

HB 4172

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# WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2010

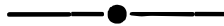


# ENROLLED

COMMITTEE SUBSTITUTE  
FOR

**House Bill No. 4172**

(By Delegates Martin, Klempa, Barker, Cann, Ferro,  
Guthrie, Kominar, Shook, Stephens,  
Swartzmiller and J. Miller)



Passed March 12, 2010

In Effect Ninety Days From Passage

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COMMITTEE SUBSTITUTE

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## H. B. 4172

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(BY DELEGATES MARTIN, KLEMPA, BARKER, CANN, FERRO,  
GUTHRIE, KOMINAR, SHOOK, STEPHENS,  
SWARTZMILLER AND J. MILLER)

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[Passed March 12, 2010; in effect ninety days from passage.]

AN ACT to amend and reenact §17A-3-14 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Motor Vehicles to issue special license plates for members of certain organizations upon approval of the commissioner; establishing requirements for eligible organizations; assessing a special initial application fee and a special annual fee; discontinuance of a specialty plate; and establishing a minimum number of applications for the special plates prior to the design and production of the plates.

*Be it enacted by the Legislature of West Virginia:*

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

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

OFFICE OF THE CLERK  
OF THE HOUSE OF DELEGATES  
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OF THE HOUSE OF DELEGATES  
SECRETARY OF STATE

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

1 (a) The division upon registering a vehicle shall issue to  
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 number  
8 assigned to the vehicle for which it is issued; the name of this  
9 state, which may be abbreviated; and the year number for  
10 which it is issued or the date of expiration of the plate.

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

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

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

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

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

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

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

52 (C) The division shall charge an annual fee of \$15 for  
53 every registration plate issued pursuant to this subdivision,  
54 which is in addition to all other fees required by this chapter.

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

57 (A) Upon receipt of an application on a form prescribed  
58 by the division and receipt of written evidence from the chief

59 executive officer of the Army National Guard or Air National  
60 Guard, as appropriate, or the commanding officer of any  
61 United States Armed Forces reserve unit that the applicant is  
62 a member thereof, the division shall issue to any member of  
63 the National Guard of this state or a member of any reserve  
64 unit of the United States Armed Forces a special registration  
65 plate designed by the commissioner for any number of Class  
66 A motor vehicles owned by the member. Upon presentation  
67 of written evidence of retirement status, retired members of  
68 this state's Army or Air National Guard, or retired members  
69 of any reserve unit of the United States Armed Forces, are  
70 eligible to purchase the special registration plate issued  
71 pursuant to this subdivision.

72 (B) The division shall charge an initial application fee of  
73 \$10 for each special registration plate issued pursuant to this  
74 subdivision, which is in addition to all other fees required by  
75 this chapter. Except as otherwise provided herein, effective  
76 July 1, 2007, all fees currently held in the special revolving  
77 fund used in the administration of this section and all fees  
78 collected by the division shall be deposited in the State Road  
79 Fund.

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

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

86 (A) Upon appropriate application, any owner of a motor  
87 vehicle subject to Class A registration, or a motorcycle  
88 subject to Class G registration, as defined by this article, may  
89 request that the division issue a registration plate bearing  
90 specially arranged letters or numbers with the maximum

91 number of letters or numbers to be determined by the  
92 commissioner. The division shall attempt to comply with the  
93 request wherever possible.

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

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

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

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

111 (B) The division shall charge a special initial application  
112 fee of \$10 in addition to all other fees required by law. This  
113 special fee is to compensate the Division of Motor Vehicles  
114 for additional costs and services required in the issuing of the  
115 special registration. All fees collected by the division shall  
116 be deposited in the State Road Fund: *Provided*, That nothing  
117 in this section may be construed to exempt any veteran from  
118 any other provision of this chapter.

119 (C) A surviving spouse may continue to use his or her  
120 deceased spouse's honorably discharged veterans license

121 plate until the surviving spouse dies, remarries or does not  
122 renew the license plate.

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

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

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

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

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

143 (A) Upon appropriate application, there shall be issued to  
144 any armed service person holding the distinguished Purple  
145 Heart medal for persons wounded in combat a registration  
146 plate for a vehicle titled in the name of the qualified applicant  
147 bearing letters or numbers. The registration plate shall be  
148 designed by the Commissioner of Motor Vehicles and shall  
149 denote that those individuals who are granted this special  
150 registration plate are recipients of the Purple Heart. All  
151 letterings shall be in purple where practical.

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

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

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

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

168 (A) Upon appropriate application, the owner of a motor  
169 vehicle who was enlisted in any branch of the armed services  
170 that participated in and survived the attack on Pearl Harbor  
171 on December 7, 1941, the division shall issue a special  
172 registration plate for a vehicle titled in the name of the  
173 qualified applicant. The registration plate shall be designed  
174 by the Commissioner of Motor Vehicles.

