Facemyer, et al)



PASSED March 11, 2006

In Effect from Passage

FILED

2006 APR -3 P 4: 14

OFFICE WEST VIRGINIA
SECRETARY OF STATE

ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 183

(SENATORS FACEMYER, MCKENZIE, JENKINS
AND LOVE, *original sponsors*)

[Passed March 11, 2006; in effect from passage.]

AN ACT to amend and reenact §17A-3-4, §17A-3-14 and §17A-3-23 of the Code of West Virginia, 1931, as amended, all relating to motor vehicle registration generally; providing for the issuance of a special plate for recipients of the Armed Forces Air Medal; extending the time to comply with requirements for the issuance of a special plate for members of the Knights of Columbus; providing for the issuance of a special Lions International membership license plate; providing for the issuance of a special plate recognizing organ and tissue donors; providing for the issuance of a special West Virginia Bar Association membership license plate; providing for the issuance of a special plate with the logo "SHARE THE ROAD"; providing for the issuance of a special plate honoring coal miners; providing for the issuance of special plates for present and former Boy Scouts and Eagle Scouts; providing for the issuance of a special plate

memorializing victims of domestic violence; providing for the issuance of a special plate demonstrating association with or support of the University of Charleston; providing for the issuance of a special plate for members of the Sons of the American Revolution; providing for the issuance of a special plate for horse enthusiasts; providing for the issuance of a special plate for the next of kin of a member of the armed forces killed in combat; providing for the issuance of a special plate for retired or former Justices of the Supreme Court of Appeals of West Virginia; assessing a special initial application fee and a special annual fee therefor; revising the criteria before the commissioner may initiate the design and production of a special license plate; encouraging the commissioner to utilize technology in the design, production and issuance of registration plates, including offering internet renewal of vehicle registration; establishing a new license plate issued to a city or municipality for motor vehicles of a city or municipal law enforcement department; specifying the design and a one-time fee therefor; providing for the issuance of special license plates for certain vehicles titled in the name of the Division of Public Transit or a public transit authority to transport persons in the public interest, without charge therefor; providing for the design therefor; and exempting certain vehicles titled in the name of an urban mass transit authority and certain nonprofit entities from the tax imposed upon the privilege of certification of title of a vehicle by the Division of Motor Vehicles.

Be it enacted by the Legislature of West Virginia:

That §17A-3-4, §17A-3-14 and §17A-3-23 of the Code of West Virginia, 1931, as amended, be amended and reenacted, all to read as follows:

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

§17A-3-4. Application for certificate of title; tax for privilege of certification of title; exceptions; fee on payments for leased vehicles; penalty for false swearing.

1 (a) Certificates of registration of any vehicle or registra-
2 tion plates for the vehicle, whether original issues or
3 duplicates, may not be issued or furnished by the Division
4 of Motor Vehicles or any other officer or agent charged
5 with the duty, unless the applicant already has received, or
6 at the same time makes application for and is granted, an
7 official certificate of title of the vehicle in either an
8 electronic or paper format. The application shall be upon
9 a blank form to be furnished by the Division of Motor
10 Vehicles and shall contain a full description of the vehicle,
11 which description shall contain a manufacturer's serial or
12 identification number or other number as determined by
13 the commissioner and any distinguishing marks, together
14 with a statement of the applicant's title and of any liens or
15 encumbrances upon the vehicle, the names and addresses
16 of the holders of the liens and any other information as the
17 Division of Motor Vehicles may require. The application
18 shall be signed and sworn to by the applicant. A duly
19 certified copy of the division's electronic record of a
20 certificate of title is admissible in any civil, criminal or
21 administrative proceeding in this state as evidence of
22 ownership.

23 (b) A tax is imposed upon the privilege of effecting the
24 certification of title of each vehicle in the amount equal to
25 five percent of the value of the motor vehicle at the time of
26 the certification, to be assessed as follows:

27 (1) If the vehicle is new, the actual purchase price or
28 consideration to the purchaser of the vehicle is the value
29 of the vehicle. If the vehicle is a used or secondhand
30 vehicle, the present market value at time of transfer or
31 purchase is the value of the vehicle for the purposes of this
32 section: *Provided*, That so much of the purchase price or
33 consideration as is represented by the exchange of other
34 vehicles on which the tax imposed by this section has been
35 paid by the purchaser shall be deducted from the total
36 actual price or consideration paid for the vehicle, whether
37 the vehicle be new or secondhand. If the vehicle is ac-

38 quired through gift or by any manner whatsoever, unless
39 specifically exempted in this section, the present market
40 value of the vehicle at the time of the gift or transfer is the
41 value of the vehicle for the purposes of this section.

42 (2) No certificate of title for any vehicle may be issued to
43 any applicant unless the applicant has paid to the Division
44 of Motor Vehicles the tax imposed by this section which is
45 five percent of the true and actual value of the vehicle
46 whether the vehicle is acquired through purchase, by gift
47 or by any other manner whatsoever, except gifts between
48 husband and wife or between parents and children:
49 *Provided*, That the husband or wife, or the parents or
50 children, previously have paid the tax on the vehicles
51 transferred to the State of West Virginia.

52 (3) The Division of Motor Vehicles may issue a certificate
53 of registration and title to an applicant if the applicant
54 provides sufficient proof to the Division of Motor Vehicles
55 that the applicant has paid the taxes and fees required by
56 this section to a motor vehicle dealership that has gone out
57 of business or has filed bankruptcy proceedings in the
58 United States bankruptcy court and the taxes and fees so
59 required to be paid by the applicant have not been sent to
60 the Division by the motor vehicle dealership or have been
61 impounded due to the bankruptcy proceedings: *Provided*,
62 That the applicant makes an affidavit of the same and
63 assigns all rights to claims for money the applicant may
64 have against the motor vehicle dealership to the Division
65 of Motor Vehicles.

66 (4) The Division of Motor Vehicles shall issue a certifi-
67 cate of registration and title to an applicant without
68 payment of the tax imposed by this section if the applicant
69 is a corporation, partnership or limited liability company
70 transferring the vehicle to another corporation, partner-
71 ship or limited liability company when the entities in-
72 volved in the transfer are members of the same controlled
73 group and the transferring entity has previously paid the
74 tax on the vehicle transferred. For the purposes of this

75 section, control means ownership, directly or indirectly, of
76 stock or equity interests possessing fifty percent or more
77 of the total combined voting power of all classes of the
78 stock of a corporation or equity interests of a partnership
79 or limited liability company entitled to vote or ownership,
80 directly or indirectly, of stock or equity interests possess-
81 ing fifty percent or more of the value of the corporation,
82 partnership or limited liability company.

83 (5) The tax imposed by this section does not apply to
84 vehicles to be registered as Class H vehicles or Class M
85 vehicles, as defined in section one, article ten of this
86 chapter, which are used or to be used in interstate com-
87 merce. Nor does the tax imposed by this section apply to
88 the titling of Class B vehicles registered at a gross weight
89 of fifty-five thousand pounds or more, or to the titling of
90 Class C semitrailers, full trailers, pole trailers and con-
91 verter gear: *Provided*, That if an owner of a vehicle has
92 previously titled the vehicle at a declared gross weight of
93 fifty-five thousand pounds or more and the title was issued
94 without the payment of the tax imposed by this section,
95 then before the owner may obtain registration for the
96 vehicle at a gross weight less than fifty-five thousand
97 pounds, the owner shall surrender to the commissioner the
98 exempted registration, the exempted certificate of title
99 and pay the tax imposed by this section based upon the
100 current market value of the vehicle: *Provided, however*,
101 That notwithstanding the provisions of section nine,
102 article fifteen, chapter eleven of this code, the exemption
103 from tax under this section for Class B vehicles in excess
104 of fifty-five thousand pounds and Class C semitrailers, full
105 trailers, pole trailers and converter gear does not subject
106 the sale or purchase of the vehicles to the consumers sales
107 and service tax.

108 (6) The tax imposed by this section does not apply to
109 titling of vehicles leased by residents of West Virginia. A
110 tax is imposed upon the monthly payments for the lease of
111 any motor vehicle leased by a resident of West Virginia,

112 which tax is equal to five percent of the amount of the
113 monthly payment, applied to each payment, and continu-
114 ing for the entire term of the initial lease period. The tax
115 shall be remitted to the Division of Motor Vehicles on a
116 monthly basis by the lessor of the vehicle.

117 (7) The tax imposed by this section does not apply to
118 titling of vehicles by a registered dealer of this state for
119 resale only, nor does the tax imposed by this section apply
120 to titling of vehicles by this state or any political subdivi-
121 sion thereof, or by any volunteer fire department or duly
122 chartered rescue or ambulance squad organized and
123 incorporated under the laws of the state of West Virginia
124 as a nonprofit corporation for protection of life or prop-
125 erty. The total amount of revenue collected by reason of
126 this tax shall be paid into the state road fund and ex-
127 pended by the Commissioner of Highways for matching
128 federal funds allocated for West Virginia. In addition to
129 the tax, there is a charge of five dollars for each original
130 certificate of title or duplicate certificate of title so issued:
131 *Provided*, That this state or any political subdivision of
132 this state or any volunteer fire department or duly char-
133 tered rescue squad is exempt from payment of the charge.

134 (8) The certificate is good for the life of the vehicle, so
135 long as the vehicle is owned or held by the original holder
136 of the certificate and need not be renewed annually, or any
137 other time, except as provided in this section.

138 (9) If, by will or direct inheritance, a person becomes the
139 owner of a motor vehicle and the tax imposed by this
140 section previously has been paid to the Division of Motor
141 Vehicles on that vehicle, he or she is not required to pay
142 the tax.

