



NCSL MEMO

NATIONAL CONFERENCE *of* STATE LEGISLATURES

To: Eli White
CC: Anne Teigen, Doug Shinkle
From: Cardon Brandt
Date: 7/16/2015
Subject: State License Plate Competitions

Mr. White,

Specialty license plates are very common, as are competitions for designing them. The competition is generally held by an organization who then submits the winning design to the state for approval. States do not usually hold the actual competitions for specialty designs themselves, but states have held competitions for the design of their standard license plates in the past including Florida in 1985, Georgia in 2011, and Nebraska in 2009 –

- **Florida** - <http://capitaloutlook.com/site/redesign-of-florida-license-plate-lives-on-history/>
- **Georgia** - <http://www.timesfreepress.com/news/news/story/2011/aug/23/georgia-gets-new-tag/57066/>
- **Nebraska** - http://journalstar.com/news/local/new-nebraska-license-plate-winner-announced/article_ddc2da04-b45b-5760-83db-138694ee16cc.html

Instead, most states set out requirements in statute that must be met before a specialty design is approved and printed. The applicant, which must usually be an organization, may hold a competition to decide which design it will submit to the state for approval. If approved, there

is usually a further requirement of a minimum number of pre-orders that must be met before the specialty plate can go into production. For example, in Nebraska, there must be 500 paid pre-orders before the state will start production, while Colorado requires at least 3,000 signatures from people committed to purchasing the proposed license plate.

Below I have listed a few examples of state statutes that regulate the design and approval of specialty license plates and provided links to competitions being held by organizations in those states.

Nebraska -

Code 1976 § 56-3-7780

§ 56-3-7780. Authority to issue special license plates; fees; minimum number of orders required.

(A) The department may issue "Vietnam Veterans" special motor vehicle license plates to owners of private passenger motor vehicles as defined in Section 56-3-630 and motorcycles registered in their names who are Vietnam War Veterans who served on active duty in Vietnam at any time during the period of February 28, 1961, to May 7, 1975. The motor vehicle owner must present the department with a DD214, or other official documentation that states that he was awarded the Vietnam Service Medal or that he served on active duty in Vietnam, along with his application for this special license plate. The special license plate may have imprinted on it an emblem, a seal, or other symbol that honors Vietnam War Veterans. The special license plate must be issued or revalidated for a biennial period which expires twenty-four months from the month it is issued. The fee for this special license plate is the regular motor vehicle registration fee contained in Article 5, Chapter 3 of this title and a special motor vehicle license fee of twenty dollars.

(B) Notwithstanding any other provision of law, from the fees collected pursuant to this section, the Comptroller General shall place sufficient funds into a special restricted account to be used by the Department of Motor Vehicles to defray the expenses of the department in producing and administering the special license plates. The remaining funds collected from the special motor vehicle license fee must be placed in the state's general fund.

(C) Before the department produces and distributes a plate authorized under this section, it must receive:

(1) four hundred or more prepaid applications for the special license plate or a deposit of four thousand dollars from the individual or organization seeking issuance of the license plate. If a deposit of four thousand dollars is made by an individual or organization pursuant to this section, the department must refund the four thousand dollars once an equivalent amount of license plate fees is collected for that organization's license plate. If the equivalent amount is not collected within four years of the first issuance of the license plate, then the department must retain the deposit; and

(2) a plan to market the sale of the special license plate that must be approved by the department.

(D) If the department receives less than three hundred biennial applications and renewals for a particular special license plate authorized under this section, it shall not produce additional special license plates in that series. The department shall continue to issue special license plates of that series until the existing inventory is exhausted.