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

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



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

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

192 (A) Approved nonprofit charitable and educational  
193 organizations previously authorized under the prior  
194 enactment of this subdivision may accept and collect  
195 applications for special registration plates from owners of  
196 Class A motor vehicles together with a special annual fee of  
197 \$15, which is in addition to all other fees required by this  
198 chapter. The applications and fees shall be submitted to the  
199 Division of Motor Vehicles with the request that the division  
200 issue a registration plate bearing a combination of letters or  
201 numbers with the organizations' logo or emblem, with the  
202 maximum number of letters or numbers to be determined by  
203 the commissioner.

204 (B) The commissioner shall propose rules for legislative  
205 approval in accordance with the provisions of article three,  
206 chapter twenty-nine-a of this code regarding the procedures  
207 for and approval of special registration plates issued pursuant  
208 to this subdivision.

209 (C) The commissioner shall set an appropriate fee to  
210 defray the administrative costs associated with designing and  
211 manufacturing special registration plates for a nonprofit  
212 charitable or educational organization. The nonprofit  
213 charitable or educational organization shall collect this fee

214 and forward it to the division for deposit in the State Road  
215 Fund. The nonprofit charitable or educational organization  
216 may also collect a fee for marketing the special registration  
217 plates.

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

220 (A) Any owner of a motor vehicle who is a resident of the  
221 State of West Virginia and who is a certified paramedic or  
222 emergency medical technician, a member of a paid fire  
223 department, a member of the state Fire Commission, the State  
224 Fire Marshal, the State Fire Marshal's assistants, the State  
225 Fire Administrator and voluntary rescue squad members may  
226 apply for a special license plate for any number of Class A  
227 vehicles titled in the name of the qualified applicant which  
228 bears the insignia of the profession, group or commission.  
229 Any insignia shall be designed by the commissioner. License  
230 plates issued pursuant to this subdivision shall bear the  
231 requested insignia in addition to the registration number  
232 issued to the applicant pursuant to the provisions of this  
233 article.

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

241 (C) Each application submitted pursuant to this  
242 subdivision shall be accompanied by payment of a special  
243 initial application fee of \$10, which is in addition to any other  
244 registration or license fee required by this chapter. All  
245 special fees shall be collected by the division and deposited  
246 into the state Road Fund.

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

249 (A) Any owner of a motor vehicle who is a resident of the  
250 State of West Virginia and who is a certified firefighter may  
251 apply for a special license plate which bears the insignia of  
252 the profession, for any number of Class A vehicles titled in  
253 the name of the qualified applicant. Any insignia shall be  
254 designed by the commissioner. License plates issued pursuant to  
255 this subdivision shall bear the requested insignia pursuant to  
256 the provisions of this article. Upon presentation of written  
257 evidence of certification as a certified firefighter, certified  
258 firefighters are eligible to purchase the special registration  
259 plate issued pursuant to this subdivision.

260 (B) Each application submitted pursuant to this  
261 subdivision shall be accompanied by an affidavit stating that  
262 the applicant is justified in having a registration with the  
263 requested insignia; proof of compliance with all laws of this  
264 state regarding registration and licensure of motor vehicles;  
265 and payment of all required fees. The firefighter certification  
266 department, section or division of the West Virginia  
267 University fire service extension shall notify the  
268 commissioner in writing immediately when a firefighter loses  
269 his or her certification. If a firefighter loses his or her  
270 certification, the commissioner may not issue him or her a  
271 license plate under this subsection.

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

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

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

284 (B) The division shall charge a special one-time initial  
285 application fee of \$10 in addition to all other fees required by  
286 this chapter. All initial application fees collected by the  
287 division shall be deposited into the State Road Fund.

288 (13) The division may issue honorably discharged Marine  
289 Corps league members special registration plates as follows:

290 (A) Upon appropriate application, the division shall issue  
291 to any honorably discharged Marine Corps league member a  
292 special registration plate for any number of vehicles titled in  
293 the name of the qualified applicant with an insignia designed  
294 by the Commissioner of the Division of Motor Vehicles.

295 (B) The division may charge a special one-time initial  
296 application fee of \$10 in addition to all other fees required by  
297 this chapter. This special fee is to compensate the Division  
298 of Motor Vehicles for additional costs and services required  
299 in the issuing of the special registration and shall be collected  
300 by the division and deposited in the State Road Fund:  
301 *Provided*, That nothing in this section may be construed to  
302 exempt any veteran from any other provision of this chapter.

