

VIRGINIA ACTS OF ASSEMBLY -- 1996 RECONVENED SESSION

CHAPTER 1026

An Act to amend and reenact §§ 46.2-725, 46.2-735, 46.2-736, 46.2-736.2, 46.2-742, 46.2-742.1, 46.2-742.2, 46.2-743, 46.2-746.3, 46.2-746.4, 46.2-746.7, 46.2-748, 46.2-749, 46.2-749.4 and 46.2-750 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 46.2-692.1, 46.2-746.6:1, 46.2-749.2:2, 46.2-749.2:3, 46.2-749.2:4, 46.2-749.2:5 and 46.2-749.7:1, relating to license plates; fees.

[H 1350]

Approved April 17, 1996

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-725, 46.2-735, 46.2-736, 46.2-736.2, 46.2-742, 46.2-742.1, 46.2-742.2, 46.2-743, 46.2-746.3, 46.2-746.4, 46.2-746.7, 46.2-748, 46.2-749, 46.2-749.4 and 46.2-750 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding sections numbered 46.2-692.1, 46.2-746.6:1, 46.2-749.2:2, 46.2-749.2:3, 46.2-749.2:4, 46.2-749.2:5 and 46.2-749.7:1 as follows:

§ 46.2-692.1. Sample license plates; fee; use.

Upon application therefor, the Commissioner may issue samples of authorized license plates currently issued by the Department. Every such license plate shall display the word "SAMPLE" on its face and shall bear month and year decals marked "SAMPLE."

The fee for sample license plates shall be ten dollars for each license plate. Sample license plates shall not be valid for registration purposes and shall not be mounted or displayed on any motor vehicle.

§ 46.2-725. Special license plates, generally.

A. No series of special license plates shall be created or issued by the Commissioner or the Department except as authorized in this article. No special license plates in any series not provided for in this article and no registration decal for any such license plate shall be issued, reissued, or renewed on or after July 1, 1995. However, subject to the limitations contained in subdivisions 1 and 2 of subsection B of this section, the Commissioner may issue special license plates that are combinations of no more than two series of special license plates authorized in this article and currently issued by the Department; the fee for any such combination shall be equal to the sum of the fees for the two series plus the fee for reserved numbers and letters, if applicable. The provisions of subdivisions 1 and 2 of subsection B of this section shall not apply to special license plates that are combinations of two series of special license plates authorized in this article and currently issued by the Department if one of the two combined designs, when feasible, incorporates or includes the international symbol of access.

B. Except as otherwise provided in this article:

1. No license plates provided for in this article shall be issued until the Commissioner receives at least 350 prepaid applications therefor;

2. No additional license plates shall be issued or reissued in any series that, after five or more years of issuance, has fewer than 100 active sets of plates, unless applications therefor again meet the criterion of subdivision 1 of this subsection;

3. All reissued or replacement special license plates shall be subject to a fee of fifteen dollars;

4. The annual fee for the issuance of any license plates issued pursuant to this article shall be ten dollars plus the prescribed fee for state license plates. Applications for all special license plates issued pursuant to this article shall be on forms prescribed by the Commissioner. All special license plates issued pursuant to this article shall be of designs prescribed by the Commissioner and shall bear unique letters and numerals, clearly distinguishable from any other license plate designs, and be readily identifiable by law-enforcement personnel.

No other state license plates shall be required on any vehicles bearing special license plates issued under the provisions of this article.

All fees collected by the Department under this article shall be paid by the Commissioner into the state treasury and shall be set aside as a special fund to be used to meet the expenses of the Department.

§ 46.2-735. Special license plates for members of volunteer rescue squads and volunteer rescue squad auxiliaries; fees.

The Commissioner, on application, shall supply members of volunteer rescue squads and members of volunteer rescue squad auxiliaries special license plates bearing the letters "R S" and four digit numbers followed by numbers or letters or any combination thereof.

Only one application shall be required from each volunteer rescue squad or volunteer rescue squad auxiliary. The application shall contain the names and residence addresses of all members who request license plates. The Commissioner shall charge the prescribed cost of state license plates for each set of

license plates issued under this section.

§ 46.2-736. Special license plates for professional or volunteer fire fighters and members of volunteer fire department auxiliaries; fees.