143 (10) A person who has paid the tax imposed by this
144 section is not required to pay the tax a second time for the
145 same motor vehicle, but is required to pay a charge of five
146 dollars for the certificate of retitle of that motor vehicle,
147 except that the tax shall be paid by the person when the

148 title to the vehicle has been transferred either in this or
149 another state from the person to another person and
150 transferred back to the person.

151 (11) The tax imposed by this section does not apply to
152 any passenger vehicle offered for rent in the normal course
153 of business by a daily passenger rental car business as
154 licensed under the provisions of article six-d of this
155 chapter. For purposes of this section, a daily passenger car
156 means a Class A motor vehicle having a gross weight of
157 eight thousand pounds or less and is registered in this state
158 or any other state. In lieu of the tax imposed by this
159 section, there is hereby imposed a tax of not less than one
160 dollar nor more than one dollar and fifty cents for each
161 day or part of the rental period. The commissioner shall
162 propose an emergency rule in accordance with the provi-
163 sions of article three, chapter twenty-nine-a of this code to
164 establish this tax.

165 (12) The tax imposed by this article does not apply to the
166 titling of any vehicle purchased by a senior citizen service
167 organization which is exempt from the payment of income
168 taxes under the United States Internal Revenue Code, Title
169 26 U. S. C. §501(c)(3) and which is recognized to be a
170 bonafide senior citizen service organization by the senior
171 services bureau existing under the provisions of article
172 five, chapter sixteen of this code.

173 (13) The tax imposed by this section does not apply to
174 the titling of any vehicle operated by an urban mass
175 transit authority as defined in article twenty-seven,
176 chapter eight of this code or a nonprofit entity exempt
177 from federal and state income tax under the Internal
178 Revenue Code and whose purpose is to provide mass
179 transportation to the public at large designed for the
180 transportation of persons and being operated for the
181 transportation of persons in the public interest.

182 (c) Notwithstanding any provisions of this code to the
183 contrary, the owners of trailers, semitrailers, recreational

184 vehicles and other vehicles not subject to the certificate of
185 title tax prior to the enactment of this chapter are subject
186 to the privilege tax imposed by this section: *Provided*, That
187 the certification of title of any recreational vehicle owned
188 by the applicant on the thirtieth day of June, one thousand
189 nine hundred eighty-nine, is not subject to the tax imposed
190 by this section: *Provided, however*, That mobile homes,
191 manufactured homes, modular homes and similar
192 nonmotive propelled vehicles, except recreational vehicles
193 and house trailers, susceptible of being moved upon the
194 highways but primarily designed for habitation and
195 occupancy, rather than for transporting persons or prop-
196 erty, or any vehicle operated on a nonprofit basis and used
197 exclusively for the transportation of mentally retarded or
198 physically handicapped children when the application for
199 certificate of registration for the vehicle is accompanied by
200 an affidavit stating that the vehicle will be operated on a
201 nonprofit basis and used exclusively for the transportation
202 of mentally retarded and physically handicapped children,
203 are not subject to the tax imposed by this section, but are
204 taxable under the provisions of articles fifteen and fif-
205 teen-a, chapter eleven of this code.

206 (d) Any person making any affidavit required under any
207 provision of this section who knowingly swears falsely, or
208 any person who counsels, advises, aids or abets another in
209 the commission of false swearing, or any person, while
210 acting as an agent of the Division of Motor Vehicles, issues
211 a vehicle registration without first collecting the fees and
212 taxes or fails to perform any other duty required by this
213 chapter to be performed before a vehicle registration is
214 issued is, on the first offense, guilty of a misdemeanor and,
215 upon conviction thereof, shall be fined not more than five
216 hundred dollars or be confined in jail for a period not to
217 exceed six months or, in the discretion of the court, both
218 fined and confined. For a second or any subsequent
219 conviction within five years, that person is guilty of a
220 felony and, upon conviction thereof, shall be fined not
221 more than five thousand dollars or be imprisoned in a state

222 correctional facility for not less than one year nor more
223 than five years or, in the discretion of the court, both fined
224 and imprisoned.

225 (e) Notwithstanding any other provisions of this section,
226 any person in the military stationed outside West Virginia
227 or his or her dependents who possess a motor vehicle with
228 valid registration are exempt from the provisions of this
229 article for a period of nine months from the date the
230 person returns to this state or the date his or her depend-
231 ent returns to this state, whichever is later.

232 (f) No person may transfer, purchase or sell a fac-
233 tory-built home without a certificate of title issued by the
234 commissioner in accordance with the provisions of this
235 article:

236 (1) Any person who fails to provide a certificate of title
237 upon the transfer, purchase or sale of a factory-built home
238 is guilty of a misdemeanor and, upon conviction thereof,
239 shall for the first offense be fined not less than one hun-
240 dred dollars nor more than one thousand dollars, or be
241 confined in jail for not more than one year or, both fined
242 and confined. For each subsequent offense, the fine may
243 be increased to not more than two thousand dollars, with
244 confinement in jail not more than one year or, both fined
245 and confined.

246 (2) Failure of the seller to transfer a certificate of title
247 upon sale or transfer of the factory-built home gives rise
248 to a cause of action, upon prosecution thereof, and allows
249 for the recovery of damages, costs and reasonable attorney
250 fees.

251 (3) This subsection does not apply to a mobile or manu-
252 factured home for which a certificate of title has been
253 canceled pursuant to section twelve-b of this article.

254 (g) Notwithstanding any other provision to the contrary,
255 whenever reference is made to the application for or
256 issuance of any title or the recordation or release of any

257 lien, it includes the application, transmission, recordation,
258 transfer of ownership and storage of information in an
259 electronic format.

260 (h) Notwithstanding any other provision contained in
261 this section, nothing herein shall be considered to include
262 modular homes as defined in subsection (i), section two,
263 article fifteen, chapter thirty-seven of this code and built
264 to the State Building Code as established by legislative
265 rules promulgated by the State Fire Commission pursuant
266 to section five-b, article three, chapter twenty-nine of this
267 code.

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

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

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

6 (1) Every registration plate shall be of reflectorized
7 material and have displayed upon it the registration
8 number assigned to the vehicle for which it is issued; the
9 name of this state, which may be abbreviated; and the year
10 number for which it is issued or the date of expiration of
11 the plate.

12 (2) Every registration plate and the required letters and
13 numerals on the plate shall be of sufficient size to be
14 plainly readable from a distance of one hundred feet
15 during daylight: *Provided*, That the requirements of this
16 subdivision shall not apply to the year number for which
17 the plate is issued or the date of expiration.

18 (3) Registration numbering for registration plates shall
19 begin with number two.

20 (c) The division may not issue, permit to be issued or
21 distribute any special registration plates except as follows:

22 (1) The Governor shall be issued two registration plates,
23 on one of which shall be imprinted the numeral one and on
24 the other the word one.

25 (2) State officials and judges may be issued special
26 registration plates as follows:

27 (A) Upon appropriate application, the division shall
28 issue to the Secretary of State, State Superintendent of
29 Schools, Auditor, Treasurer, Commissioner of Agriculture
30 and the Attorney General, the members of both houses of
31 the Legislature, including the elected officials of both
32 houses of the Legislature, the justices of the Supreme
33 Court of Appeals of West Virginia, the representatives and
34 senators of the state in the Congress of the United States,
35 the judges of the West Virginia circuit courts, active and
36 retired on senior status, the judges of the United States
37 district courts for the State of West Virginia and the
38 judges of the United States Court of Appeals for the fourth
39 circuit, if any of the judges are residents of West Virginia,
40 a special registration plate for a Class A motor vehicle and
41 a special registration plate for a Class G motorcycle owned
42 by the official or his or her spouse: *Provided*, That the
43 division may issue a Class A special registration plate for
44 each vehicle titled to the official and a Class G special
45 registration plate for each motorcycle titled to the official.

46 (B) Each plate issued pursuant to this subdivision shall
47 bear any combination of letters and numbers not to exceed
48 an amount determined by the commissioner and a designa-
49 tion of the office. Each plate shall supersede the regular
50 numbered plate assigned to the official or his or her spouse
51 during the official's term of office and while the motor
52 vehicle is owned by the official or his or her spouse.

53 (C) The division shall charge an annual fee of fifteen
54 dollars for every registration plate issued pursuant to this

55 subdivision, which is in addition to all other fees required
56 by this chapter.

57 (3) The division may issue members of the National
58 Guard forces special registration plates as follows:

59 (A) Upon receipt of an application on a form prescribed
60 by the division and receipt of written evidence from the
61 chief executive officer of the Army National Guard or Air
62 National Guard, as appropriate, or the commanding
63 officer of any United States armed forces reserve unit that
64 the applicant is a member thereof, the division shall issue
65 to any member of the National Guard of this state or a
66 member of any reserve unit of the United States armed
67 forces a special registration plate designed by the commis-
68 sioner for any number of Class A motor vehicles owned by
69 the member. Upon presentation of written evidence of
70 retirement status, retired members of this state's Army or
71 Air National Guard, or retired members of any reserve
72 unit of the United States armed forces, are eligible to
73 purchase the special registration plate issued pursuant to
74 this subdivision.

75 (B) The division shall charge an initial application fee of
76 ten dollars for each special registration plate issued
77 pursuant to this subdivision, which is in addition to all
78 other fees required by this chapter. All initial application
79 fees collected by the division shall be deposited into a
80 special revolving fund to be used in the administration of
81 this section.

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

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

88 (A) Upon appropriate application, any owner of a motor
89 vehicle subject to Class A registration, or a motorcycle

90 subject to Class G registration, as defined by this article,
91 may request that the division issue a registration plate
92 bearing specially arranged letters or numbers with the
93 maximum number of letters or numbers to be determined
94 by the commissioner. The division shall attempt to comply
95 with the request wherever possible.