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

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

309 (A) The division may issue a special registration plate for  
310 the members of any military organization chartered by the  
311 United States Congress upon receipt of a guarantee from the  
312 organization of a minimum of one hundred applicants. The  
313 insignia on the plate shall be designed by the commissioner.

314 (B) Upon appropriate application, the division may issue  
315 members of the chartered organization in good standing, as  
316 determined by the governing body of the chartered  
317 organization, a special registration plate for any number of  
318 vehicles titled in the name of the qualified applicant.

319 (C) The division shall charge a special one-time initial  
320 application fee of \$10 for each special license plate in  
321 addition to all other fees required by this chapter. All initial  
322 application fees collected by the division shall be deposited  
323 into the State Road Fund: *Provided*, That nothing in this  
324 section may be construed to exempt any veteran from any  
325 other provision of this chapter.

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

330 (15) The division may issue special nongame wildlife  
331 registration plates and special wildlife registration plates as  
332 follows:

333 (A) Upon appropriate application, the division shall issue  
334 a special registration plate displaying a species of West  
335 Virginia wildlife which shall display a species of wildlife  
336 native to West Virginia as prescribed and designated by the  
337 commissioner and the Director of the Division of Natural  
338 Resources.

339 (B) The division shall charge an annual fee of \$15 for  
340 each special nongame wildlife registration plate and each  
341 special wildlife registration plate in addition to all other fees  
342 required by this chapter. All annual fees collected for  
343 nongame wildlife registration plates and wildlife registration  
344 plates shall be deposited in a special revenue account  
345 designated the Nongame Wildlife Fund and credited to the  
346 Division of Natural Resources.

347 (C) The division shall charge a special one-time initial  
348 application fee of \$10 in addition to all other fees required by  
349 this chapter. All initial application fees collected by the  
350 division shall be deposited in the State Road Fund.

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

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

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

365 (17) Upon appropriate application, the commissioner  
366 shall issue to a classic motor vehicle or classic motorcycle as  
367 defined in section three-a, article ten of this chapter, a special  
368 registration plate designed by the commissioner. An annual  
369 fee of \$15, in addition to all other fees required by this  
370 chapter, shall be charged for each classic registration plate.

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

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

381 (B) A special initial application fee of \$10 shall be  
382 charged in addition to all other fees required by law. This  
383 special fee is to be collected by the division and deposited in  
384 the State Road Fund: *Provided*, That nothing in this section  
385 may be construed to exempt any veteran from any other  
386 provision of this chapter.

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

391 (19) Racing theme special registration plates:

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

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

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

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

409 (A) Upon appropriate application, the division shall issue  
410 to any recipient of the Navy Cross, Distinguished Service  
411 Cross, Distinguished Flying Cross, Air Force Cross, Silver  
412 Star, Bronze Star or Air Medal, a registration plate for any  
413 number of vehicles titled in the name of the qualified  
414 applicant bearing letters or numbers. A separate registration  
415 plate shall be designed by the Commissioner of Motor  
416 Vehicles for each award that denotes that those individuals  
417 who are granted this special registration plate are recipients  
418 of the Navy Cross, Distinguished Service Cross,  
419 Distinguished Flying Cross, Air Force Cross, Silver Star or  
420 Bronze Star, or Air Medal as applicable.

421 (B) The division shall charge a special initial application  
422 fee of \$10 in addition to all other fees required by law. This  
423 special fee shall be collected by the division and deposited in  
424 the State Road Fund: *Provided*, That nothing in this section  
425 exempts the applicant for a special registration plate under  
426 this subdivision from any other provision of this chapter.

427 (C) A surviving spouse may continue to use his or her  
428 deceased spouse's Navy Cross, Distinguished Service Cross,  
429 Distinguished Flying Cross, Air Force Cross, Silver Star,  
430 Bronze Star or Air Medal special registration plate until the  
431 surviving spouse dies, remarries or does not renew the special  
432 registration plate.



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

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

443 (B) The division shall charge a special one-time initial  
444 application fee of \$10 in addition to all other fees required by  
445 law. This special fee shall be collected by the division and  
446 deposited in the State Road Fund: *Provided*, That nothing  
447 contained in this section may be construed to exempt any  
448 veteran from any other provision of this chapter.

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

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

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

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

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

476 (23) The division may issue special registration plates  
477 which reflect patriotic themes, including the display of any  
478 United States symbol, icon, phrase or expression which  
479 evokes patriotic pride or recognition.

480 (A) Upon appropriate application, the division shall issue  
481 to an applicant a registration plate of the applicant's choice,  
482 displaying a patriotic theme as provided in this subdivision,  
483 for a vehicle titled in the name of the applicant. A series of  
484 registration plates displaying patriotic themes shall be  
485 designed by the Commissioner of Motor Vehicles for  
486 distribution to applicants.

