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**HOUSE BILL NO. 23**

Offered January 9, 2008

Prefiled November 29, 2007

*A BILL to amend and reenact § 2 of the second enactment of Chapter 852 and § 6 of the first enactment of Chapter 918 of Acts of Assembly of 2006, relating to the fee charged for issuance of special license plates for immediate family members of persons who have died in military service to their country.*

Patron—Oder

Referred to Committee on Transportation

**Be it enacted by the General Assembly of Virginia:**

**1. That § 2 of the second enactment of Chapter 852 and § 6 of the first enactment of Chapter 918 of Acts of Assembly of 2006 are amended and reenacted as follows:**

§ 2 Special license plates for immediate family members of persons who have died in military service to their country; fees.

The Commissioner of the Department of Motor Vehicles shall issue special license plates, as prescribed herein, on receipt of an application and written evidence that the applicant is the owner of a motor vehicle and is a member of the immediate family of a member of the armed forces of the United States who lost his or her life under any of the following conditions:

1. During World War I, World War II, or any subsequent period of armed hostilities in which the United States was engaged before July 1, 1958;

2. Anytime after June 30, 1958:

a. While engaged in an action against an enemy of the United States;

b. While engaged in military operations involving conflict with an opposing foreign force;

c. While serving with friendly forces engaged in an armed conflict in which the United States is not a belligerent party against an opposing armed force; or

3. Anytime after March 28, 1973, as a result of:

a. An international terrorist attack against the United States or a foreign nation friendly to the United States, recognized as such an attack by the U.S. Secretary of Defense; or

b. Military operations while serving outside the United States, including commonwealths, territories, and possessions of the United States, as part of a peacekeeping force.

For the purposes of this section, a member of the immediate family shall include (i) a widow or widower, remarried or not; (ii) a mother, father, stepmother, stepfather, mother through adoption, father through adoption, and foster parents who stood in loco parentis; (iii) each child, stepchild, and adopted child; and (iv) each brother, half-brother, sister, and half-sister.

For each set of license plates issued under this section, the Commissioner shall charge, in addition to the prescribed cost of state license plates, a one-time fee of \$10 at the time the plates are issued.

The provisions of subdivisions B 1 and B 2 of §46.2-725 of the Code of Virginia shall not apply to license plates issued under this section.

§ 6 Special license plates for immediate family members of persons who have died in military service to their country; fees.

The Commissioner of the Department of Motor Vehicles shall issue special license plates, as prescribed herein, on receipt of an application and written evidence that the applicant is the owner of a motor vehicle and is a member of the immediate family of a member of the armed forces of the United States who lost his or her life under any of the following conditions:

1. During World War I, World War II, or any subsequent period of armed hostilities in which the United States was engaged before July 1, 1958;

2. Anytime after June 30, 1958:

a. While engaged in an action against an enemy of the United States;

b. While engaged in military operations involving conflict with an opposing foreign force;

c. While serving with friendly forces engaged in an armed conflict in which the United States is not a belligerent party against an opposing armed force; or

3. Anytime after March 28, 1973, as a result of:

a. An international terrorist attack against the United States or a foreign nation friendly to the United States, recognized as such an attack by the United States Secretary of Defense; or

b. Military operations while serving outside the United States, including commonwealths, territories, and possessions of the United States, as part of a peacekeeping force.

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