96 (B) The commissioner shall propose rules for legislative
97 approval in accordance with the provisions of chapter
98 twenty-nine-a of this code regarding the orderly distribu-
99 tion of the plates: *Provided*, That for purposes of this
100 subdivision, the registration plates requested and issued
101 shall include all plates bearing the numbers two through
102 two thousand.

103 (C) An annual fee of fifteen dollars shall be charged for
104 each special registration plate issued pursuant to this
105 subdivision, which is in addition to all other fees required
106 by this chapter.

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

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

115 (B) The division shall charge a special initial application
116 fee of ten dollars in addition to all other fees required by
117 law. This special fee is to compensate the Division of
118 Motor Vehicles for additional costs and services required
119 in the issuing of the special registration and shall be
120 collected by the division and deposited in a special revolv-
121 ing fund to be used for the administration of this section:
122 *Provided*, That nothing in this section may be construed to
123 exempt any veteran from any other provision of this
124 chapter.

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

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

131 (A) Upon appropriate application, the division shall
132 issue to any disabled veteran who is exempt from the
133 payment of registration fees under the provisions of this
134 chapter a registration plate for a vehicle titled in the name
135 of the qualified applicant which bears the letters "DV" in
136 red and also the regular identification numerals in red.

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

141 (C) A qualified disabled veteran may obtain a second
142 disabled veterans license plate as described in this section
143 for use on a passenger vehicle titled in the name of the
144 qualified applicant. The division shall charge a one-time
145 fee of ten dollars to be deposited into a special revolving
146 fund to be used in the administration of this section, in
147 addition to all other fees required by this chapter, for the
148 second plate.

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

151 (A) Upon appropriate application, there shall be issued
152 to any armed service person holding the distinguished
153 Purple Heart medal for persons wounded in combat a
154 registration plate for a vehicle titled in the name of the
155 qualified applicant bearing letters or numbers. The
156 registration plate shall be designed by the Commissioner
157 of Motor Vehicles and shall denote that those individuals
158 who are granted this special registration plate are recipi-

159 ents of the Purple Heart. All letterings shall be in purple
160 where practical.

161 (B) Registration plates issued pursuant to this subdivi-
162 sion are exempt from all registration fees otherwise
163 required by the provisions of this chapter.

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

168 (D) A recipient of the Purple Heart medal may obtain a
169 second Purple Heart medal license plate as described in
170 this section for use on a passenger vehicle titled in the
171 name of the qualified applicant. The division shall charge
172 a one-time fee of ten dollars to be deposited into a special
173 revolving fund to be used in the administration of this
174 section, in addition to all other fees required by this
175 chapter, for the second plate.

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

178 (A) Upon appropriate application, the owner of a motor
179 vehicle who was enlisted in any branch of the armed
180 services that participated in and survived the attack on
181 Pearl Harbor on the seventh day of December, one thou-
182 sand nine hundred forty-one, the division shall issue a
183 special registration plate for a vehicle titled in the name of
184 the qualified applicant. The registration plate shall be
185 designed by the Commissioner of Motor Vehicles.

186 (B) Registration plates issued pursuant to this subdivi-
187 sion are exempt from the payment of all registration fees
188 otherwise required by the provisions of this chapter.

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

193 (D) A survivor of the attack on Pearl Harbor may obtain
194 a second survivors of the attack on Pearl Harbor license
195 plate as described in this section for use on a passenger
196 vehicle titled in the name of the qualified applicant. The
197 division shall charge a one-time fee of ten dollars to be
198 deposited into a special revolving fund to be used in the
199 administration of this section, in addition to all other fees
200 required by this chapter, for the second plate.

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

205 (A) Approved nonprofit charitable and educational
206 organizations previously authorized under the prior
207 enactment of this subdivision may accept and collect
208 applications for special registration plates from owners of
209 Class A motor vehicles together with a special annual fee
210 of fifteen dollars, which is in addition to all other fees
211 required by this chapter. The applications and fees shall
212 be submitted to the Division of Motor Vehicles with the
213 request that the division issue a registration plate bearing
214 a combination of letters or numbers with the organiza-
215 tions' logo or emblem, with the maximum number of
216 letters or numbers to be determined by the commissioner.

217 (B) The commissioner shall propose rules for legislative
218 approval in accordance with the provisions of article three,
219 chapter twenty-nine-a of this code regarding the proce-
220 dures for and approval of special registration plates issued
221 pursuant to this subdivision.

222 (C) The commissioner shall set an appropriate fee to
223 defray the administrative costs associated with designing
224 and manufacturing special registration plates for a
225 nonprofit charitable or educational organization. The
226 nonprofit charitable or educational organization shall
227 collect this fee and forward it to the division for deposit in
228 a special revolving fund to pay the administrative costs.

229 The nonprofit charitable or educational organization may
230 also collect a fee for marketing the special registration
231 plates.

232 (D) The commissioner may not approve or authorize any
233 additional nonprofit charitable and educational organiza-
234 tions to design or market special registration plates.

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

237 (A) Any owner of a motor vehicle who is a resident of the
238 State of West Virginia and who is a certified paramedic or
239 emergency medical technician, a member of a paid fire
240 department, a member of the State Fire Commission, the
241 State Fire Marshal, the State Fire Marshal's assistants, the
242 State Fire Administrator and voluntary rescue squad
243 members may apply for a special license plate for any
244 number of Class A vehicles titled in the name of the
245 qualified applicant which bears the insignia of the profes-
246 sion, group or commission. Any insignia shall be designed
247 by the commissioner. License plates issued pursuant to
248 this subdivision shall bear the requested insignia in
249 addition to the registration number issued to the applicant
250 pursuant to the provisions of this article.

251 (B) Each application submitted pursuant to this subdivi-
252 sion shall be accompanied by an affidavit signed by the
253 fire chief or department head of the applicant stating that
254 the applicant is justified in having a registration with the
255 requested insignia; proof of compliance with all laws of
256 this state regarding registration and licensure of motor
257 vehicles; and payment of all required fees.

258 (C) Each application submitted pursuant to this subdivi-
259 sion shall be accompanied by payment of a special initial
260 application fee of ten dollars, which is in addition to any
261 other registration or license fee required by this chapter.
262 All special fees shall be collected by the division and
263 deposited into a special revolving fund to be used for the

264 purpose of compensating the Division of Motor Vehicles
265 for additional costs and services required in the issuing of
266 the special registration and for the administration of this
267 section.

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

270 (A) Any owner of a motor vehicle who is a resident of the
271 State of West Virginia and who is a certified firefighter
272 may apply for a special license plate which bears the
273 insignia of the profession, for any number of Class A
274 vehicles titled in the name of the qualified applicant. Any
275 insignia shall be designed by the commissioner. License
276 plates issued pursuant to this subdivision shall bear the
277 requested insignia pursuant to the provisions of this
278 article. Upon presentation of written evidence of certifica-
279 tion as a certified firefighter, certified firefighters are
280 eligible to purchase the special registration plate issued
281 pursuant to this subdivision.

282 (B) Each application submitted pursuant to this subdivi-
283 sion shall be accompanied by an affidavit stating that the
284 applicant is justified in having a registration with the
285 requested insignia; proof of compliance with all laws of
286 this state regarding registration and licensure of motor
287 vehicles; and payment of all required fees. The firefighter
288 certification department, section or division of the West
289 Virginia University fire service extension shall notify the
290 commissioner in writing immediately when a firefighter
291 loses his or her certification. If a firefighter loses his or
292 her certification, the commissioner may not issue him or
293 her a license plate under this subsection.

294 (C) Each application submitted pursuant to this subdivi-
295 sion shall be accompanied by payment of a special initial
296 application fee of ten dollars, which is in addition to any
297 other registration or license fee required by this chapter.
298 All special fees shall be collected by the division and
299 deposited into a special revolving fund to be used for the

300 purpose of compensating the Division of Motor Vehicles
301 for additional costs and services required in the issuing of
302 the special registration and for the administration of this
303 section.

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

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

310 (B) The division shall charge a special one-time initial
311 application fee of ten dollars in addition to all other fees
312 required by this chapter. All initial application fees
313 collected by the division shall be deposited into a special
314 revolving fund to be used in the administration of this
315 chapter.

316 (13) The division may issue honorably discharged marine
317 corps league members special registration plates as
318 follows:

319 (A) Upon appropriate application, the division shall
320 issue to any honorably discharged Marine Corps league
321 member a special registration plate for any number of
322 vehicles titled in the name of the qualified applicant with
323 an insignia designed by the Commissioner of the Division
324 of Motor Vehicles.

325 (B) The division may charge a special one-time initial
326 application fee of ten dollars in addition to all other fees
327 required by this chapter. This special fee is to compensate
328 the Division of Motor Vehicles for additional costs and
329 services required in the issuing of the special registration
330 and shall be collected by the division and deposited in a
331 special revolving fund to be used for the administration of
332 this section: *Provided*, That nothing in this section may be
333 construed to exempt any veteran from any other provision
334 of this chapter.

335 (C) A surviving spouse may continue to use his or her
336 deceased spouse's honorably discharged Marine Corps
337 league license plate until the surviving spouse dies,
338 remarries or does not renew the license plate.

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

341 (A) The division may issue a special registration plate for
342 the members of any military organization chartered by the
343 United States Congress upon receipt of a guarantee from
344 the organization of a minimum of one hundred applicants.
345 The insignia on the plate shall be designed by the commis-
346 sioner.

347 (B) Upon appropriate application, the division may issue
348 members of the chartered organization in good standing,
349 as determined by the governing body of the chartered
350 organization, a special registration plate for any number
351 of vehicles titled in the name of the qualified applicant.