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

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

493 (A) Upon appropriate application, the division shall issue  
494 special registration plates which shall display the American  
495 flag and the logo “9/11/01”.

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

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

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

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

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

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

521 (26) The division may issue special registration plates to  
522 educators in the state’s elementary and secondary schools and  
523 in the state’s institutions of higher education as follows:

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

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

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

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

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

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

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

548 (D) Notwithstanding the provisions of subsection (d) of  
549 this section, the time period for the Nemesis Shrine to  
550 comply with the minimum one hundred prepaid applications  
551 is hereby extended to January 15, 2005.

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

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

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

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

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

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

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

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

582 (A) Upon appropriate application, the division shall issue  
583 a special registration plate designed by the commissioner for  
584 any number of vehicles titled in the name of the qualified  
585 applicant. Persons desiring the special registration plate shall  
586 offer sufficient proof of membership in the Knights of  
587 Columbus.

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

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

594 (D) Notwithstanding the provisions of subsection (d) of  
595 this section, the time period for the Knights of Columbus to  
596 comply with the minimum one hundred prepaid applications  
597 is hereby extended to January 15, 2007.

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

600 (A) Upon appropriate application, the division shall issue  
601 a special registration plate designed by the commissioner for  
602 any number of vehicles titled in the name of the qualified  
603 applicant. Persons desiring the special registration plate shall  
604 offer sufficient proof of former service as an elected or  
605 appointed member of the West Virginia House of Delegates  
606 or the West Virginia Senate.

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

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

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

616 (A) The division shall design and issue special  
617 registration plates for use by democratic state or county  
618 executive committee members. The design of the plates shall  
619 include an insignia of a donkey and shall differentiate by  
620 wording on the plate between state and county executive  
621 committee members.

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

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

633 (D) The division shall not begin production of a plate  
634 authorized under the provisions of this subdivision until the  
635 division receives at least one hundred completed applications  
636 from the state or county executive committee members,  
637 including all fees required pursuant to this subdivision.

638 (E) Notwithstanding the provisions of subsection (d) of  
639 this section, the time period for the democratic executive  
640 committee to comply with the minimum one hundred prepaid  
641 applications is hereby extended to January 15, 2005.

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

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

651 (B) A special initial application fee of \$10 shall be  
652 charged in addition to all other fees required by law. This  
653 special fee shall be collected by the division and deposited in  
654 the State Road Fund: *Provided*, That nothing in this section  
655 may be construed to exempt any veteran from any other  
656 provision of this chapter.

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

661 (34) The division may issue special registration plates  
662 bearing the logo, symbol, insignia, letters or words  
663 demonstrating association with West Liberty State College to  
664 any resident owner of a motor vehicle. Resident owners may  
665 apply for the special license plate for any number of Class A  
666 vehicles titled in the name of the applicant. The special  
667 registration plates shall be designed by the commissioner.  
668 Each application submitted pursuant to this subdivision shall  
669 be accompanied by payment of a special initial application  
670 fee of \$15, which is in addition to any other registration or  
671 license fee required by this chapter. The division shall  
672 charge an annual fee of \$15 for each special registration plate  
673 in addition to all other fees required by this chapter. All



674 special fees shall be collected by the division and deposited  
675 into the State Road Fund.

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

678 (A) Upon appropriate application, the division may issue  
679 a special registration plate designed by the commissioner for  
680 any number of vehicles titled in the name of the qualified  
681 applicant. Persons desiring the special registration plate shall  
682 offer sufficient proof of membership in the Harley Owners  
683 Group.

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

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

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

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

701 (B) A special initial application fee of \$10 shall be  
702 charged in addition to all other fees required by law. This

703 special fee shall be collected by the division and deposited in  
704 the State Road Fund: *Provided*, That nothing in this section  
705 may be construed to exempt any registrants from any other  
706 provision of this chapter.

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

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

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

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

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

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

727 (A) Any owner of a motor vehicle who is a resident of  
728 West Virginia may apply for a special license plate depicting  
729 a farming scene or other apt reference to farming, whether in  
730 pictures or words, at the discretion of the commissioner.

731 (B) The division shall charge a special initial application  
732 fee of \$10. This special fee shall be collected by the division  
733 and deposited in the State Road Fund.

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

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

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

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

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

748 (40) The division may issue members of the 82nd  
749 Airborne Division Association special registration plates as  
750 follows:

751 (A) The division may issue a special registration plate for  
752 members of the 82nd Airborne Division Association upon  
753 receipt of a guarantee from the organization of a minimum of  
754 one hundred applicants. The insignia on the plate shall be  
755 designed by the commissioner.

