

VIRGINIA ACTS OF ASSEMBLY -- 2005 SESSION

CHAPTER 273

An Act to amend §§ 46.2-743, 46.2-749.2:10, and 46.2-749.4 of the Code of Virginia, to amend the Code of Virginia by adding sections numbered 46.2-742.5, 46.2-742.6, 46.2-746.2:3.1, 46.2-746.2:6, 46.2-746.23, 46.2-749.49:1, and 46.2-749.56:1, and by adding in Article 10 of Chapter 6 of Title 46.2 sections numbered 46.2-749.118 through 46.2-749.129, and to repeal §§ 46.2-749.49 and 46.2-749.56 of the Code of Virginia, relating to special license plates; recipients of the National Defense Service Medal; recipients of the Global War on Terrorism Service Medal; unremarried surviving spouses of United States Marine Corps veterans; members and former members of the U.S. Naval Construction Force; members of the Veterans of Foreign Wars of the United States organization; members of the Virginia Division of the United Daughters of the Confederacy; supporters of community traffic safety programs in the Commonwealth; special license plates bearing the seal, symbol, emblem, or logotype of counties, cities, and towns; supporters of the Shenandoah National Park Association; supporters of the Rocky Mountain Elk Foundation; supporters of the Surfrider Foundation; Virginia quilters; Master Gardeners; members of the Northern Virginia Swim League; Virginia scuba divers; lung cancer research, awareness, and prevention; VIRGINIA WINES; supporters of the Robert Russa Moton Museum; supporters of the Salem Avalanche baseball team; members and supporters of the Mustang Club of America; the 100th anniversary of the City of Galax; persons who desire to contribute to the Virginia Housing Partnership Revolving Fund; fees.

[H 1501]

Approved March 20, 2005

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-743, 46.2-749.2:10, and 46.2-749.4 of the Code of Virginia are amended and reenacted and that Code of Virginia is amended by adding sections numbered 46.2-742.5, 46.2-742.6, 46.2-746.2:3.1, 46.2-746.2:6, 46.2-746.23, 46.2-749.49:1, and 46.2-749.56:1, and by adding in Article 10 of Chapter 6 of Title 46.2 sections numbered 46.2-749.118 through 46.2-749.129 as follows:

§ 46.2-742.5. Special license plates; National Defense Service Medal.

On receipt of an application and written evidence that the applicant has been awarded the National Defense Service Medal, the Commissioner shall issue to the applicant special license plates.

§ 46.2-742.6. Special license plates for persons awarded the Global War on Terrorism Service Medal.

On receipt of an application and written evidence that the applicant has been awarded the Global War on Terrorism Service Medal, the Commissioner shall issue to the applicant special license plates.

§ 46.2-743. Special license plates for certain veterans.

A. On receipt of an application and written evidence that the applicant is an honorably discharged former member of one of the armed forces of the United States, the Commissioner shall issue to the applicant special license plates.

B. On receipt of an application and written evidence that the applicant is on active duty with, has been honorably discharged after at least six months of active duty service in, or has retired from the United States Marine Corps, the Commissioner shall issue to the applicant special license plates whose design incorporates an emblem of the United States Marine Corps. Unremarried surviving spouses of persons eligible to receive special license plates under this subsection may also be issued special license plates under this subsection.

C. On receipt of an application and written evidence that the applicant is a veteran of World War II, the Commissioner shall issue special license plates to veterans of World War II.

D. On receipt of an application and written evidence that the applicant is a veteran of the Korean War, the Commissioner shall issue special license plates to veterans of the Korean War.

E. On receipt of an application and written evidence that the applicant is a veteran of the Vietnam War, the Commissioner shall issue special license plates to veterans of the Vietnam War.

F. On receipt of an application and written evidence that the applicant is a veteran of the Asiatic-Pacific Campaign, the Commissioner shall issue special license plates to veterans of that campaign.

G. The provisions of subdivisions 1 and 2 of subsection B of § 46.2-725 shall not apply to license plates issued under subsection A, C, D, or E of this section.

H. On receipt of an application and written evidence that the applicant is a retired member of the United States Air Force, the Commissioner shall issue special license plates to retired members of the United States Air Force.