352 (C) The division shall charge a special one-time initial
353 application fee of ten dollars for each special license plate
354 in addition to all other fees required by this chapter. All
355 initial application fees collected by the division shall be
356 deposited into a special revolving fund to be used in the
357 administration of this chapter: *Provided*, That nothing in
358 this section may be construed to exempt any veteran from
359 any other provision of this chapter.

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

364 (15) The division may issue special nongame wildlife
365 registration plates and special wildlife registration plates
366 as follows:

367 (A) Upon appropriate application, the division shall
368 issue a special registration plate displaying a species of

369 West Virginia wildlife which shall display a species of
370 wildlife native to West Virginia as prescribed and desig-
371 nated by the commissioner and the Director of the Divi-
372 sion of Natural Resources.

373 (B) The division shall charge an annual fee of fifteen
374 dollars for each special nongame wildlife registration plate
375 and each special wildlife registration plate in addition to
376 all other fees required by this chapter. All annual fees
377 collected for nongame wildlife registration plates and
378 wildlife registration plates shall be deposited in a special
379 revenue account designated the nongame wildlife fund and
380 credited to the Division of Natural Resources.

381 (C) The division shall charge a special one-time initial
382 application fee of ten dollars in addition to all other fees
383 required by this chapter. All initial application fees
384 collected by the division shall be deposited in a special
385 revolving fund to be used in the administration of this
386 chapter.

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

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

394 (B) A qualified member of the Silver Haired Legislature
395 may obtain one registration plate described in this subdi-
396 vision for use on a passenger vehicle titled in the name of
397 the qualified applicant. The division shall charge an
398 annual fee of fifteen dollars, in addition to all other fees
399 required by this chapter, for the plate. All annual fees
400 collected by the division shall be deposited in a special
401 revolving fund to be used in the administration of this
402 chapter.

403 (17) Upon appropriate application, the commissioner
404 shall issue to a classic motor vehicle or classic motorcycle
405 as defined in section three-a, article ten of this chapter, a
406 special registration plate designed by the commissioner.
407 An annual fee of fifteen dollars, in addition to all other
408 fees required by this chapter, shall be charged for each
409 classic registration plate.

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

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

420 (B) A special initial application fee of ten dollars shall be
421 charged in addition to all other fees required by law. This
422 special fee is to compensate the Division of Motor Vehicles
423 for additional costs and services required in the issuing of
424 the special registration and shall be collected by the
425 division and deposited in a special revolving fund to be
426 used for the administration of this section: *Provided*, That
427 nothing in this section may be construed to exempt any
428 veteran from any other provision of this chapter.

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

433 (19) Racing theme special registration plates:

434 (A) The division may issue a series of special registration
435 plates displaying national association for stock car auto
436 racing themes.

437 (B) An annual fee of twenty-five dollars shall be charged
438 for each special racing theme registration plate in addition
439 to all other fees required by this chapter. All annual fees
440 collected for each special racing theme registration plate
441 shall be deposited into a special revolving fund to be used
442 in the administration of this chapter.

443 (C) A special application fee of ten dollars shall be
444 charged at the time of initial application as well as upon
445 application for any duplicate or replacement registration
446 plate, in addition to all other fees required by this chapter.
447 All application fees shall be deposited into a special
448 revolving fund to be used in the administration of this
449 chapter.

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

454 (A) Upon appropriate application, the division shall
455 issue to any recipient of the Navy Cross, Distinguished
456 Service Cross, Distinguished Flying Cross, Air Force Cross,
457 Silver Star, Bronze Star or Air Medal, a registration plate
458 for any number of vehicles titled in the name of the
459 qualified applicant bearing letters or numbers. A separate
460 registration plate shall be designed by the Commissioner
461 of Motor Vehicles for each award that denotes that those
462 individuals who are granted this special registration plate
463 are recipients of the Navy Cross, Distinguished Service
464 Cross, Distinguished Flying Cross, Air Force Cross, Silver
465 Star or Bronze Star, as applicable.

466 (B) The division shall charge a special initial application
467 fee of ten dollars in addition to all other fees required by
468 law. This special fee is to compensate the Division of
469 Motor Vehicles for additional costs and services required
470 in the issuing of the special registration and shall be
471 collected by the division and deposited in a special revolv-
472 ing fund to be used for the administration of this section:

473 *Provided*, That nothing in this section exempts the appli-
474 cant for a special registration plate under this subdivision
475 from any other provision of this chapter.

476 (C) A surviving spouse may continue to use his or her
477 deceased spouse's Navy Cross, Distinguished Service
478 Cross, Distinguished Flying Cross, Air Force Cross, Silver
479 Star, Bronze Star or Air Medal special registration plate
480 until the surviving spouse dies, remarries or does not
481 renew the special registration plate.

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

484 (A) Upon appropriate application, the division shall
485 issue to any honorably discharged veteran of any branch
486 of the armed services of the United States with verifiable
487 service during World War II, the Korean War, the Vietnam
488 War, the Persian Gulf War or the War against Terrorism a
489 special registration plate for any number of vehicles titled
490 in the name of the qualified applicant with an insignia
491 designed by the commissioner denoting service in the
492 applicable conflict.

493 (B) The division shall charge a special one-time initial
494 application fee of ten dollars in addition to all other fees
495 required by law. This special fee is to compensate the
496 Division of Motor Vehicles for additional costs and
497 services required in the issuing of the special registration
498 and shall be collected by the division and deposited in a
499 special revolving fund to be used for the administration of
500 this section: *Provided*, That nothing contained in this
501 section may be construed to exempt any veteran from any
502 other provision of this chapter.

503 (C) A surviving spouse may continue to use his or her
504 deceased spouse's honorably discharged veterans registra-
505 tion plate until the surviving spouse dies, remarries or does
506 not renew the special registration plate.

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

509 (A) Any owner of a motor vehicle who is a resident of
510 West Virginia and who is a volunteer firefighter may apply
511 for a special license plate for any Class A vehicle titled in
512 the name of the qualified applicant which bears the
513 insignia of the profession in white letters on a red back-
514 ground. The insignia shall be designed by the commis-
515 sioner and shall contain a fireman's helmet insignia on the
516 left side of the license plate.

517 (B) Each application submitted pursuant to this subdivi-
518 sion shall be accompanied by an affidavit signed by the
519 applicant's fire chief, stating that the applicant is a
520 volunteer firefighter and justified in having a registration
521 plate with the requested insignia. The applicant must
522 comply with all other laws of this state regarding registra-
523 tion and licensure of motor vehicles and must pay all
524 required fees.

525 (C) Each application submitted pursuant to this subdivi-
526 sion shall be accompanied by payment of a special one-
527 time initial application fee of ten dollars, which is in
528 addition to any other registration or license fee required
529 by this chapter. All application fees shall be deposited
530 into a special revolving fund to be used in the administra-
531 tion of this chapter.

532 (23) The division may issue special registration plates
533 which reflect patriotic themes, including the display of any
534 United States symbol, icon, phrase or expression which
535 evokes patriotic pride or recognition.

536 (A) Upon appropriate application, the division shall
537 issue to an applicant a registration plate of the applicant's
538 choice, displaying a patriotic theme as provided in this
539 subdivision, for a vehicle titled in the name of the appli-
540 cant. A series of registration plates displaying patriotic

541 themes shall be designed by the Commissioner of Motor
542 Vehicles for distribution to applicants.

543 (B) The division shall charge a special one-time initial
544 application fee of ten dollars in addition to all other fees
545 required by law. This special fee is to compensate the
546 Division of Motor Vehicles for additional costs and
547 services required in the issuing of the special registration
548 and shall be collected by the division and deposited in a
549 special revolving fund to be used for the administration of
550 this section.

551 (24) Special license plates bearing the American flag and
552 the logo "9/11/01".

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

556 (B) An annual fee of fifteen dollars shall be charged for
557 each plate in addition to all other fees required by this
558 chapter.

559 (C) A special application fee of ten dollars shall be
560 charged at the time of initial application as well as upon
561 application for any duplicate or replacement registration
562 plate, in addition to all other fees required by this chapter.
563 All application fees shall be deposited into a special
564 revolving fund to be used in the administration of this
565 chapter.

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

570 (A) Upon appropriate application, the division may issue
571 a special registration plate depicting the symbol of the 4-H
572 organization which represents the head, heart, hands and
573 health as well as the symbol of the Future Farmers of
574 America organization which represents a cross section of

575 an ear of corn for any number of vehicles titled in the
576 name of the qualified applicant.

577 (B) The division shall charge a special initial application
578 fee of ten dollars in addition to all other fees required by
579 law. This special fee is to compensate the Division of
580 Motor Vehicles for additional costs and services required
581 in the issuing of the special registration and shall be
582 collected by the division and deposited in a special revolv-
583 ing fund to be used for the administration of this section.

584 (C) The division shall charge an annual fee of fifteen
585 dollars for each special 4-H Future Farmers of America
586 registration plate in addition to all other fees required by
587 this chapter.

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

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

596 (B) The division shall charge a special initial application
597 fee of ten dollars in addition to all other fees required by
598 law. This special fee is to compensate the Division of
599 Motor Vehicles for additional costs and services required
600 in the issuing of the special registration and shall be
601 collected by the division and deposited in a special revolv-
602 ing fund to be used for the administration of this section.

603 (C) The division shall charge an annual fee of fifteen
604 dollars for each special educator registration plate in
605 addition to all other fees required by this chapter.

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

608 (A) Upon appropriate application, the division may issue
609 a special registration plate designed by the commissioner
610 for any number of vehicles titled in the name of the
611 qualified applicant. Persons desiring the special registra-
612 tion plate shall offer sufficient proof of membership in
613 Nemesis Shrine.