756 (B) Upon appropriate application, the division may issue  
757 members of the 82nd Airborne Division Association in good  
758 standing, as determined by the governing body of the

759 organization, a special registration plate for any number of  
760 vehicles titled in the name of the qualified applicant.

761 (C) The division shall charge a special one-time initial  
762 application fee of \$10 for each special license plate in  
763 addition to all other fees required by this chapter. All initial  
764 application fees collected by the division shall be deposited  
765 into the State Road Fund: *Provided*, That nothing in this  
766 section may be construed to exempt the applicant from any  
767 other provision of this chapter.

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

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

775 (A) Upon appropriate application, the division shall issue  
776 to any member of a municipal police department, sheriff's  
777 department, the State Police or the law-enforcement division  
778 of the Division of Natural Resources who has been wounded  
779 in the line of duty and awarded a Purple Heart in recognition  
780 thereof by the West Virginia Chiefs of Police Association,  
781 the West Virginia Sheriffs' Association, the West Virginia  
782 Troopers Association or the Division of Natural Resources a  
783 special registration plate for one vehicle titled in the name of  
784 the qualified applicant with an insignia appropriately  
785 designed by the commissioner.

786 (B) Registration plates issued pursuant to this subdivision  
787 are exempt from the registration fees otherwise required by  
788 the provisions of this chapter.

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

792 (D) Survivors of wounds received in the line of duty as  
793 a member with a West Virginia law-enforcement agency may  
794 obtain a license plate as described in this section for use on  
795 a passenger vehicle titled in the name of the qualified  
796 applicant. The division shall charge a one-time fee of \$10 to  
797 be deposited into the State Road Fund, in addition to all other  
798 fees required by this chapter, for the second plate.

799 (42) The division may issue a special registration plate  
800 for persons who are Native Americans and residents of this  
801 state.

802 (A) Upon appropriate application, the division shall issue  
803 to an applicant who is a Native American resident of West  
804 Virginia a registration plate for a vehicle titled in the name of  
805 the applicant with an insignia designed by the Commissioner  
806 of the Division of Motor Vehicles to designate the recipient  
807 as a Native American.

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

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

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

817 (A) Upon appropriate application, the division may issue  
818 a special registration plate designed by the commissioner to

819 commemorate the centennial anniversary of Davis and Elkins  
820 College for any number of vehicles titled in the name of the  
821 applicant.

822 (B) The division shall charge a special initial application  
823 fee of \$10. This special fee shall be collected by the division  
824 and deposited in the State Road Fund.

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

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

829 (A) Upon appropriate application, the division may issue  
830 a special registration plate designed by the commissioner to  
831 recognize and honor breast cancer survivors, such plate to  
832 incorporate somewhere in the design the “pink ribbon  
833 emblem”, for any number of vehicles titled in the name of the  
834 applicant.

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

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

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

843 (A) Upon appropriate application, the division may issue  
844 a special registration plate designed by the commissioner for  
845 any number of vehicles titled in the name of the qualified  
846 applicant. Persons desiring the special registration plate shall

847 offer sufficient proof of membership in the Knights of  
848 Pythias or Pythian Sisters.

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

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

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

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

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

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

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

870 (A) Upon appropriate application, the division may issue  
871 a special registration plate designed by the commissioner in  
872 consultation with Lions International for any number of  
873 vehicles titled in the name of the qualified applicant. Persons  
874 desiring the special registration plate shall offer sufficient  
875 proof of membership in Lions International.

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

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

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

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

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

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

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

896 (A) Upon appropriate application, the division may issue  
897 a special registration plate designed by the commissioner in  
898 consultation with the West Virginia Bar Association for any  
899 number of vehicles titled in the name of the qualified  
900 applicant. Persons desiring the special registration plate shall  
901 offer sufficient proof of membership in the West Virginia Bar  
902 Association.

903 (B) The division shall charge a special initial application  
904 fee of \$10 in addition to all other fees required by law. This



905 special fee shall be collected by the division and deposited in  
906 the State Road Fund.

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

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

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

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

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

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

924 (A) Upon appropriate application, the division shall issue  
925 a special registration plate depicting and displaying coal  
926 miners in mining activities as prescribed and designated by  
927 the commissioner and the board of the National Coal  
928 Heritage Area Authority.

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

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

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

937 (A) Upon appropriate application, the division may issue  
938 a special registration plate designed by the Commissioner for  
939 any number of vehicles titled in the name of the qualified  
940 applicant. Persons desiring the special registration plate shall  
941 offer sufficient proof of present or past membership in the  
942 Boy Scouts as either a member or a leader.

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

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

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

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

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

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

962 (54) The division may issue special registration plates  
963 recognizing and memorializing victims of domestic violence.

