

As a result of House Bill 4172, effective July 1, 2010 nonprofit organizations may apply directly to DMV for issuance of a special license plate for their organization in the following manner instead of going thru the Legislature. The Legislature has delegated authority to DMV to approve only non-profit organizations in accordance with the criteria provided in Step 1 of this guide.

Step 1. Organization determines that it meets the following requirements, has sufficient interest among its members and supporters and submits an application containing their IRS "Section 501 (c)(3)" certification along with a narrative describing how it meets the following 6 requirements listed in WV Code §17A-3-14.

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

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

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

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

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

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

Minimum 250 prepaid applications within 6 months after DMV written approval that the organization meets the requirements prescribed in WV Code §17A-3-14.

Other Requirements

1. The application must be signed by the chief official of the organization.
2. Please enclose a mock-up of your basic design idea. It is not necessary to have it professionally prepared, just a rough draft depicting your logo, graphic and/or motto ideas.
3. The initial application for review and approval as meeting the above requirements must be mailed or delivered to the following address:

WV Division of Motor Vehicles

Special Plate Program

PO Box 17120

Charleston, WV 25317

The Commissioner of the Division of Motor Vehicles is required under the new law to make a statutory determination based on a number of criteria. The application and documentation will be evaluated and verified before approval is granted and before any meetings are scheduled or plate designs discussed either by phone or in person. Please do not plan on any meetings prior to DMV approving the organization as meeting the requirements.

STEP 2. DMV Reviews Organization’s Application for Eligibility Based on the Statutory Criteria and Advises the Organization in Writing Whether or Not the Organization is Eligible.

STEP 3. If the Organization Is Eligible

1. After DMV reviews the organization’s completed application, we will advise the organization in writing of their eligibility and if eligible, schedule a meeting to authorize the organization to distribute and collect applications that DMV will customize for the organization.

Under no circumstances should an organization begin collecting money until authorized. DMV will not validate any organization’s attempt at soliciting applications and/or fees before the organization is authorized in writing to proceed by DMV.

2. The organization will designate one person as the contact person for DMV to work with throughout the process. The organization should anticipate an ongoing relationship with DMV for the processing of additional original applications after the plate is established.

3. At the time of initial approval, DMV will spend a limited amount of time and effort with the organization on developing an application, marketing from the DMV end and a rough sketch of a design for the organization to show and market to prospective applicants as an idea of how the plate will look. The organization must provide national level organization logo approval if applicable, copyright clearance and necessary artwork and color codes. The numbering sequence is determined by DMV in accordance with general plate design and the need for some degree of uniformity to assist law enforcement and DMV in identifying a particular type or category of plate in the computer system.

STEP 4. Things To Know

1. The cost of the license to each applicant will be a \$91.50 flat fee per application. There will be no additional costs or fees to either the organization or the individual applicant for the first year.

2. Application fee of \$91.50 includes: \$51.50 basic registration fee, \$25 initial one-time fee, and the additional annual \$15 fee. This will cover the first year of registration once the plate is issued. The annual renewal fee is \$66.50. DMV will handle the renewals by mail or at its Regional Offices.

3. There will be no credit or prorating of an applicant’s fee, nor extensions of pending applicant’s current license plates during the organization’s plate campaign.

4. The organization is responsible for all initial application fees collected, applications and adhering to the security of any vehicle/owner personal information in accordance with Federal and State Driver Privacy Protection laws.

5. The organization through its legally constituted officers is also responsible for the refunding of fees to applicants if it is unable to collect at least 250 prepaid applications within 6 months. [the window for collecting applications and fees is set in the law]

6. The organization will collect applications until it reaches at least 250 then present DMV with one check for the initial group of applications. The organization will maintain an ongoing relationship with DMV for additional original

applications. Applicants will continue to apply to the organization for the special plate. If an organization has established eligibility requirements such as certain level of licensure, certification or employment, it has the responsibility to approve or deny an applicant based on those requirements. However, these requirements must be equally applied to all applicants.

STEP 5. Minimum Number Reached

When the organization meets or exceeds the 250 application threshold, and submits the applications and check to DMV, then DMV will start its work with more advanced plate design and final manufacture. The organization will handle all calls and questions from its prospective applicants. The law specifies that DMV does not initiate any design or manufacture efforts until the organization meets the 250 minimum application requirements.

STEP 6. Plate Design Approval

The organization will review and approve the plate design in writing before DMV proceeds with actual production.

STEP 7. Actual Issuance

DMV will order the plates from Prison Industries and will upon delivery, mail the plates to the applicants. DMV will offer the organization's authorized representative limited input in initial number designations....however this is at the discretion of DMV. The expiration date will be established by DMV.

STEP 8. Renewals verses Original Applications

1. DMV will mail renewal notices and will process the renewals and requests for duplicates. The organization is not involved in the renewal process.
2. The Organization continues to handle initial applications.
3. The Organization has limited authority to request that DMV withdraw a registrant's eligibility for a license plate upon written notice. However, DMV may elect to allow the registrant to keep his or her plate until the plate expires.

Failure to Maintain Minimum Number / Discontinuation of Organization

WV Code §17A-3-14 requires organizations obtaining plates under the provisions of this program to maintain a minimum of 250 active plates in circulation. DMV is required to discontinue an organization's special license plate if:

1. The number of valid and active registrations drops below a threshold of 250 for at least 12 consecutive months, or
2. The organization no longer exists or no longer meets the eligibility requirements.

West Virginia Department of Transportation

Division of Motor Vehicles

Preliminary Application & Eligibility Review for a Non-Profit License Plate



5707 MacCorkle Ave. SE • PO Box 17120 • Charleston, WV 25317

Name of Organization: _____

Address of Organization: _____

Federal I.D. Number: _____

Organization's WV Office Phone: _____

Primary Contact Person: _____

Address: _____

Phone Number: _____

E-Mail Address: _____

Please respond to the following questions pursuant to WV Code §17A-3-14(c)(60)(A).

Attach additional pages if necessary.

1) Does your organization have IRS 501(c) (3) Status as a nonprofit. Yes No
Please attach IRS determination letter.

2) Is your organization based, headquartered, or have a chapter in WV? Yes No

3) What is the purpose of your organization? *Please attach a summary of it's purpose.* Yes No

4) Is your organization a political party, or does it exist primarily to promote a specific political or social belief? Yes No

5) Is the primary purpose of your organization to promote any specific faith, religion, religious belief, or anti-religion? Yes No

Please enclose a mock-up of your basic plate design idea.

I hereby certify that I (please print or type name), _____ am the duly elected head of this organization and that the statements made herein and the attached documents are true and correct to the best of my knowledge and belief under penalty of false swearing [West Virginia Code §17A-9-1; Fraudulent Applications]. I understand that I must have a minimum of 250 prepaid applications before DMV will begin production.

Signature of Organization Head (X) _____ Date _____