614 (B) The division shall charge a special initial application
615 fee of ten dollars in addition to all other fees required by
616 law. This special fee is to compensate the Division of
617 Motor Vehicles for additional costs and services required
618 in the issuing of the special registration and shall be
619 collected by the division and deposited in a special revolv-
620 ing fund to be used for the administration of this section.

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

624 (D) Notwithstanding the provisions of subsection (d) of
625 this section, the time period for the Nemesis Shrine to
626 comply with the minimum one hundred prepaid applica-
627 tions is hereby extended to the fifteenth day of January,
628 two thousand five.

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

632 (A) Upon appropriate application, the division shall
633 issue to any person who is a duly qualified volunteer or
634 employee of the American Red Cross a specialized regis-
635 tration plate which bears recognition of the applicant as a
636 volunteer or employee of the American Red Cross for any
637 number of vehicles titled in the name of the qualified
638 applicant.

639 (B) The division shall charge a special initial application
640 fee of ten dollars in addition to all other fees required by
641 law. This special fee is to compensate the Division of
642 Motor Vehicles for additional costs and services required

643 in the issuing of the special registration and shall be
644 collected by the division and deposited in a special revolv-
645 ing fund to be used for the administration of this section.

646 (C) An annual fee of fifteen dollars shall be charged for
647 each plate in addition to all other fees required by this
648 chapter.

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

652 (A) Upon appropriate application, the division shall
653 issue a special registration plate designed by the commis-
654 sioner for any number of vehicles titled in the name of the
655 qualified applicant. Persons desiring the special registra-
656 tion plate shall offer sufficient proof that they have
657 received either the Combat Infantry Badge or the Combat
658 Medic Badge.

659 (B) The division shall charge a special initial application
660 fee of ten dollars in addition to all other fees required by
661 law. This special fee is to compensate the Division of
662 Motor Vehicles for additional costs and services required
663 in the issuing of the special registration and shall be
664 collected by the division and deposited in a special revolv-
665 ing fund to be used for the administration of this section.

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

668 (A) Upon appropriate application, the division shall
669 issue a special registration plate designed by the commis-
670 sioner for any number of vehicles titled in the name of the
671 qualified applicant. Persons desiring the special registra-
672 tion plate shall offer sufficient proof of membership in the
673 Knights of Columbus.

674 (B) The division shall charge a special initial application
675 fee of ten dollars in addition to all other fees required by
676 law. This special fee is to compensate the Division of

677 Motor Vehicles for additional costs and services required
678 in the issuing of the special registration and shall be
679 collected by the division and deposited in a special revolv-
680 ing fund to be used for the administration of this section.

681 (C) An annual fee of fifteen dollars shall be charged for
682 each plate in addition to all other fees required by this
683 chapter.

684 (D) Notwithstanding the provisions of subsection (d) of
685 this section, the time period for the Knights of Columbus
686 to comply with the minimum one hundred prepaid appli-
687 cations is hereby extended to the fifteenth day of January,
688 two thousand seven.

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

691 (A) Upon appropriate application, the division shall
692 issue a special registration plate designed by the commis-
693 sioner for any number of vehicles titled in the name of the
694 qualified applicant. Persons desiring the special registra-
695 tion plate shall offer sufficient proof of former service as
696 an elected or appointed member of the West Virginia
697 House of Delegates or the West Virginia Senate.

698 (B) The division shall charge a special initial application
699 fee of ten dollars in addition to all other fees required by
700 law. This special fee is to compensate the Division of
701 Motor Vehicles for additional costs and services required
702 in the issuing of the special registration and shall be
703 collected by the division and deposited in a special revolv-
704 ing fund to be used for the administration of this section.
705 The design of the plate shall indicate total years of service
706 in the Legislature.

707 (C) An annual fee of fifteen dollars shall be charged for
708 each plate in addition to all other fees required by this
709 chapter.

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

712 (A) The division shall design and issue special registra-
713 tion plates for use by democratic state or county executive
714 committee members. The design of the plates shall include
715 an insignia of a donkey and shall differentiate by wording
716 on the plate between state and county executive committee
717 members.

718 (B) An annual fee of twenty-five dollars shall be charged
719 for each democratic state or county executive committee
720 member registration plate in addition to all other fees
721 required by this chapter. All annual fees collected for each
722 special plate issued under this subdivision shall be depos-
723 ited into a special revolving fund to be used in the admin-
724 istration of this chapter.

725 (C) A special application fee of ten dollars shall be
726 charged at the time of initial application as well as upon
727 application for any duplicate or replacement registration
728 plate, in addition to all other fees required by this chapter.
729 All application fees shall be deposited into a special
730 revolving fund to be used in the administration of this
731 chapter.

732 (D) The division shall not begin production of a plate
733 authorized under the provisions of this subdivision until
734 the division receives at least one hundred completed
735 applications from the state or county executive committee
736 members, including all fees required pursuant to this
737 subdivision.

738 (E) Notwithstanding the provisions of subsection (d) of
739 this section, the time period for the democratic executive
740 committee to comply with the minimum one hundred
741 prepaid applications is hereby extended to the fifteenth
742 day of January, two thousand five.

743 (33) The division may issue honorably discharged female
744 veterans special registration plates as follows:

745 (A) Upon appropriate application, there shall be issued
746 to any female honorably discharged veteran, of any branch

747 of the armed services of the United States, a special
748 registration plate for any number of vehicles titled in the
749 name of the qualified applicant with an insignia designed
750 by the Commissioner of the Division of Motor Vehicles to
751 designate the recipient as a woman veteran.

752 (B) A special initial application fee of ten dollars shall be
753 charged in addition to all other fees required by law. This
754 special fee is to compensate the Division of Motor Vehicles
755 for additional costs and services required in the issuing of
756 the special registration and shall be collected by the
757 division and deposited in a special revolving fund to be
758 used for the administration of this section: *Provided*, That
759 nothing in this section may be construed to exempt any
760 veteran from any other provision of this chapter.

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

765 (34) The division may issue special registration plates
766 bearing the logo, symbol, insignia, letters or words demon-
767 strating association with West Liberty State College to any
768 resident owner of a motor vehicle. Resident owners may
769 apply for the special license plate for any number of Class
770 A vehicles titled in the name of the applicant. The special
771 registration plates shall be designed by the commissioner.
772 Each application submitted pursuant to this subdivision
773 shall be accompanied by payment of a special initial
774 application fee of fifteen dollars, which is in addition to
775 any other registration or license fee required by this
776 chapter. The division shall charge an annual fee of fifteen
777 dollars for each special educator registration plate in
778 addition to all other fees required by this chapter. All
779 special fees shall be collected by the division and deposited
780 into a special revolving fund to be used for the purpose of
781 compensating the Division of Motor Vehicles for addi-
782 tional costs and services required in the issuing of the

783 special registration and for the administration of this
784 section.

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

787 (A) Upon appropriate application, the division may issue
788 a special registration plate designed by the commissioner
789 for any number of vehicles titled in the name of the
790 qualified applicant. Persons desiring the special registra-
791 tion plate shall offer sufficient proof of membership in the
792 Harley Owners Group.

793 (B) The division shall charge a special initial application
794 fee of ten dollars in addition to all other fees required by
795 law. This special fee is to compensate the Division of
796 Motor Vehicles for additional costs and services required
797 in the issuing of the special registration and shall be
798 collected by the division and deposited in a special revolv-
799 ing fund to be used for the administration of this section.

800 (C) An annual fee of fifteen dollars shall be charged for
801 each plate in addition to all other fees required by this
802 chapter.

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

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

814 (B) A special initial application fee of ten dollars shall be
815 charged in addition to all other fees required by law. This
816 special fee is to compensate the Division of Motor Vehicles

817 for additional costs and services required in the issuing of
818 a special registration and shall be collected by the division
819 and deposited in a special revolving fund to be used for the
820 administration of this section: *Provided*, That nothing in
821 this section may be construed to exempt any registrants
822 from any other provision of this chapter.

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

827 (37) The division may issue special registration plates
828 bearing the logo, symbol, insignia, letters or words demon-
829 strating association with or support for Fairmont State
830 College as follows:

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

835 (B) The division shall charge a special initial application
836 fee of ten dollars in addition to all other fees required by
837 law. This special fee is to compensate the Division of
838 Motor Vehicles for additional costs and services required
839 in the issuing of the special registration and shall be
840 collected by the division and deposited in a special revolv-
841 ing fund to be used for the administration of this section.

842 (C) An annual fee of fifteen dollars shall be charged for
843 each plate in addition to all other fees required by this
844 chapter.

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

847 (A) Any owner of a motor vehicle who is a resident of
848 West Virginia may apply for a special license plate depict-
849 ing a farming scene or other apt reference to farming,

850 whether in pictures or words, at the discretion of the
851 commissioner.

852 (B) The division shall charge a special initial application
853 fee of ten dollars. This special fee is to compensate the
854 Division of Motor Vehicles for additional costs and
855 services required in the issuing of the special registration
856 and shall be collected by the division and deposited in a
857 special revolving fund to be used for the administration of
858 this section.

859 (C) An annual fee of fifteen dollars shall be charged for
860 each plate in addition to all other fees required by this
861 chapter.

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

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

868 (B) The division shall charge a special initial application
869 fee of ten dollars in addition to all other fees required by
870 law. This special fee is to compensate the Division of
871 Motor Vehicles for additional costs and services required
872 in the issuing of the special registration and shall be
873 collected by the division and deposited in a special revolv-
874 ing fund to be used for the administration of this section:
875 *Provided*, That nothing in this section exempts the appli-
876 cant for a special registration plate under this subdivision
877 from any other provision of this chapter.

878 (C) An annual fee of fifteen dollars shall be charged for
879 each plate in addition to all other fees required by this
880 chapter.

