

1 H.374

2 Introduced by Representative Leffler of Enosburgh

3 Referred to Committee on

4 Date:

5 Subject: Motor vehicles; license plates; registration plates; safety and service
6 organization number plates; interest group number plates

7 Statement of purpose of bill as introduced: This bill creates a new type of
8 number plate, to be known as an interest group number plate, that shall be
9 available to members of the public in a design determined by the interest group
10 and approved by the Commissioner of Motor Vehicles with the proceeds from
11 the annual fee provided to the interest group if it is a nonprofit and registered
12 as such with the Office of the Secretary of State.

13 An act relating to interest group number plates

14 It is hereby enacted by the General Assembly of the State of Vermont:

15 Sec. 1. 23 V.S.A. § 304(b) is amended to read:

16 (b) The authority to issue vanity motor vehicle number plates, safety and
17 service organization number plates, and interest group ~~or special~~ number plates
18 ~~for safety organizations and service organizations~~ shall reside with the
19 Commissioner. Determination of compliance with the criteria contained in this
20 section shall be within the discretion of the Commissioner. Series of safety

1 ~~and service organization~~ number plates ~~for safety and service organizations~~
2 ~~and interest group number plates~~ that are authorized by the Commissioner shall
3 be issued in order of approval, subject to the operating considerations in the
4 Department as determined by the Commissioner. The Commissioner shall
5 issue vanity, safety and service organization, and interest group ~~and special~~
6 ~~organization~~ number plates in the following manner:

7 * * *

8 (2) ~~Special~~ Safety and service organization number plates.

9 (A) ~~For the purposes of this section~~ As used in this subdivision (2):

10 (i) ~~“Safety organizations” are groups~~ organization” means any
11 group with at least 100 in-state members in good standing that provide
12 provides police and fire protection, rescue squads, the Vermont National
13 Guard, organizations required to respond to public emergencies, and amateur
14 radio operators licensed by the U.S. Federal Communications Commission.
15 ~~To qualify for a special organization plate, safety organizations must have at~~
16 ~~least 100 in-state members in good standing.~~

17 (ii) ~~“Service organization” includes~~ means a congressionally
18 chartered or noncongressionally chartered U.S. Military Service veterans’
19 ~~groups and any group that:~~ or an organization for which a safety and service
20 organization number plate is already available as of July 1, 2021

1 ~~(I) has as a primary purpose service to the community through~~
2 ~~specific programs for the improvement of public health, education, or~~
3 ~~environmental awareness and conservation and is not limited to social~~
4 ~~activities;~~

5 ~~(II) has nonprofit status under Section 501(c)(3) or (10) of the~~
6 ~~U.S. Internal Revenue Code, as amended;~~

7 ~~(III) is registered as a nonprofit corporation with the Office of~~
8 ~~the Secretary of State; and~~

9 ~~(IV) except for a military veterans group, has at least 100 in-~~
10 ~~state members in good standing.~~

11 (B) The officer of a safety or service organization ~~or service~~
12 ~~organization~~ may apply to the Commissioner to approve special plates
13 indicating membership in a qualifying organization to be issued to organization
14 members for a one-time \$17.00 special safety and service organization number
15 plate fee for each set of plates in addition to the annual fee for registration.

16 The application shall include designation of an officer or member to serve as
17 the principal contact with the Department and a distinctive name or emblem, or
18 both, for use on the proposed special safety and service organization number
19 plate. The name and emblem shall not be objectively obscene or confusing to
20 the general public and shall not promote, advertise, or endorse a product,
21 brand, or service provided for sale. The organization's name and emblem must

1 not infringe on or violate a trademark, trade name, service mark, copyright, or
2 other proprietary or property right, and the organization must have the right to
3 use the name and emblem. After consulting with the principal contact, the
4 Commissioner shall determine the design of the special plate on the basis that
5 the primary purpose of motor vehicle number plates is vehicle identification.

6 An organization may have only one design, regardless of the number of
7 individual organizational units, squads, or departments within the State that
8 may conduct the same or substantially similar activities.