The Commissioner, on application, shall supply professional fire fighters, members of volunteer fire departments, *members of volunteer fire department auxiliaries*, and volunteer members of any fire department license plates bearing the letters "F D" followed by ~~four or five digit~~ numbers *or letters or any combination thereof*.

An application shall be required from each professional fire fighter ~~or~~, volunteer fire fighter, *or member of a volunteer fire department auxiliary*. The application shall be approved by the chief or head of the fire department and shall contain the name and residence address of the ~~member or professional fire fighter who requests the plates applicant~~. The Commissioner shall charge each professional fire fighter a fee of one dollar in addition to the prescribed cost of state license plates, for each set of license plates issued under this section. No additional fee shall be charged to members of volunteer fire departments, *members of volunteer fire department auxiliaries*, or volunteer members of any fire department.

§ 46.2-736.2. Special license plates for certain elected or appointed officials.

The Commissioner, on application, shall issue to *honorary consuls, upon receipt of written evidence from the United States Department of State that the applicant is an honorary consul on active status, and members of county boards of supervisors*, state commissions and boards and to other state officials appointed by the Governor special license plates bearing decals or stickers *bearing the legend "HONORARY CONSUL"* or identifying the commission, board, or office to which the applicant has been elected or appointed.

§ 46.2-742. Special license plates for persons awarded Purple Heart; fee.

On receipt of an application and written evidence that the applicant has been awarded the Purple Heart, the Commissioner shall issue to the applicant special license plates.

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 ten dollars at the time the plates are issued.

Unmarried surviving spouses of persons eligible to receive special license plates under this section may also be issued special license plates under this section.

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

§ 46.2-742.1. Special license plates for persons awarded the Bronze Star or the Silver Star; fee.

On receipt of an application and written evidence that the applicant has been awarded a Bronze Star or Silver Star Medal, the Commissioner shall issue to the applicant special license plates.

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 ten dollars at the time the plates are issued.

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

§ 46.2-742.2. Special license plates for persons awarded the Navy Cross, the Distinguished Service Cross, the Air Force Cross, or the Distinguished Flying Cross.

On receipt of an application and written evidence that the applicant has been awarded the Navy Cross, the Distinguished Service Cross, ~~or the Air Force Cross, or the Distinguished Flying Cross~~, the Commissioner shall issue to the applicant special license plates.

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

§ 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 an active duty or retired member of the United States Army, Navy, Air Force, or Marine Corps, the Commissioner shall issue to the applicant special license plates whose design incorporates an emblem of the military service of which the applicant is an active duty or retired member.*

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.

~~C. 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.

~~D. 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. 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.

§ 46.2-746.3. Special license plates for members of certain military reserve organizations.

The Commissioner, on application therefor, shall issue special license plates to members of the Air

Force Reserve, the Army Reserve, the Coast Guard Reserve, the Marine Reserve, and the Naval Reserve. Such special license plates ~~shall~~ *may, when feasible*, bear decals or stickers identifying the reserve organization of which the applicant is a member.

§ 46.2-746.4. Special license plates for members of certain military veterans' organizations.

On receipt of an application and written evidence that the applicant is a member of any of the following military veterans' organizations, the Commissioner shall issue special license plates to the members of the following organizations: the American Legion, the Marine Corps League, *the First Marine Division Association*, the Retired Officers Association, *the Veterans of Foreign Wars*, and the Vietnam Veterans of America.

§ 46.2-746.6:1. *Special license plates for supporters of the American Red Cross.*

On receipt of an application, the Commissioner shall issue special license plates to supporters of the American Red Cross.

§ 46.2-746.7. Special license plates for members of certain civic and fraternal organizations.

On receipt of an application and written evidence that the applicant is a member of such organization, the Commissioner shall issue special license plates to members of the following organizations: the Exchange Club, the Jaycees, the Kiwanis, the Lions of Virginia, Ruritan National, *the Virginia Future Farmers of America Association*, the Freemasons, the Shriners, the Order of the Eastern Star, the Knights of Columbus, and college and university fraternities and sororities.

§ 46.2-748. Special license plates for members of "REACT."

On receipt of an application, the Commissioner shall issue special license plates to members of *Radio Emergency Associated Communications* ~~REACT~~ Teams (*REACT*).