881 (40) The division may issue members of the 82nd Air-
882 borne Division Association special registration plates as
883 follows:

884 (A) The division may issue a special registration plate for
885 members of the 82nd Airborne Division Association upon
886 receipt of a guarantee from the organization of a minimum
887 of one hundred applicants. The insignia on the plate shall
888 be designed by the commissioner.

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

894 (C) The division shall charge a special one-time initial
895 application fee of ten dollars for each special license plate
896 in addition to all other fees required by this chapter. All
897 initial application fees collected by the division shall be
898 deposited into a special revolving fund to be used in the
899 administration of this chapter: *Provided*, That nothing in
900 this section may be construed to exempt the applicant
901 from any other provision of this chapter.

902 (D) A surviving spouse may continue to use his or her
903 deceased spouse's special 82nd Airborne Division Associa-
904 tion registration plate until the surviving spouse dies,
905 remarries or does not renew the special registration plate.

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

909 (A) Upon appropriate application, the division shall
910 issue to any member of a municipal police department,
911 sheriff's department, the State Police or the law-enforce-
912 ment division of the Division of Natural Resources who
913 has been wounded in the line of duty and awarded a
914 purple heart in recognition thereof by the West Virginia
915 Chiefs of Police Association, the West Virginia Sheriffs'
916 Association, the West Virginia Troopers Association or the
917 Division of Natural Resources a special registration plate
918 for one vehicle titled in the name of the qualified applicant

919 with an insignia appropriately designed by the commis-
920 sioner.

921 (B) Registration plates issued pursuant to this subdivi-
922 sion are exempt from the registration fees otherwise
923 required by the provisions of this chapter.

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

928 (D) Survivors of wounds received in the line of duty as a
929 member with a West Virginia law-enforcement agency
930 may obtain a license plate as described in this section for
931 use on a passenger vehicle titled in the name of the quali-
932 fied applicant. The division shall charge a one-time fee of
933 ten dollars to be deposited into a special revolving fund to
934 be used in the administration of this section, in addition to
935 all other fees required by this chapter, for the second plate.

936 (42) The division may issue a special registration plate
937 for persons who are Native Americans and residents of this
938 state.

939 (A) Upon appropriate application, the division shall
940 issue to an applicant who is a Native American resident of
941 West Virginia a registration plate for a vehicle titled in the
942 name of the applicant with an insignia designed by the
943 Commissioner of the Division of Motor Vehicles to desig-
944 nate the recipient as a Native American.

945 (B) The division shall charge a special one-time initial
946 application fee of ten dollars in addition to all other fees
947 required by law. This special fee is to compensate the
948 Division of Motor Vehicles for additional costs and
949 services required in the issuing of the special registration
950 and shall be collected by the division and deposited in a
951 special revolving fund to be used for the administration of
952 this section.

953 (C) An annual fee of fifteen dollars shall be charged for
954 each plate in addition to all other fees required by this
955 chapter.

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

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

964 (B) The division shall charge a special initial application
965 fee of ten dollars. This special fee is to compensate the
966 Division of Motor Vehicles for additional costs and
967 services required in the issuing of the special registration
968 and shall be collected by the division and deposited in a
969 special revolving fund to be used for the administration of
970 this section.

971 (C) An annual fee of fifteen dollars shall be charged for
972 each plate in addition to all other fees required by this
973 chapter.

974 (44) The division may issue special registration plates
975 recognizing and honoring breast cancer survivors.

976 (A) Upon appropriate application, the division may issue
977 a special registration plate designed by the commissioner
978 to recognize and honor breast cancer survivors, such plate
979 to incorporate somewhere in the design the "pink ribbon
980 emblem", for any number of vehicles titled in the name of
981 the applicant.

982 (B) The division shall charge a special initial application
983 fee of ten dollars. This special fee is to compensate the
984 Division of Motor Vehicles for additional costs and
985 services required in the division and deposited in a special

986 revolving fund to be used for the administration of this
987 section.

988 (C) An annual fee of fifteen dollars shall be charged for
989 each plate in addition to all other fees required by this
990 chapter.

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

994 (A) Upon appropriate application, the division may issue
995 a special registration plate designed by the commissioner
996 for any number of vehicles titled in the name of the
997 qualified applicant. Persons desiring the special registra-
998 tion plate shall offer sufficient proof of membership in the
999 Knights of Pythias or Pythian Sisters.

1000 (B) The division shall charge a special initial application
1001 fee of ten dollars in addition to all other fees required by
1002 law. This special fee is to compensate the Division of
1003 Motor Vehicles for additional costs and services required
1004 in the issuing of the special registration and shall be
1005 collected by the division and deposited in a special revolv-
1006 ing fund to be used for the administration of this section.

1007 (C) An annual fee of fifteen dollars shall be charged for
1008 each plate in addition to all other fees required by this
1009 chapter.

1010 (46) The commissioner may issue special registration
1011 plates for whitewater rafting enthusiasts as follows:

1012 (A) Upon appropriate application, the division may issue
1013 a special registration plate designed by the commissioner
1014 for any number of vehicles titled in the name of the
1015 qualified applicant.

1016 (B) The division shall charge a special initial application
1017 fee of ten dollars in addition to all other fees required by
1018 law. This special fee is to compensate the Division of
1019 Motor Vehicles for additional costs and services required

1020 in the issuing of the special registration and shall be
1021 collected by the division and deposited in a special revolv-
1022 ing fund to be used for the administration of this section.

1023 (C) The division shall charge an annual fee of fifteen
1024 dollars for each special registration plate in addition to all
1025 other fees required by this chapter.

1026 (47) The division may issue special registration plates to
1027 members of Lions International as follows:

1028 (A) Upon appropriate application, the division may issue
1029 a special registration plate designed by the commissioner
1030 in consultation with Lions International for any number of
1031 vehicles titled in the name of the qualified applicant.
1032 Persons desiring the special registration plate shall offer
1033 sufficient proof of membership in Lions International.

1034 (B) The division shall charge a special initial application
1035 fee of ten dollars in addition to all other fees required by
1036 law. This special fee is to compensate the Division of
1037 Motor Vehicles for additional costs and services required
1038 in the issuing of the special registration and shall be
1039 collected by the division and deposited in a special revolv-
1040 ing fund to be used for the administration of this section.

1041 (C) An annual fee of fifteen dollars shall be charged for
1042 each plate in addition to all other fees required by this
1043 chapter.

1044 (48) The division may issue special registration plates
1045 supporting organ donation as follows:

1046 (A) Upon appropriate application, the division may issue
1047 a special registration plate designed by the commissioner
1048 which recognizes, supports and honors organ and tissue
1049 donors and includes the words "Donate Life".

1050 (B) The division shall charge a special initial application
1051 fee of ten dollars in addition to all other fees required by
1052 law. This special fee is to compensate the Division of
1053 Motor Vehicles for additional costs and services required

1054 in the issuing of the special registration and shall be
1055 collected by the division and deposited in a special revolv-
1056 ing fund to be used for the administration of this section.

1057 (C) An annual fee of fifteen dollars shall be charged for
1058 each plate in addition to all other fees required by this
1059 chapter.

1060 (49) The division may issue special registration plates to
1061 members of the West Virginia Bar Association as follows:

1062 (A) Upon appropriate application, the division may issue
1063 a special registration plate designed by the commissioner
1064 in consultation with the West Virginia Bar Association for
1065 any number of vehicles titled in the name of the qualified
1066 applicant. Persons desiring the special registration plate
1067 shall offer sufficient proof of membership in the West
1068 Virginia Bar Association.

1069 (B) The division shall charge a special initial application
1070 fee of ten dollars in addition to all other fees required by
1071 law. This special fee is to compensate the Division of
1072 Motor Vehicles for additional costs and services required
1073 in the issuing of the special registration and shall be
1074 collected by the division and deposited in a special revolv-
1075 ing fund to be used for the administration of this section.

1076 (C) An annual fee of fifteen dollars shall be charged for
1077 each plate in addition to all other fees required by this
1078 chapter.

1079 (50) The division may issue special registration plates
1080 bearing an appropriate logo, symbol or insignia combined
1081 with the words "SHARETHEROAD" designed to promote
1082 bicycling in the state as follows:

1083 (A) Upon appropriate application, the division may issue
1084 a special registration plate designed by the commissioner
1085 for any number of vehicles titled in the name of the
1086 applicant.

1087 (B) The division shall charge a special initial application
1088 fee of ten dollars in addition to all other fees required by
1089 law. This special fee is to compensate the Division of
1090 Motor Vehicles for additional costs and services required
1091 in the issuing of the special registration and shall be
1092 collected by the division and deposited in a special revolving
1093 fund to be used for the administration of this section.

1094 (C) An annual fee of fifteen dollars shall be charged for
1095 each plate in addition to all other fees required by this
1096 chapter.

1097 (51) The division may issue special registration plates
1098 honoring coal miners as follows:

1099 (A) Upon appropriate application, the division shall
1100 issue a special registration plate depicting and displaying
1101 coal miners in mining activities as prescribed and designated
1102 by the commissioner and the board of the National
1103 Coal Heritage Area Authority.

1104 (B) The division shall charge a special initial application
1105 fee of ten dollars in addition to all other fees required by law. This special fee is to compensate the
1106 Division of Motor Vehicles for additional costs and
1107 services required in the issuing of the special registration
1108 and shall be collected by the division and deposited in a
1109 special revolving fund to be used for the administration
1110 of this section.

1112 (C) An annual fee of fifteen dollars shall be charged for
1113 each plate in addition to all other fees required by this
1114 chapter.