9 (C) After the plate design is finalized and an officer or the principal
10 contact provides the Commissioner a written statement authorizing issuance of
11 the plates, the organization shall deposit \$2,200.00 with the Commissioner. Of
12 this deposit, \$500.00 shall be retained by the Department to recover costs of
13 developing the safety and service organization number plate. Notwithstanding
14 32 V.S.A. § 502, the Commissioner may charge the actual costs of production
15 of the plates against the fees collected and the balance shall be deposited in the
16 Transportation Fund. Upon application, ~~special~~ safety and service organization
17 number plates shall be issued to a registrant of a vehicle registered at the
18 pleasure car rate or of a truck registered for less than 26,001 pounds (but
19 excluding trucks registered under the International Registration Plan) who
20 furnishes the Commissioner satisfactory proof ~~that he or she is a member~~ of
21 membership in an organization that has satisfied and continues to satisfy the

1 requirements of this subdivision (b)(2). For each of the first 100 applicants to
2 whom sets of plates are issued, the \$17.00 special plate fee shall not be
3 collected and shall be subtracted from the balance of the deposit. When the
4 \$1,700.00 balance of the deposit is depleted, applicants shall be required to pay
5 the \$17.00 fee as provided for in subdivision (2)(B) of this subsection (b). No
6 organization shall charge its members any additional fee or premium charge
7 for the authorization, right, or privilege to display special number plates, but
8 any organization may recover up to \$1,700.00 from applicants for the special
9 plates.

10 (D) When an individual's membership in a qualifying safety or
11 service organization ceases or is terminated, the individual shall immediately
12 surrender any ~~special~~ registration plates issued under this subsection (b) to the
13 Commissioner ~~forthwith~~. However, a retired member of the Vermont National
14 Guard may renew or, upon payment of a \$10.00 fee, acquire, the special guard
15 plates after notification of eligibility for retired pay has been received.

16 (3) Interest group number plates.

17 (A) As used in this subdivision (3), "interest group" means any group
18 that has, at the time of the application for an interest group number plate, at
19 least 100 in-state members in good standing.

20 (B) An officer or member of an interest group may apply to the
21 Commissioner to approve an interest group number plate to be issued for a

1 \$73.00 annual interest group number plate fee in addition to the annual fee for
2 registration. The application shall include designation of an officer or member
3 to serve as the principal contact with the Department and a distinctive name or
4 emblem, or both, for use on the proposed interest group number plate. The
5 name and emblem shall not be objectively obscene or confusing to the general
6 public and shall not promote, advertise, or endorse a product, brand, or service
7 provided for sale. The interest group's name and emblem must not infringe on
8 or violate a trademark, trade name, service mark, copyright, or other
9 proprietary or property right, and the interest group must have the right to use
10 the name and emblem. After consulting with the principal contact, the
11 Commissioner shall determine the design of the special plate on the basis that
12 the primary purpose of motor vehicle number plates is vehicle identification.
13 An interest group may have only one design, regardless of the number of
14 individual organizational units, squads, or departments within the State that
15 may conduct the same or substantially similar activities.

16 (C) After the plate design is finalized and the principal contact of the
17 interest group provides the Commissioner a written statement authorizing
18 issuance of the plates, the interest group shall pay the Commissioner a \$500.00
19 fee to cover costs of developing the interest group number plate.

20 (D) Interest group plates shall be available to all members of the
21 public, without regard to membership in the interest group, and no interest

1 group shall charge its members any additional fee or premium charge for the
2 authorization, right, or privilege to display an interest group number plate.

3 (E) The Department of Motor Vehicles shall maintain a list of all
4 interest group number plates and the corresponding number plate design on its
5 website.

6 (F) Upon application, interest group number plates shall be issued to
7 a registrant of a vehicle registered at the pleasure car rate or of a truck
8 registered for less than 26,001 pounds (but excluding trucks registered under
9 the International Registration Plan).

10 (G) Notwithstanding 32 V.S.A. § 502, the Commissioner may charge
11 the actual costs of production of the plates against the fees collected under
12 subdivision (3)(B) of this subsection (b) and the balance shall be paid to the
13 Transportation Fund unless the interest group has on file with the Department
14 of Motor Vehicles proof that it has nonprofit status under Section 501(c)(3)
15 or (10) of the U.S. Internal Revenue Code, as amended, and is registered as a
16 nonprofit corporation with the Office of the Secretary of State, in which case
17 the balance shall be paid to the interest group on September 1 of each year for
18 the prior fiscal year.

19 Sec. 2. EFFECTIVE DATE

20 This act shall take effect on July 1, 2021.