

VIRGINIA ACTS OF ASSEMBLY -- 2023 SESSION

CHAPTER 539

An Act to amend and reenact §§ 46.2-740, 46.2-741, 46.2-742.4, 46.2-743, 46.2-744, 46.2-746.1, 46.2-746.2:2, 46.2-746.2:3, 46.2-746.2:4, 46.2-746.2:6, 46.2-746.3, 46.2-746.5, and 46.2-749.46 of the Code of Virginia, relating to special license plates; military service; unremarried surviving spouses.

[H 2246]

Approved March 26, 2023

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-740, 46.2-741, 46.2-742.4, 46.2-743, 46.2-744, 46.2-746.1, 46.2-746.2:2, 46.2-746.2:3, 46.2-746.2:4, 46.2-746.2:6, 46.2-746.3, 46.2-746.5, and 46.2-749.46 of the Code of Virginia are amended and reenacted as follows:

§ 46.2-740. Special license plates for survivors of Battle of Chosin Reservoir.

On receipt of an application and written evidence that the applicant is a survivor of the Battle of Chosin Reservoir, the Commissioner shall issue special license plates to the applicant.

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

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

§ 46.2-741. Special license plates for survivors of attack on Pearl Harbor; fees.

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 and, while serving in the armed forces of the United States, was present during the attack on the island of Oahu, Territory of Hawaii, on December 7, 1941, between the hours of 7:55 a.m. and 9:45 a.m., Hawaii time, the Commissioner shall issue to the applicant special license plates identifying the vehicle as registered to a Pearl Harbor survivor.

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.

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

§ 46.2-742.4. Special license plates for persons awarded the Combat Infantryman Badge.

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

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

§ 46.2-743. Special license plates for active duty members of the armed forces of the United States and certain veterans; fees.

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. *Unremarried surviving spouses of persons eligible to receive special license plates under this subsection may also be issued special license plates under this subsection.*

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 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 Army, the Commissioner shall issue to the applicant special license plates whose design incorporates an emblem of the United States Army. *Unremarried surviving spouses of persons eligible to receive special license plates under this subsection may also be issued special license plates under this subsection.*

D. 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 Coast Guard, the Commissioner shall issue to the applicant special license plates whose design incorporates an emblem of the United States Coast Guard. *Unremarried surviving spouses of*

persons eligible to receive special license plates under this subsection may also be issued special license plates under this subsection.

E. 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 Navy, the Commissioner shall issue to the applicant special license plates whose design incorporates an emblem of the United States Navy. Unremarried surviving spouses of persons eligible to receive special license plates under this subsection may also be issued special license plates under this subsection. The annual fee for plates issued pursuant to this subsection 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 subsection, \$15 shall be paid into the state treasury and credited to a special nonreverting fund known as the Navy-Marine Corps Relief Society Fund established within the Department of Accounts. These funds shall be paid annually to the Navy-Marine Corps Relief Society and used to support its operation and programs in Virginia. All other fees imposed under the provisions of this subsection shall be paid to, and received by, the Commissioner of the Department of Motor Vehicles and paid by him into the state treasury and set aside as a special fund to be used to meet the necessary expenses incurred by the Department of Motor Vehicles.

F. All special license plates that have been developed and issued pursuant to subsection B, C, D, or E shall also be issued to applicants who can provide documentation from the U.S. Department of Veterans Affairs indicating that the applicant has been designated disabled, and that his disability is service-connected, and that he has been honorably discharged from a branch of the armed forces of the United States.

G. 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. For each set of license plates issued under this subsection, 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. *Unremarried surviving spouses of persons eligible to receive special license plates under this subsection may also be issued special license plates under this subsection.*

H. 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. *Unremarried surviving spouses of persons eligible to receive special license plates under this subsection may also be issued special license plates under this subsection.*

I. 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. *Unremarried surviving spouses of persons eligible to receive special license plates under this subsection may also be issued special license plates under this subsection.*

J. 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. For each set of license plates issued under this subsection, 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. *Unremarried surviving spouses of persons eligible to receive special license plates under this subsection may also be issued special license plates under this subsection.*

K. On receipt of an application and written evidence that the applicant is a veteran of Operation Iraqi Freedom, the Commissioner shall issue special license plates to veterans of Operation Iraqi Freedom. *Unremarried surviving spouses of persons eligible to receive special license plates under this subsection may also be issued special license plates under this subsection.*