1115 (52) The division may issue special registration plates
1116 to present and former Boy Scouts as follows:

1117 (A) Upon appropriate application, the division may
1118 issue a special registration plate designed by the commissioner for any number of vehicles titled in the name of
1119 the qualified applicant. Persons desiring the special
1120

1121 registration plate shall offer sufficient proof of present
1122 or past membership in the Boy Scouts as either a member
1123 or a leader.

1124 (B) The division shall charge a special initial applica-
1125 tion fee of ten dollars in addition to all other fees re-
1126 quired by law. This special fee is to compensate the
1127 Division of Motor Vehicles for additional costs and
1128 services required in the issuing of the special registration
1129 and shall be collected by the division and deposited in a
1130 special revolving fund to be used for the administration
1131 of this section.

1132 (C) An annual fee of fifteen dollars shall be charged for
1133 each plate in addition to all other fees required by this
1134 chapter.

1135 (53) The division may issue special registration plates
1136 to present and former Boy Scouts who have achieved
1137 Eagle Scout status as follows:

1138 (A) Upon appropriate application, the division may
1139 issue a special registration plate designed by the commis-
1140 sioner for any number of vehicles titled in the name of
1141 the qualified applicant. Persons desiring the special
1142 registration plate shall offer sufficient proof of achieve-
1143 ment of Eagle Scout status.

1144 (B) The division shall charge a special initial applica-
1145 tion fee of ten dollars in addition to all other fees re-
1146 quired by law. This special fee is to compensate the
1147 Division of Motor Vehicles for additional costs and
1148 services required in the issuing of the special registration
1149 and shall be collected by the division and deposited in a
1150 special revolving fund to be used for the administration
1151 of this section.

1152 (C) An annual fee of fifteen dollars shall be charged for
1153 each plate in addition to all other fees required by this
1154 chapter.

1155 (54) The division may issue special registration plates
1156 recognizing and memorializing victims of domestic
1157 violence.

1158 (A) Upon appropriate application, the division may
1159 issue a special registration plate designed by the commis-
1160 sioner to recognize and memorialize victims of domestic
1161 violence, such plate to incorporate somewhere in the
1162 design the "purple ribbon emblem", for any number of
1163 vehicles titled in the name of the applicant.

1164 (B) The division shall charge a special initial applica-
1165 tion fee of ten dollars. This special fee is to compensate
1166 the Division of Motor Vehicles for additional costs and
1167 services required in the division and deposited in a
1168 special revolving fund to be used for the administration
1169 of this section.

1170 (C) An annual fee of fifteen dollars shall be charged for
1171 each plate in addition to all other fees required by this
1172 chapter.

1173 (55) The division may issue special registration plates
1174 bearing the logo, symbol, insignia, letters or words
1175 demonstrating association with or support for the
1176 University of Charleston as follows:

1177 (A) Upon appropriate application, the division may
1178 issue a special registration plate designed by the commis-
1179 sioner for any number of vehicles titled in the name of
1180 the qualified applicant.

1181 (B) The division shall charge a special initial applica-
1182 tion fee of ten dollars in addition to all other fees re-
1183 quired by law. This special fee is to compensate the
1184 Division of Motor Vehicles for additional costs and
1185 services required in the issuing of the special registration
1186 and shall be collected by the division and deposited in a
1187 special revolving fund to be used for the administration
1188 of this section.

1189 (C) An annual fee of fifteen dollars shall be charged for
1190 each plate in addition to all other fees required by this
1191 chapter.

1192 (56) The division may issue special registration plates
1193 to members of the Sons of the American Revolution as
1194 follows:

1195 (A) Upon appropriate application, the division may
1196 issue a special registration plate designed by the commis-
1197 sioner in consultation with the Sons of the American
1198 Revolution for any number of vehicles titled in the name
1199 of the qualified applicant. Persons desiring the special
1200 registration plate shall offer sufficient proof of member-
1201 ship in the Sons of the American Revolution.

1202 (B) The division shall charge a special initial applica-
1203 tion fee of ten dollars in addition to all other fees re-
1204 quired by law. This special fee is to compensate the
1205 Division of Motor Vehicles for additional costs and
1206 services required in the issuing of the special registration
1207 and shall be collected by the division and deposited in a
1208 special revolving fund to be used for the administration
1209 of this section.

1210 (C) An annual fee of fifteen dollars shall be charged for
1211 each plate in addition to all other fees required by this
1212 chapter.

1213 (57) The commissioner may issue special registration
1214 plates for horse enthusiasts as follows:

1215 (A) Upon appropriate application, the division may
1216 issue a special registration plate designed by the commis-
1217 sioner for any number of vehicles titled in the name of
1218 the qualified applicant.

1219 (B) The division shall charge a special initial applica-
1220 tion fee of ten dollars in addition to all other fees re-
1221 quired by law. This special fee is to compensate the
1222 Division of Motor Vehicles for additional costs and

1223 services required in the issuing of the special registration
1224 and shall be collected by the division and deposited in a
1225 special revolving fund to be used for the administration
1226 of this section.

1227 (C) The division shall charge an annual fee of fifteen
1228 dollars for each special registration plate in addition to
1229 all other fees required by this chapter.

1230 (58) The commissioner may issue special registration
1231 plates to the next of kin of a member of any branch of
1232 the armed services of the United States killed in combat
1233 as follows:

1234 (A) Upon appropriate application, the division shall
1235 issue a special registration plate for any number of
1236 vehicles titled in the name of a qualified applicant
1237 depicting the Gold Star awarded by the United States
1238 Department of Defense as prescribed and designated by
1239 the commissioner.

1240 (B) The next of kin shall provide sufficient proof of
1241 receiving a Gold Star lapel button from the United
1242 States Department of Defense in accordance with Public
1243 Law 534, 89th Congress, and criteria established by the
1244 United States Department of Defense, including criteria
1245 to determine next of kin.

1246 (C) The division shall charge a special initial applica-
1247 tion fee of ten dollars in addition to all other fees re-
1248 quired by law. This special fee is to compensate the
1249 Division of Motor Vehicles for additional costs and
1250 services required in the issuing of the special registration
1251 and shall be collected by the division and deposited in a
1252 special revolving fund to be used for the administration
1253 of this section.

1254 (D) The provisions of subsection (d) of this section are
1255 not applicable for the issuance of the special license
1256 plates designated by this subdivision.

1257 (59) The commissioner may issue special registration
1258 plates for retired or former Justices of the Supreme
1259 Court of Appeals of West Virginia as follows:

1260 (A) Upon appropriate application, the division may
1261 issue a special registration plate designed by the commis-
1262 sioner for any number of vehicles titled in the name of
1263 the qualified applicant.

1264 (B) The division shall charge a special initial applica-
1265 tion fee of ten dollars in addition to all other fees re-
1266 quired by law. This special fee is to compensate the
1267 Division of Motor Vehicles for additional costs and
1268 services required in the issuing of the special registration
1269 and shall be collected by the division and deposited in a
1270 special revolving fund to be used for the administration
1271 of this section.

1272 (C) The division shall charge an annual fee of fifteen
1273 dollars for each special registration plate in addition to
1274 all other fees required by this chapter.

1275 (D) The provisions of subsection (d) of this section are
1276 not applicable for the issuance of the special license
1277 plates designated by this subdivision.

1278 (d) The minimum number of applications required
1279 prior to design and production of a special license plate
1280 shall be as follows:

1281 (1) The commissioner may not begin the design or
1282 production of any license plates for which eligibility is
1283 based on membership or affiliation with a particular
1284 private organization until at least one hundred persons
1285 complete an application and deposit with the organiza-
1286 tion a check to cover the first year's basic registration,
1287 one-time design and manufacturing costs and to cover
1288 the first year additional annual fee. If the organization
1289 fails to submit the required number of applications with
1290 attached checks within six months of the effective date
1291 of the authorizing legislation, the plate will not be

1292 produced and will require legislative reauthorization:
1293 *Provided*, That an organization or group that is unsuc-
1294 cessful in obtaining the minimum number of applications
1295 may not request reconsideration of a special plate until
1296 at least two years have passed since the effective date of
1297 the original authorization.

1298 (2) The commissioner may not begin the design or
1299 production of any license plates authorized by this
1300 section for which membership or affiliation with a
1301 particular organization is not required until at least two
1302 hundred and fifty registrants complete an application
1303 and deposit a fee with the division to cover the first
1304 year's basic registration fee, one-time design and manu-
1305 facturing fee and additional annual fee if applicable. If
1306 the commissioner fails to receive the required number of
1307 applications within six months of the effective date of
1308 the authorizing legislation, the plate will not be pro-
1309 duced and will require legislative reauthorization:
1310 *Provided*, That if the minimum number of applications
1311 is not satisfied within the six months of the effective date
1312 of the authorizing legislation, a person may not request
1313 reconsideration of a special plate until at least two years
1314 have passed since the effective date of the original
1315 authorization.

1316 (e)(1) Nothing in this section requires a charge for a
1317 free prisoner of war license plate or a free recipient of
1318 the Congressional Medal of Honor license plate for a
1319 vehicle titled in the name of the qualified applicant as
1320 authorized by other provisions of this code.

1321 (2) A surviving spouse may continue to use his or her
1322 deceased spouse's prisoner of war license plate or Con-
1323 gressional Medal of Honor license plate until the surviv-
1324 ing spouse dies, remarries or does not renew the license
1325 plate.

1326 (3) Qualified former prisoners of war and recipients of
1327 the Congressional Medal of Honor may obtain a second

1328 special registration plate for use on a passenger vehicle
1329 titled in the name of the qualified applicant. The divi-
1330 sion shall charge a one-time fee of ten dollars to be
1331 deposited into a special revolving fund to be used in the
1332 administration of this chapter, in addition to all other
1333 fees required by this chapter, for the second special
1334 plate.