§ 46.2-746.2:3.1. Special license plates; members and former members of the U.S. Naval

Construction Force (Seabees).

On receipt of an application therefor and presentation of written evidence that the applicant is a member or former member of the U.S. Naval Construction Force (Seabees) the Commissioner shall issue to the applicant special license plates.

§ 46.2-746.2:6. *Special license plates; members of the Veterans of Foreign Wars of the United States organization.*

On receipt of an application therefor and presentation of written evidence that the applicant is a member of the Veterans of Foreign Wars of the United States organization, the Commissioner shall issue special license plates to the applicant.

§ 46.2-746.23. *Special license plates; members of the Virginia Division of the United Daughters of the Confederacy.*

On receipt of an application therefor and written evidence that the applicant is a member of the Virginia Division of the United Daughters of the Confederacy, the Commissioner shall issue special license plates to members of the Virginia Division of the United Daughters of the Confederacy.

§ 46.2-749.2:10. *Special license plates for supporters of community traffic safety programs in the Commonwealth; fees.*

A. *On receipt of an application and payment of the fee prescribed by this section, the Commissioner shall issue special license plates bearing the following legend: DRIVE SMART.*

B. *The annual fee for plates issued pursuant to this section shall be ~~twenty-five dollars~~ \$25 in addition to the prescribed fee for state license plates. For each such ~~twenty-five dollar~~ \$25 fee collected in excess of 1,000 registrations pursuant to this section, ~~fifteen dollars~~ \$15 shall be paid into the state treasury and credited to the special nonreverting fund known as the ~~Traffic Safety Drive Smart Virginia~~ Fund, established within the Department of Accounts, for use by the ~~Department of Motor Vehicles~~ Drive Smart Virginia to support ~~community traffic safety~~ its programs and activities in the Commonwealth.*

§ 46.2-749.4. *Special license plates bearing the seal, symbol, emblem, or logotype of counties, cities, and towns.*

A. *On receipt of a minimum of 350 paid applications and a design therefor, the Commissioner may develop and issue special license plates whose design incorporates the seal, symbol, emblem, or logotype of any county, city or town. If all affected localities agree as to its design, the Commissioner may develop and issue special license plates jointly for more than one locality. Each local governing body of the counties, cities, or towns involved in the design of the license plates shall agree as to the issuance fee, and shall indicate to the Commissioner in writing, whether the license plates issued shall be revenue sharing or nonrevenue sharing license plates.*

B. *The annual fee for plates issued pursuant to this section that are nonrevenue sharing license plates shall be \$10 plus the prescribed fee for state license plates.*

C. *The annual fee for plates issued pursuant to this section that are revenue sharing license plates shall be \$25 plus the prescribed fee for state license plates. For each such \$25 fee collected in excess of 1,000 registrations pursuant to this section, \$15 shall be paid to the locality whose seal, symbol, emblem, or logotype appears on the plate. These funds shall be paid to the affected localities annually and may be used as provided by the local governing body. For license ~~plate~~ plates issued jointly for more than one locality, these funds shall be apportioned among the affected localities as agreed to with the Commissioner prior to issue.*

The provisions of subdivision B 1 of § 46.2-725 shall not apply to license plates issued under this section.

§ 46.2-749.49:1. *Special license plates; supporters of the Shenandoah National Park Association.*

On receipt of an application therefor, the Commissioner shall issue special license plates to supporters of the Shenandoah National Park Association.

§ 46.2-749.56:1. *Special license plates; supporters of the Rocky Mountain Elk Foundation.*

On receipt of an application therefor, the Commissioner shall issue special license plates to supporters of the Rocky Mountain Elk Foundation.

§ 46.2-749.118. *Special license plates for supporters of the Surfrider Foundation.*

On receipt of an application therefor, the Commissioner shall issue to the applicant special license plates for supporters of the Surfrider Foundation.

§ 46.2-749.119. *Special license plates; Virginia quilters.*

On receipt of an application therefor, the Commissioner shall issue to the applicant special license plates for Virginia quilters.

§ 46.2-749.120. *Special license plates; Master Gardeners.*

On receipt of an application and written evidence that the applicant is a Master Gardener, the Commissioner shall issue special license plates to the applicant.