The provisions of subdivisions 1 and 2 of subsection B of § 46.2-725 shall not apply to license plates issued under this section prior to July 1, 1997.

§ 46.2-749. Issuance of license plates bearing seal, symbol, emblem, or logotype of certain institutions of higher education; fees.

A. On receipt of an application, the Commissioner may issue for any accredited college or university, in accordance with policies and procedures established by the Commissioner and in accordance with an agreement between the institution and the Department, special license plates bearing the seal, symbol, emblem, or logotype of that institution of higher education.

For each set of license plates issued hereunder, the Commissioner shall charge, in addition to the prescribed cost of state license plates, an annual fee of twenty-five dollars.

B. Any institution of higher education that enters into an agreement with the Department pursuant to this section thereby waives any royalty fees to which it might otherwise be entitled for use of its seal, symbol, emblem, or logotype as provided in this section. However, any such institution located in Virginia shall annually receive an allocation of fifteen dollars for each set of license plates in excess of 1,000 registrations pursuant to the institution's agreement with the Department during the term of the agreement. The allocated funds shall be deposited by the Department into the state treasury and credited to the relevant institution to be used to support scholarships for eligible undergraduate students enrolled in the institution. Only students who (i) are bona fide domiciliaries of Virginia as defined in § 23-7.4 and (ii) are enrolled in educational programs whose primary purpose is not to provide religious training or theological education shall be eligible to receive such scholarships.

The State Council of Higher Education for Virginia shall review and approve plans for each participating institution for the implementation of these scholarship programs. These plans shall include, but need not be limited to, criteria for the awarding of the scholarships and procedures for determining the recipients.

The provisions of subdivisions 1 and 2 of subsection B of § 46.2-725 shall not apply to license plates issued under this section *for any institution of higher education located in Virginia.*

§ 46.2-749.2:2. *Special license plates for Virginians for the Arts; 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: VIRGINIANS FOR THE ARTS.*

B. *The annual fee for plates issued pursuant to this section shall be twenty-five dollars in addition to the prescribed fee for state license plates. For each such twenty-five-dollar fee collected in excess of 1,000 registrations pursuant to this section, fifteen dollars shall be paid into the state treasury and credited to the special nonreverting fund known as the Virginians for the Arts Fund, established within the Department of Accounts, for use by the Virginia Commission for the Arts.*

§ 46.2-749.2:3. *Special license plates for supporters of organ transplant programs; fees.*

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: VIRGINIA DONOR AWARENESS.

The annual fee for plates issued pursuant to this section shall be twenty-five dollars in addition to the prescribed fee for state license plates. For each such twenty-five-dollar fee collected in excess of 1,000 registrations pursuant to this section, fifteen dollars shall be paid into the state treasury and credited to a special nonreverting fund known as the Virginia Transplant Council Fund, established within the Department of Accounts, for use by the Virginia Transplant Council to support the Council's programs and activities.

§ 46.2-749.2:4. *Special license plates for supporters of Virginia state parks; 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: VIRGINIA STATE PARKS.*

B. *The annual fee for plates issued pursuant to this section shall be twenty-five dollars in addition to the prescribed fee for state license plates. For each such twenty-five-dollar fee collected in excess of 1,000 registrations pursuant to this section, fifteen dollars shall be paid into the state treasury and credited to a special nonreverting fund known as the Virginia State Parks Foundation Fund, established within the Department of Accounts, for use by the Virginia State Parks Foundation in support of the Foundation's activities and programs.*

§ 46.2-749.2:5. *Special license plates for supporters of the U. S. Olympic Committee; 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 U. S. Olympic Committee logo and, if possible, the sponsor identification mark "36USC380," as approved by the U. S. Olympic Committee, and the legend: OLYMPIC SPIRIT.*

B. *The annual fee for plates issued pursuant to this section shall be twenty-five dollars in addition to the prescribed fee for state license plates. For each such twenty-five-dollar fee collected in excess of 1,000 registrations pursuant to this section, fifteen dollars shall be paid into the state treasury and credited to a special nonreverting fund known as the U. S. Olympic Committee Fund, established within the Department of Accounts, for use by the U. S. Olympic Committee to support the Committee's activities and programs.*

C. *The provisions of this section shall expire on July 1, 2000.*

§ 46.2-749.4. *Special license plates bearing the seal, symbol, emblem, or logotype of certain localities.*

On receipt of a minimum of ~~1,000~~ 350 paid applications therefor, the Commissioner may design and issue special license plates whose design incorporates the seal, symbol, emblem, or logotype of any county or city.