1335 (f) The division may issue special ten-year registration
1336 plates as follows:

1337 (1) The commissioner may issue or renew for a period
1338 of no more than ten years any registration plate ex-
1339 empted from registration fees pursuant to any provision
1340 of this code or any restricted use antique motor vehicle
1341 license plate authorized by section three-a, article ten of
1342 this chapter: *Provided*, That the provisions of this
1343 subsection do not apply to any person who has had a
1344 special registration suspended for failure to maintain
1345 motor vehicle liability insurance as required by section
1346 three, article two-a, chapter seventeen-d of this code or
1347 failure to pay personal property taxes as required by
1348 section three-a of this article.

1349 (2) An initial nonrefundable fee shall be charged for
1350 each special registration plate issued pursuant to this
1351 subsection, which is the total amount of fees required by
1352 section fifteen, article ten of this chapter, section three,
1353 article three of this chapter or section three-a, article ten
1354 of this chapter for the period requested.

1355 (g) The provisions of this section may not be construed
1356 to exempt any registrant from maintaining motor vehicle
1357 liability insurance as required by section three, article
1358 two-a, chapter seventeen-d of this code or from paying
1359 personal property taxes on any motor vehicle as required
1360 by section three-a of this article.

1361 (h) The commissioner may, in his or her discretion,
1362 issue a registration plate of reflectorized material

1363 suitable for permanent use on motor vehicles, trailers
1364 and semitrailers, together with appropriate devices to be
1365 attached to the registration to indicate the year for
1366 which the vehicles have been properly registered or the
1367 date of expiration of the registration. The design and
1368 expiration of the plates shall be determined by the
1369 commissioner. The commissioner shall, whenever
1370 possible and cost-effective, implement the latest technol-
1371 ogy in the design, production and issuance of registration
1372 plates, indices of registration renewal and vehicle
1373 ownership documents, including, but not limited to,
1374 offering internet renewal of vehicle registration and the
1375 use of bar codes for instant identification of vehicles by
1376 scanning equipment to promote the efficient and effec-
1377 tive coordination and communication of data for improv-
1378 ing highway safety, aiding law enforcement and enhanc-
1379 ing revenue collection.

1380 (i) Any license plate issued or renewed pursuant to this
1381 chapter which is paid for by a check that is returned for
1382 nonsufficient funds is void without further notice to the
1383 applicant. The applicant may not reinstate the registra-
1384 tion until the returned check is paid by the applicant in
1385 cash, money order or certified check and all applicable
1386 fees assessed as a result thereof have been paid.

**§17A-3-23. Registration plates to state, county, municipal and
other governmental vehicles; use for undercover
activities.**

1 (a) Any motor vehicle designed to carry passengers,
2 owned or leased by the State of West Virginia, or any of
3 its departments, bureaus, commissions or institutions,
4 except vehicles used by the Governor, Treasurer, three
5 vehicles per elected office of the Board of Public Works,
6 vehicles operated by the State Police, not to exceed five
7 vehicles operated by the office of the Secretary of
8 Military Affairs and Public Safety, not to exceed five
9 vehicles operated by the Division of Homeland Security
10 and Emergency Management, vehicles operated by

11 conservation officers of the Division of Natural Re-
12 sources, not to exceed ten vehicles operated by the arson
13 investigators of the office of State Fire Marshal, not to
14 exceed two vehicles operated by the Division of Protec-
15 tive Services and not to exceed sixteen vehicles operated
16 by inspectors of the office of the Alcohol Beverage
17 Control Commissioner, may not be operated or driven by
18 any person unless it has displayed and attached to the
19 front thereof, in the same manner as regular motor
20 vehicle registration plates are attached, a plate of the
21 same size as the regular registration plate, with white
22 lettering on a green background bearing the words "West
23 Virginia" in one line and the words "State Car" in
24 another line and the lettering for the words "State Car"
25 shall be of sufficient size to be plainly readable from a
26 distance of one hundred feet during daylight.

27 The vehicle shall also have attached to the rear a plate
28 bearing a number and any other words and figures as the
29 Commissioner of Motor Vehicles shall prescribe. The
30 rear plate shall also be green with the number in white.

31 (b) On registration plates issued to vehicles owned by
32 counties, the color shall be white on red with the word
33 "County" on top of the plate and the words "West
34 Virginia" on the bottom. On any registration plates
35 issued to a city or municipality, the color shall be white
36 on blue with the word "City" on top and the words
37 "West Virginia" on the bottom: *Provided*, That after the
38 thirty-first day of December, two thousand six, registra-
39 tion plates issued to a city or municipality law-enforce-
40 ment department shall include blue lettering on a white
41 background with the words "West Virginia" on top of
42 the plate and shall be further designed by the commis-
43 sioner to include a law enforcement shield together with
44 other insignia or lettering sufficient to identify the motor
45 vehicle as a municipal law-enforcement department
46 motor vehicle. The colors may not be reversed and shall
47 be of reflectorized material. The registration plates

48 issued to counties, municipalities and other governmen-
49 tal agencies authorized to receive colored plates hereun-
50 der shall be affixed to both the front and rear of the
51 vehicles. Every municipality shall provide the commis-
52 sioner with a list of law-enforcement vehicles operated
53 by the law-enforcement department of the municipality,
54 unless otherwise provided in this section, and a fee of ten
55 dollars for each vehicle submitted by the first day of
56 July, two thousand six.

57 (c) Registration plates issued to vehicles operated by
58 county sheriffs shall be designed by the commissioner in
59 cooperation with the sheriffs' association with the word
60 "Sheriff" on top of the plate and the words "West
61 Virginia" on the bottom. The plate shall contain a gold
62 shield representing the sheriff's star and a number
63 assigned to that plate by the commissioner. Every
64 county sheriff shall provide the commissioner with a list
65 of vehicles operated by the sheriff, unless otherwise
66 provided in this section, and a fee of ten dollars for each
67 vehicle submitted by the first day of July, two thousand
68 two.

69 (d) The commissioner is authorized to designate the
70 colors and design of any other registration plates that are
71 issued without charge to any other agency in accordance
72 with the motor vehicle laws.

73 (e) Upon application, the commissioner is authorized to
74 issue a maximum of five Class A license plates per
75 applicant to be used by county sheriffs and municipali-
76 ties on law-enforcement vehicles while engaged in
77 undercover investigations.

78 (f) The commissioner is authorized to issue an unlim-
79 ited number of license plates per applicant to authorized
80 drug and violent crime task forces in the State of West
81 Virginia when the chairperson of the control group of a
82 drug and violent crime task force signs a written affida-
83 vit stating that the vehicle or vehicles for which the

84 plates are being requested will be used only for official
85 undercover work conducted by a drug and violent crime
86 task force.

87 (g) The commissioner is authorized to issue twenty
88 Class A license plates to the Criminal Investigation
89 Division of the Department of Revenue for use by its
90 investigators.

91 (h) The commissioner may issue a maximum of ten
92 Class A license plates to the Division of Natural Re-
93 sources for use by conservation officers. The commis-
94 sioner shall designate the color and design of the regis-
95 tration plates to be displayed on the front and the rear of
96 all other state-owned vehicles owned by the Division of
97 Natural Resources and operated by conservation officers.

98 (i) The commissioner is authorized to issue an unlim-
99 ited number of Class A license plates to the commission
100 on special investigations for state-owned vehicles used
101 for official undercover work conducted by the commis-
102 sion on special investigations. The commissioner is
103 authorized to issue a maximum of two Class A plates to
104 the Division of Protective Services for state-owned
105 vehicles used by the Division of Protective Services in
106 fulfilling its mission.

107 (j) No other registration plate may be issued for, or
108 attached to, any state-owned vehicle.

109 (k) The Commissioner of Motor Vehicles shall have a
110 sufficient number of both front and rear plates produced
111 to attach to all state-owned cars. The numbered regis-
112 tration plates for the vehicles shall start with the number
113 "five hundred" and the commissioner shall issue consec-
114 utive numbers for all state-owned cars.

115 (l) It is the duty of each office, department, bureau,
116 commission or institution furnished any vehicle to have
117 plates as described herein affixed thereto prior to the
118 operation of the vehicle by any official or employee.

119 (m) The commissioner may issue special registration
120 plates for motor vehicles titled in the name of the Divi-
121 sion of Public Transit or in the name of a public transit
122 authority as defined in this subsection and operated by
123 a public transit authority or a public transit provider to
124 transport persons in the public interest. For purposes of
125 this subsection, "public transit authority" means an
126 urban mass transportation authority created pursuant to
127 the provisions of article twenty-seven, chapter eight of
128 this code or a nonprofit entity exempt from federal and
129 state income taxes under the Internal Revenue Code and
130 whose purpose is to provide mass transportation to the
131 public at large. The special registration plate shall be
132 designed by the commissioner and shall display the
133 words "public transit" or words or letters of similar
134 effect to indicate the public purpose of the use of the
135 vehicle. The special registration plate shall be issued
136 without charge.

137 (n) Any person who violates the provisions of this
138 section is guilty of a misdemeanor and, upon conviction
139 thereof, shall be fined not less than fifty dollars nor more
140 than one hundred dollars. Magistrates shall have
141 concurrent jurisdiction with circuit and criminal courts
142 for the enforcement of this section.

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

[Signature]
.....
Chairman Senate Committee

[Signature]
.....
Chairman House Committee

Originated in the Senate.

In effect from passage.

[Signature]
.....
Clerk of the Senate

[Signature]
.....
Clerk of the House of Delegates

[Signature]
.....
President of the Senate

[Signature]
.....
Speaker House of Delegates

The within *is approved* this the *3rd*
Day of *April*, 2006.

[Signature]
.....
Governor

PRESENTED TO THE
GOVERNOR

MAR 29 2006

Time 9:50am