<http://www.cattlenetwork.com/cattle-news/Neb-chooses-new-The-Beef-State-license-plate-design-215276581.html>

Virginia -

VA Code Ann. § 46.2-725

§ 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, when feasible, 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; in addition to the state registration fee, 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 special license plates shall be considered for authorization by the General Assembly unless and until the individual, group, entity, organization, or other entity seeking the authorization of such special license plates shall have demonstrated to the satisfaction of the General Assembly that they meet the issuance requirements set forth in this subdivision. For the purposes of this article, each prepaid application shall be on a form prescribed by the Department and, excluding the vehicle registration fee, shall include the proposed or authorized fee for the issuance of the proposed or authorized special license plates and, if applicable, the annual fee for reserved numbers or letters prescribed under § 46.2-726. Once authorized by the General Assembly, no license plates provided for in this article shall be developed and issued by the Department until the Commissioner receives at least 450 prepaid applications therefor within 30 days of the effective date of the authorization associated with the applications. If the end of the 30-day period falls on a Saturday, Sunday, or holiday, the 30-day period shall end on the following business day.

2. No additional license plates shall be issued or reissued in any series that, after five or more years of issuance, has fewer than 200 active sets of plates. No such license plates shall be issued or reissued unless reauthorized by the General Assembly. Such reauthorized license plates shall remain subject to the provisions of this article.

3. The annual fee for the issuance of any license plates issued pursuant to this article shall be \$10 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.

C. The provisions of this article relating to registration fees shall apply only to those vehicles registered as passenger cars, motor homes, and pick-up or panel trucks, as defined in § 46.2-100. All other vehicle types registered with special license plates shall be subject to the appropriate special license plate fees, registration fees and other fees prescribed by law for such vehicle types.

D. For special license plates that generate revenues that are shared with entities other than the Department, hereinafter referred to as "revenue sharing special license plates," the General Assembly shall review all proposed revenue sharing special license plate authorizations to determine whether the revenues are to be shared with entities or organizations that (i) provide to the Commonwealth or its citizens a broad public service that is to be funded, in whole or in part, by the proposed revenue sharing special license plate authorization and (ii) are at least one of the following:

1. A nonprofit corporation as defined in § 501(c)(3) of the United States Internal Revenue Code;
2. An agency, board, commission, or other entity established or operated by the Commonwealth;
3. A political subdivision of the Commonwealth; or
4. An institution of higher education whose main campus is located in Virginia.

No revenue sharing special license plate authorization shall be approved if, as determined by the General Assembly, it does not meet the criteria set forth in this subsection.

<http://virginiaisforweddings.com/summer-kicks-off-license-plate-design-contest/>

Colorado -

C.R.S.A. § 42-3-207

§ 42-3-207. Special plates--rules--new plates--retirement

(1)(a) Neither the department nor an authorized agent of the department shall collect any fee for the privilege of using a special plate unless such fee is expressly authorized by statute. The department or an authorized agent of the department shall not transfer money collected for the privilege of using a special plate unless such transfer is expressly authorized by statute.

(b)(I) A special license plate shall not be issued pursuant to this section unless such license plate was approved prior to January 1, 2001.

(II) Special license plates that have been approved pursuant to this section shall be retired, effective March 1, 2008, unless such plates are issued for at least three thousand vehicles. The executive director of the department shall promulgate rules to provide standards for the retirement of special license plates not issued for at least three thousand vehicles.

(2) Repealed by Laws 2012, Ch. 88, § 1, eff. April 6, 2012.

(3) The department shall not issue an approval notification letter to any business entity conducted for profit.

(4) The amount of taxes and fees for special license plates issued pursuant to this section shall be the same as the amount of taxes and fees specified for regular motor vehicle registration plus an additional one-time fee of twenty-five dollars. The additional fee shall be transmitted to the state treasurer, who shall credit the same to the highway users tax fund for allocation and expenditure as specified in section 43-4-205(5.5)(b), C.R.S.

(5) Before seeking legislative action to authorize a new group special license plate, the nonprofit organization requesting the new plate shall obtain, from the director of the department of revenue, written notification that the group has complied with the requirements for a group special license plate.

(6) The department shall verify that the nonprofit organization proposing a group special license plate has collected the signatures of at least three thousand persons committed to purchasing the proposed license plate.

(7) The remaining inventory of any group special license plate or alumni association license plate that has not been issued to the minimum number of vehicles specified in law may continue to be issued until the inventory of the plates is exhausted.

http://www.denverpost.com/ci_27612763/design-contest-preservation-license-plate-underway

If you have any further questions, or if you would like additional information, please feel free to contact me at cardon.brandt@ncsl.org.

Sincerely,

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