L. On receipt of an application and written evidence that the applicant is a veteran of Operation Enduring Freedom, the Commissioner shall issue special license plates to veterans of Operation Enduring Freedom. *Unremarried surviving spouses of persons eligible to receive special license plates under this subsection may also be issued special license plates under this subsection.*

M. On receipt of an application and written evidence that the applicant is a member of the Virginia Defense Force, the Commissioner shall issue special license plates to members of the Virginia Defense Force. *Unremarried surviving spouses of persons eligible to receive special license plates under this subsection may also be issued special license plates under this subsection.*

N. On receipt of an application and written evidence that the applicant is a veteran of Operation Desert Shield or Operation Desert Storm, the Commissioner shall issue special license plates to veterans of those military operations. *Unremarried surviving spouses of persons eligible to receive special license plates under this subsection may also be issued special license plates under this subsection.*

O. The provisions of subdivisions B 1 and B 2 of § 46.2-725 shall not apply to license plates issued under subsections G, H, J, K, L, M, and N.

§ 46.2-744. Special license plates for members of National Guard; fees.

On receipt of an application and written confirmation that the applicant is a member of the National Guard, the Commissioner shall issue to the applicant special license plates.

No fee shall be charged for license plates issued under this section to a member of the Virginia National Guard for any one motor vehicle owned and used personally by the applicant, unless the plates

bear reserved numbers or letters as provided for in § 46.2-726. In this latter case, the fee for the issuance of license plates shall be the same as for those issued under § 46.2-726. For each additional set of license plates issued to an applicant under this section, the Commissioner shall charge the prescribed fee for state license plates.

The fee for members of non-Virginia National Guard units shall be ten dollars per year plus the prescribed cost for state license plates, unless the plates bear reserved numbers or letters as provided for in § 46.2-726. In this latter case, such license plates shall be subject to an additional charge of ten dollars per year for the reserved numbers or letters.

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

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

§ 46.2-746.1. Special license plates for members of military assault forces.

On receipt of an application and written evidence that the applicant is or has been, while serving in the armed forces of the United States, a member of a military assault force, the Commissioner shall issue to the applicant special license plates. For the purposes of this section, a military assault force is a unit or element of the armed forces of the United States engaged in or charged with the invasion or capture of territory under the control of enemy forces.

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

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

§ 46.2-746.2:2. Special license plates; members and former members of the 173rd Airborne Brigade.

On receipt of an application therefor and presentation of written evidence that the applicant is a member or former member of the 173rd Airborne Brigade, 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.

No license plates shall be issued under this section unless and until a one-time fee of \$3,500 shall have been paid to the Commissioner.

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

§ 46.2-746.2:3. Members and former members of the 3rd Infantry Regiment (Old Guard).

On receipt of an application therefor and presentation of written evidence that the applicant is a member or former member of the 3rd Infantry Regiment (Old Guard), the Commissioner shall issue special license plates to members and former members of the 3rd Infantry Regiment (Old Guard).

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

§ 46.2-746.2:4. Members of the Special Forces Association; fee.

On receipt of an application therefor and presentation of written evidence that the applicant is a member of the Special Forces Association, the Commissioner shall issue to the applicant special license plates.

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

No license plates provided for in this section shall be issued unless and until the Commissioner receives at least 50 prepaid applications therefor and payment of a one-time fee of \$3,500, less the total amount of \$10 annual fees collected from the prepaid applications received.

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

§ 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.

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

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

The Commissioner, on application therefor, shall issue special license plates to members or veterans of the Air Force Reserve, the Army Reserve, the Coast Guard Reserve, the Marine Reserve, and the Naval Reserve. Such special license plates may, when feasible, bear decals or stickers identifying the reserve organization of which the applicant is or was a member.

The provisions of subdivision B 2 of § 46.2-725 shall not apply to license plates issued under this

section.

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

§ 46.2-746.5. Special license plates for National Guard retirees; fees.

On receipt of an application and written evidence that the applicant is a retired member of the National Guard, the Commissioner shall issue special license plates to National Guard retirees.

No fee shall be charged for license plates issued under the provisions of this section to retired members of the Virginia National Guard.

The fee for non-Virginia National Guard retirees shall be \$10 per year plus the prescribed cost for state license plates, unless the plates bear reserved numbers or letters as provided for in § 46.2-726. In this latter case, such license plates shall be subject to an additional charge of \$10 per year for the reserved numbers or letters.

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

§ 46.2-749.46. Special license plates; naval aviators.

On receipt of an application and written evidence that the applicant is or has been a naval aviator, the Commissioner shall issue to the applicant special license plates.

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