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Research Brief

TO: Representative Peggy Wilson
FROM: Katie Spielberger, Legislative Analyst
DATE: March 13, 2014
RE: Specialty License Plate Availability and Approval Process in Other States
LRS Report 14.302

You asked how many other states allow specialty license plates. You also wished to know about the approval process for a new specialty plate design in other states. You were especially interested in states that do not require legislative action to approve new designs.

Specialty license plates—also called “special” or “distinctive” plates—deviate from a state’s standard design and may instead denote military status or support for various organizations and causes—for example, environmental groups, universities, or breast cancer awareness. All states have special plates available for disability parking privileges, typically at no additional charge, and for military members and veterans, often at no additional charge.¹ All states also allow some number of specialty license plate designs in support of organizations or causes; in many states, a portion of the fee charged goes to support the special interest group or cause connected to the plate. States vary widely in the number of specialty designs they allow. According to the National Conference of State Legislatures (NCSL), more than 700 specialty license plate designs are currently allowed in Maryland; Nevada, on the other hand, passed a law in 2011 to allow only 30 specialty designs to be in circulation at any one time.²

Based on our review of specialty license plate laws, it appears the states employ various processes for approving new designs. We identified several states that do not involve the legislature at all in approving specialty license plate designs. In Montana, a state agency, local government, school district, tribal government, or non-profit organization—provided it does not have as its primary focus promoting the adoption of certain religious or political viewpoints—may apply for a “generic specialty license plate.” Montana law sets out numerous requirements for an entity and the department of motor vehicles (DMV) to follow in the process, but does not require legislative action.³ California allows its DMV to issue special interest license plates for organizations and state agencies.⁴ Texas law authorizes its DMV to create new specialty license plates either on its own initiative or upon receipt of an application from a sponsor, which may be any non-profit entity.⁵

Other states involve the legislature in various ways. In several states, including Alaska, it appears that the only way to introduce a new license plate design is through legislation.⁶ Some states provide a process by which groups may submit a new design to be considered by the legislature. Florida and Maine, for example, provide for an application process by which an organization may submit a proposal for a new plate design to be taken up for legislative consideration.⁷

¹ “Transportation Review: Motor Vehicle Registration and License Plates,” by Anne Teigen and William Smullen, National Conference of State Legislatures (NCSL), August, 2011. We include a copy of this review as Attachment A.

² The NCSL lists the number of specialty, organizational, and military license plates allowed in each state at http://www.ncsl.org/research/transportation/license-plate_information.aspx#A.

³ Mont. Code Ann. § 61-3-473 *et seq.*

⁴ Cal. Vehicle Code § 5060 and 5156, respectively.

⁵ Tex. Transportation Code § 504.801.

⁶ We include a copy of Alaska Statute § 28.10.181, which lists all types of permissible special registration plates, as Attachment B.

⁷ Fla. Stat. 320.08053 *et seq.* and Me. Rev. Stat. Ann. tit. 29 § 468 *et seq.*

States requiring the involvement of legislators, but not legislation, in the approval of new plate designs include Alabama, where proposed distinctive plates must be approved by a legislative oversight committee, and Missouri, where a new specialty plate must be sponsored by at least one member of the general assembly.⁸

Regardless of the approval process, the majority of states require a sponsoring organization to guarantee that a certain number of plates will be sold, according to NCSL, and applications for specialty designs often require a substantial fee.

We include as Attachment C relevant statutes from Alabama, California, Missouri, Montana, and Texas.

We hope this is helpful. If you have questions or need additional information, please let us know.

⁸ Ala. Code 1975 § 32-6-64 and 67 and Mo. Rev. Stat. § 301.3150.