§ 46.2-749.121. *Special license plates; members and supporters of the Northern Virginia Swim League.*

On receipt of an application therefor, the Commissioner shall issue to the applicant special license plates for members and supporters of the Northern Virginia Swim League.

§ 46.2-749.122. *Special license plates; Virginia scuba divers.*

On receipt of an application therefor, the Commissioner shall issue to the applicant special license plates for Virginia scuba divers.

§ 46.2-749.123. *Special license plates promoting lung cancer research, awareness, and prevention; fees.*

A. On receipt of an application and payment of the fee prescribed by this section, the Commissioner shall issue to the applicant special license plates promoting lung cancer research, awareness, and prevention.

B. The annual fee for plates issued pursuant to this section shall be \$25 in addition to the prescribed fee for state license plates. For each such \$25 fee collected in excess of 1,000 registrations pursuant to this section, \$15 shall be paid into the state treasury and credited to a special nonreverting fund known as the Lung Fund, established within the Department of Accounts. These funds shall be paid annually to the American Lung Association of Virginia and used to support lung cancer research, awareness, and prevention.

§ 46.2-749.124. *Special license plates; VIRGINIA WINES; fees.*

A. On receipt of an application and payment of the fee prescribed by this section, the Commissioner shall issue to the applicant special license plates bearing the legend VIRGINIA WINES.

B. The annual fee for plates issued pursuant to this section shall be \$25 in addition to the prescribed fee for state license plates. For each such \$25 fee collected in excess of 1,000 registrations pursuant to this section, \$15 shall be paid into the state treasury and credited to a special nonreverting fund known as the Virginia Tech Food Services and Oenology Laboratory Fund, established within the Department of Accounts. These funds shall be paid annually to the Virginia Tech Food Services and Oenology Laboratory and used to support its programs and activities in Virginia.

§ 46.2-749.125. *Special license plates; supporters of the Robert Russa Moton Museum; fees.*

A. On receipt of an application and payment of the fee prescribed by this section, the Commissioner shall issue to the applicant special license plates for supporters of the Robert Russa Moton Museum.

B. The annual fee for plates issued pursuant to this section shall be \$25 in addition to the prescribed fee for state license plates. For each such \$25 fee collected in excess of 1,000 registrations pursuant to this section, \$15 shall be paid into the state treasury and credited to a special nonreverting fund known as the Robert Russa Moton Museum Fund, established within the Department of Accounts. These funds shall be paid annually to the Robert Russa Moton Museum and used to support its programs and activities in Virginia.

§ 46.2-749.126. *Special license plates; supporters of the Salem Avalanche baseball team.*

On receipt of an application therefor, the Commissioner shall issue to the applicant special license plates for supporters of the Salem Avalanche baseball team.

§ 46.2-749.127. *Special license plates for members and supporters of the Mustang Club of America.*

On receipt of an application therefor, the Commissioner shall issue to the applicant special license plates for members and supporters of the Mustang Club of America.

§ 46.2-749.128. *Special license plates; 100th anniversary of the City of Galax.*

On receipt of an application therefor, the Commissioner shall issue to the applicant special license plates commemorating the 100th anniversary of the City of Galax.

The provisions of this section shall expire on July 1, 2010.

§ 46.2-749.129. *Special license plates for persons who desire to contribute to the Virginia Housing Partnership Revolving Fund.*

A. On receipt of an application and payment of the fee prescribed by this section, the Commissioner shall issue to the applicant special license plates for persons who desire to contribute to the Virginia Housing Partnership Revolving Fund established by § 36-142.

B. The annual fee for plates issued pursuant to this section shall be \$25 in addition to the prescribed fee for state license plates. For each such \$25 fee collected in excess of 1,000 registrations pursuant to this section, \$15 shall be paid into the state treasury and credited to a special nonreverting fund known as the Virginia Housing Partnership Revolving Fund, established within the Department of Accounts. These funds shall be paid annually to the Virginia Housing Partnership Revolving Fund.

2. That §§ 46.2-749.49 and 46.2-749.56 of the Code of Virginia are repealed.