964 (A) Upon appropriate application, the division may issue  
965 a special registration plate designed by the commissioner to  
966 recognize and memorialize victims of domestic violence,  
967 such plate to incorporate somewhere in the design the “purple  
968 ribbon emblem”, for any number of vehicles titled in the  
969 name of the applicant.

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

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

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

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

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

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

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

991 (A) Upon appropriate application, the division may issue  
992 a special registration plate designed by the commissioner in  
993 consultation with the Sons of the American Revolution for  
994 any number of vehicles titled in the name of the qualified  
995 applicant. Persons desiring the special registration plate shall  
996 offer sufficient proof of membership in the Sons of the  
997 American Revolution.

998 (B) The division shall charge a special initial application  
999 fee of \$10 in addition to all other fees required by law. This  
1000 special fee shall be collected by the division and deposited in  
1001 the State Road Fund.

1002 (C) An annual fee of \$15 shall be charged for each plate  
1003 in addition to all other fees required by this chapter.

1004 (57) The commissioner may issue special registration  
1005 plates for horse enthusiasts as follows:

1006 (A) Upon appropriate application, the division may issue  
1007 a special registration plate designed by the commissioner for  
1008 any number of vehicles titled in the name of the qualified  
1009 applicant.

1010 (B) The division shall charge a special initial application  
1011 fee of \$10 in addition to all other fees required by law. This  
1012 special fee shall be collected by the division and deposited in  
1013 the State Road Fund.

1014 (C) The division shall charge an annual fee of \$15 for  
1015 each special registration plate in addition to all other fees  
1016 required by this chapter.

1017 (58) The commissioner may issue special registration  
1018 plates to the next of kin of a member of any branch of the  
1019 armed services of the United States killed in combat as  
1020 follows:

1021 (A) Upon appropriate application, the division shall issue  
1022 a special registration plate for any number of vehicles titled  
1023 in the name of a qualified applicant depicting the Gold Star  
1024 awarded by the United States Department of Defense as  
1025 prescribed and designated by the commissioner.

1026 (B) The next of kin shall provide sufficient proof of  
1027 receiving a Gold Star lapel button from the United States  
1028 Department of Defense in accordance with Public Law 534,  
1029 89th Congress, and criteria established by the United States  
1030 Department of Defense, including criteria to determine next  
1031 of kin.

1032 (C) The division shall charge a special initial application  
1033 fee of \$10 in addition to all other fees required by law. This  
1034 special fee shall be collected by the division and deposited in  
1035 the State Road Fund.

1036 (D) The provisions of subsection (d) of this section are  
1037 not applicable for the issuance of the special license plates  
1038 designated by this subdivision.

1039 (59) The commissioner may issue special registration  
1040 plates for retired or former Justices of the Supreme Court of  
1041 Appeals of West Virginia as follows:

1042 (A) Upon appropriate application, the division may issue  
1043 a special registration plate designed by the commissioner for  
1044 any number of vehicles titled in the name of the qualified  
1045 applicant.

1046 (B) The division shall charge a special initial application  
1047 fee of \$10 in addition to all other fees required by law. This  
1048 special fee shall be collected by the division and deposited in  
1049 the State Road Fund.

1050 (C) The division shall charge an annual fee of \$15 for  
1051 each special registration plate in addition to all other fees  
1052 required by this chapter.

1053 (D) The provisions of subsection (d) of this section are  
1054 not applicable for the issuance of the special license plates  
1055 designated by this subdivision.

1056 (60) Upon approval by the commissioner of an  
1057 appropriate application, and upon all requirements of this  
1058 subdivision being satisfied, the division may issue special  
1059 registration plates for class A and class G motor vehicles to  
1060 members of an organization for which a special registration  
1061 plate has not been issued pursuant to any other subdivision in  
1062 this subsection prior to January 1, 2010, in accordance with  
1063 the provisions of this subdivision.

1064 (A) An organization desiring to create a special  
1065 registration plate must comply with the following  
1066 requirements to be eligible to apply for the creation and  
1067 issuance of a special registration plate:

1068 (i) The organization must be a nonprofit organization  
1069 organized and existing under Section 501(c)(3) of Title 26 of  
1070 the Internal Revenue Code and based, headquartered or have  
1071 a chapter in West Virginia;

1072 (ii) The organization may be organized for, but may not  
1073 be restricted to, social, civic, higher education or  
1074 entertainment purposes;

1075 (iii) The organization may not be a political party and  
1076 may not have been created or exist primarily to promote a  
1077 specific political or social belief, as determined by the  
1078 commissioner in his or her sole discretion;

1079 (iv) The organization may not have as its primary  
1080 purpose the promotion of any specific faith, religion,  
1081 religious belief or antireligion;

1082 (v) The name of the organization may not be the name of  
1083 a special product or brand name, and may not be construed,  
1084 as determined by the commissioner, as promoting a product  
1085 or brand name; and

1086 (vi) The organization's lettering, logo, image or message  
1087 to be placed on the registration plate, if created, may not be  
1088 obscene, offensive or objectionable as determined by the  
1089 commissioner in his or her sole discretion.