The annual fee for plates issued pursuant to this section shall be twenty-five dollars plus the prescribed fee for state license plates. For each such twenty-five-dollar fee collected in excess of 1,000 registrations pursuant to this section, fifteen dollars 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 ~~quarterly~~ annually and may be used as provided by the local governing body.

§ 46.2-749.7:1. *Special license plates; Apple Blossom Festival.*

On receipt of an application therefor, the Commissioner shall issue to the applicant special license plates bearing the following legend: APPLE BLOSSOM FESTIVAL.

§ 46.2-750. *Vehicles of Commonwealth and subdivisions.*

A. Motor vehicles, trailers, and semitrailers owned by the Commonwealth and political subdivisions thereof and used solely for governmental purposes shall be registered and shall display license plates as provided in this section. The fee for such license plates shall be equal to the cost incurred by the Department in the purchase or manufacture of such license plates. The fees received by the Commissioner under this section shall be paid into the state treasury and shall be set aside as a special fund to be used to meet the expenses of the Department of Motor Vehicles.

License plates issued for vehicles owned by the Commonwealth, except plates issued to be used (i) on vehicles devoted solely to police work, (ii) by the Department of Economic Development to the extent approved by the Governor, or (iii) by the Governor and the Attorney General, shall have conspicuously and legibly inscribed, stamped, or printed thereon words stating that the vehicle is for official state use only. The Commissioner shall reserve a unique series of numbers for use on such license plates and shall provide for a design and combination of colors which distinguish such license plates from those issued for vehicles owned by the ~~counties, cities, and towns~~ political subdivisions of the Commonwealth.

License plates issued for vehicles owned by ~~counties, cities, and towns~~ political subdivisions of the Commonwealth, except such plates issued to be used (i) on vehicles used by any local or regional economic development authority, agency, instrumentality, or organization, upon the request of the chief administrative officer of the affected locality (or, in the case of regional organizations, the chief administrative officer of any of the affected localities) or (ii) on vehicles devoted solely to police work, shall have conspicuously and legibly inscribed, stamped, or printed thereon words stating that the vehicle is for official local government use only. The Commissioner shall reserve a unique series of numbers for use on such license plates and shall provide for a design and combination of colors which distinguish such license plates from those issued for vehicles owned by the Commonwealth.

License plates issued for vehicles owned by the Commonwealth and the ~~counties, cities, and towns~~ political subdivisions thereof which have inscribed, stamped, or printed thereon the words "Public Use" may be used only on the vehicle for which they were issued prior to January 1, 1990, but in no case shall such license plates be used for any vehicle after December 31, 1992.

No other license plates shall be used on vehicles for which official use plates have been issued, except for vehicles used solely for police work and as provided in subsection B of this section.

B. In addition to any other license plate authorized by this section, the Commissioner may issue permanent or temporary license plates for use on vehicles owned by the Commonwealth or any of its departments, institutions, boards, or agencies and used for security or transportation purposes in conjunction with conferences, meetings, or other events involving the Governor or members of the General Assembly. No state agency shall use government funds to cover the costs of any license plates issued under this subsection. The design of these license plates shall be at the discretion of the Commissioner. These license plates shall be issued under the following conditions:

1. For each set of permanent license plates issued, the Commissioner shall charge a fee of \$100. The Commissioner shall limit the validity of any set of license plates issued under this subdivision to no more than thirty consecutive days. The Commissioner's written authorization for use of any set of license plates issued under this subdivision shall be kept in the vehicle on which the license plates are displayed until expiration of the authorization.

2. The Commissioner shall limit the validity of each set of temporary license plates to no more than fourteen consecutive days. For each set of temporary license plates, the Commissioner shall charge a fee of twenty-five dollars for the first set and two dollars for each additional set. The Commissioner's written authorization for use of any set of license plates issued under this subdivision shall be kept in the vehicle on which the license plates are displayed until expiration of the authorization.