1090 (B) Beginning July 1, 2010, an organization requesting  
1091 the creation and issuance of a special registration plate may  
1092 make application with the division. The application shall  
1093 include sufficient information, as determined by the  
1094 commissioner, to determine whether the special registration  
1095 plate requested and the organization making the application  
1096 meet all of the requirements set forth in this subdivision (60).  
1097 The application shall also include a proposed design,  
1098 including lettering, logo, image or message to be placed on  
1099 the registration plate. The commissioner shall notify the  
1100 organization of the commissioner's approval or disapproval  
1101 of the application.

1102 (C)(i) The commissioner may not begin the design or  
1103 production of any license plates authorized and approved  
1104 pursuant to this subdivision (60), subsection (c) of this  
1105 section until the organization which applied for the special  
1106 registration plate has collected and submitted collectively to  
1107 the division applications completed by at least two hundred  
1108 fifty persons and collectively deposited with the division all  
1109 fees necessary to cover the first year's basic registration, one-  
1110 time design and manufacturing costs and to cover the first

1111 year additional annual fee for all of the applications  
1112 submitted.

1113 (ii) If the organization fails to submit the required number  
1114 of applications and fees within six months of the effective  
1115 date of the approval of the application for the plate by the  
1116 commissioner, the plate will not be produced until a new  
1117 application is submitted and is approved by the  
1118 commissioner: *Provided*, That an organization that is  
1119 unsuccessful in obtaining the minimum number of  
1120 applications may not make a new application for a special  
1121 plate until at least two years have passed since the approval  
1122 of the previous application of the organization.

1123 (D) The division shall charge a special initial application  
1124 fee of \$25 for each special license plate in addition to all  
1125 other fees required by law. This special fee shall be collected  
1126 by the division and deposited in the State Road Fund.

1127 (E) The division shall charge an annual fee of \$15 for  
1128 each special registration plate in addition to all other fees  
1129 required by this chapter.

1130 (F) Upon appropriate application, the division may issue  
1131 a special registration plate designed by the commissioner in  
1132 consultation with the organization for any number of vehicles  
1133 titled in the name of a qualified registration plate applicant.  
1134 Persons desiring the special registration plate shall offer  
1135 sufficient proof of membership in the organization.

1136 (G) The commissioner shall discontinue the issuance or  
1137 renewal of the registration of any special plate issued  
1138 pursuant to this subdivision (60) if:

1139 (i) The number of valid registrations for the specialty  
1140 plate falls below two hundred fifty plates for at least twelve  
1141 consecutive months; or



1142 (ii) The organization no longer exists or no longer meets  
1143 the requirements of this subdivision.

1144 (d) The minimum number of applications required prior  
1145 to design and production of a special license plate shall be as  
1146 follows:

1147 (1) The commissioner may not begin the design or  
1148 production of any license plates for which eligibility is based  
1149 on membership or affiliation with a particular private  
1150 organization until at least one hundred persons complete an  
1151 application and deposit with the organization a check to  
1152 cover the first year's basic registration, one-time design and  
1153 manufacturing costs and to cover the first year additional  
1154 annual fee. If the organization fails to submit the required  
1155 number of applications with attached checks within six  
1156 months of the effective date of the original authorizing  
1157 legislation, the plate will not be produced and will require  
1158 legislative reauthorization: *Provided*, That an organization  
1159 or group that is unsuccessful in obtaining the minimum  
1160 number of applications may not request reconsideration of a  
1161 special plate until at least two years have passed since the  
1162 effective date of the original authorization: *Provided*,  
1163 *however*, That the provisions of this subdivision (1) are not  
1164 applicable to the issuance of plates authorized pursuant to  
1165 subdivision (60), subsection (c) of this section.

1166 (2) The commissioner may not begin the design or  
1167 production of any license plates authorized by this section for  
1168 which membership or affiliation with a particular  
1169 organization is not required until at least two hundred fifty  
1170 registrants complete an application and deposit a fee with the  
1171 division to cover the first year's basic registration fee, one-  
1172 time design and manufacturing fee and additional annual fee  
1173 if applicable. If the commissioner fails to receive the  
1174 required number of applications within six months of the

1175 effective date of the original authorizing legislation, the plate  
1176 will not be produced and will require legislative reauthorization:  
1177 *Provided*, That if the minimum number of applications is not  
1178 satisfied within the six months of the effective date of the  
1179 original authorizing legislation, a person may not request  
1180 reconsideration of a special plate until at least two years have  
1181 passed since the effective date of the original authorization.

1182 (e) (1) Nothing in this section requires a charge for a free  
1183 prisoner of war license plate or a free recipient of the  
1184 Congressional Medal of Honor license plate for a vehicle  
1185 titled in the name of the qualified applicant as authorized by  
1186 other provisions of this code.

1187 (2) A surviving spouse may continue to use his or her  
1188 deceased spouse's prisoner of war license plate or  
1189 Congressional Medal of Honor license plate until the  
1190 surviving spouse dies, remarries or does not renew the license  
1191 plate.

1192 (3) Qualified former prisoners of war and recipients of  
1193 the Congressional Medal of Honor may obtain a second  
1194 special registration plate for use on a passenger vehicle titled  
1195 in the name of the qualified applicant. The division shall  
1196 charge a one-time fee of \$10 to be deposited into the State  
1197 Road Fund, in addition to all other fees required by this  
1198 chapter, for the second special plate.

1199 (f) The division may issue special ten-year registration  
1200 plates as follows:

1201 (1) The commissioner may issue or renew for a period of  
1202 no more than ten years any registration plate exempted from  
1203 registration fees pursuant to any provision of this code or any  
1204 restricted use antique motor vehicle license plate authorized  
1205 by section three-a, article ten of this chapter: *Provided*, That

1206 the provisions of this subsection do not apply to any person  
1207 who has had a special registration suspended for failure to  
1208 maintain motor vehicle liability insurance as required by  
1209 section three, article two-a, chapter seventeen-d of this code  
1210 or failure to pay personal property taxes as required by  
1211 section three-a of this article.

1212 (2) An initial nonrefundable fee shall be charged for each  
1213 special registration plate issued pursuant to this subsection,  
1214 which is the total amount of fees required by section fifteen,  
1215 article ten of this chapter, section three, article three of this  
1216 chapter or section three-a, article ten of this chapter for the  
1217 period requested.

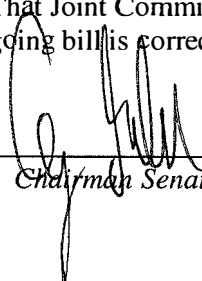
1218 (g) The provisions of this section may not be construed  
1219 to exempt any registrant from maintaining motor vehicle  
1220 liability insurance as required by section three, article two-a,  
1221 chapter seventeen-d of this code or from paying personal  
1222 property taxes on any motor vehicle as required by section  
1223 three-a of this article.

1224 (h) The commissioner may, in his or her discretion, issue  
1225 a registration plate of reflectorized material suitable for  
1226 permanent use on motor vehicles, trailers and semitrailers,  
1227 together with appropriate devices to be attached to the  
1228 registration to indicate the year for which the vehicles have  
1229 been properly registered or the date of expiration of the  
1230 registration. The design and expiration of the plates shall be  
1231 determined by the commissioner. The commissioner shall,  
1232 whenever possible and cost effective, implement the latest  
1233 technology in the design, production and issuance of  
1234 registration plates, indices of registration renewal and vehicle  
1235 ownership documents, including, but not limited to, offering  
1236 Internet renewal of vehicle registration and the use of bar  
1237 codes for instant identification of vehicles by scanning  
1238 equipment to promote the efficient and effective coordination

1239 and communication of data for improving highway safety,  
1240 aiding law enforcement and enhancing revenue collection.

1241 (i) Any license plate issued or renewed pursuant to this  
1242 chapter which is paid for by a check that is returned for  
1243 nonsufficient funds is void without further notice to the  
1244 applicant. The applicant may not reinstate the registration  
1245 until the returned check is paid by the applicant in cash,  
1246 money order or certified check and all applicable fees  
1247 assessed as a result thereof have been paid.

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

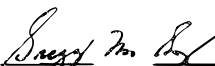
  
\_\_\_\_\_  
Chairman Senate Committee

  
\_\_\_\_\_  
Chairman House Committee

Originating in the House.

In effect ninety days from passage.

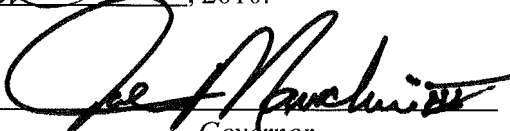
  
\_\_\_\_\_  
Clerk of the Senate

  
\_\_\_\_\_  
Clerk of the House of Delegates

  
\_\_\_\_\_  
President of the Senate

  
\_\_\_\_\_  
Speaker of the House of Delegates

The within is appended this the 28th  
day of March, 2010.

  
\_\_\_\_\_  
Governor

PRESENTED TO THE  
GOVERNOR

MAR 26 2010

Time 1:40 pm