



South Carolina Department of Motor Vehicles Department Policy

Policy RG-504

TITLE: Specialized Plates for Non-Profit Organizations

SECTION OF LAW: SC Code of Law §§56-3-8000, 56-3-630

LEGAL AUTHORITY: N/A

PROCESS REFERENCE: N/A

EFFECTIVE DATE: February 5, 2007

REPLACES POLICY DATED: PM 97-404 and PM 00-407

RELATED POLICIES: N/A

POLICY SUMMARY

DESCRIPTION:

To establish guidelines for the application for, approval, production and distribution of special plates issued for Non-Profit organizations classified as 501(c)(3) (Charitable Organizations), 501(c)(7): (Social Clubs) and 501(c)(8) (Fraternal Organizations) by the Federal Internal Revenue Service.

APPLIES TO: All applications for special plates by applicable non-profit organizations submitted to Department under S.C. Code of law §56-3-8000 on or after September 7, 2006, effective date of law.

EXCEPTIONS: Applications for special plates by applicable non-profit organizations submitted to the Department before September 7, 2006.

Applications for special plates that do not fall under the criteria established under S.C. Code of law §56-3-8000.

AFFECTED PARTIES:

Organizations applying for special plates under provisions of SC Code of Law §56-3-8000.

PROCESSING OFFICES:

Application and Approval: Director's Office

Production and Distribution: Support Services Administration

Issuance: All Field Offices and HQ Mail-in Registration Units.

ATTACHMENTS: RG-504a, RG-504b, Application Receipt Letter, Department Review Letter, Appendix A – Department Review Procedures

APPLICABLE FEES: Regular plate fee, plus additional fee requested by the organization

CONTACT/TELEPHONE:

APPROVED BY:

Marcia A. Adams

DMV Executive Director

Date Signed: January 24, 2007



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POLICY SUMMARY (Continued)

REQUIRED ACTION:

All non-profit agencies requesting special plates must follow this policy.

Agencies requesting information should be given this policy.

Managers are required to have every employee and new hire read and sign form PPA-1, "Policy Acknowledgement." The original will be forwarded to the Office of Human Resources for filing. Supervisors/managers should retain a copy for his/her files.



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CHANGE HISTORY

Date	Version	Page Number	Description
2/5/07	NEW	ALL	Establishes guidelines for the application for, approval, production and distribution of special plates issued for Non-Profit organizations specified in §56-3-8000.



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**SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES
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SPECIALIZED PLATES FOR NON-PROFIT ORGANIZATIONS**

SECTION I: DEFINITIONS

Applicable non-profit organization: Non-profit organization currently classified as a 501(c)(3), 501(c)(7), or 501(c)(8) organization under Federal Internal Revenue Code guidelines that can verify they have maintained that status for at least five years.

501(c)(3): Tax exempt status granted under Federal Internal Revenue Code to organizations commonly referred to as charitable organizations.

501(c)(7): Tax exempt status granted under Federal Internal Revenue Code to social clubs organized for pleasure, recreation, and other similar non-profitable purposes and substantially all of their activities must be for these purposes.

501(c)(8): Tax exempt status granted under Federal Internal Revenue Code to Fraternal Organizations.

Private passenger motor vehicle: As defined in §56-3-630, every motor vehicle which is designed, used, and maintained for the transportation of ten or fewer persons and trucks having an empty weight of nine thousand pounds or less and a gross weight of eleven thousand pounds or less, except a motorcycle, three-wheel vehicle, or motor-driven cycle.

SECTION II: PURPOSE/BACKGROUND

Article 82, Chapter 56 the S.C. Code of Laws prescribes the application for, approval, production, distribution and issuance of special motor vehicle license plates requested by applicable non-profit organizations covered under this section of law. This policy sets forth the requirements for application by an applicable non-profit organization, approval of the plate design by the Department, appeal of Department's design decisions, production and distribution of the plate, persons eligible to purchase the plate, and distribution of the funds collected from the sale of the plates.

Organizations applying for approval of a specialized plate must meet all criteria as established in this policy before the Department will consider the application design.

This policy applies only to non-profit organization plates that meet the requirements under this policy. Specialty plates requested by any other organization or for any other purpose must be authorized by law through the introduction of a bill in the General Assembly.

Requested plates may have imprinted on the plate the emblem, a seal, or other symbol of applicable non-profit organizations that the Department considers appropriate. It is the intent of the Department to ensure that all designs submitted for consideration are not offensive and meet community standards of propriety. Messages and designs displayed on state license plates are approved by the state for display to all audiences on the public highways, and are the sole responsibility of the state. While there is flexibility in consideration of a range of potential specialty license plates, the public must also be protected from state action that might be construed as using taxpayer-generated funding to create messages or impressions that are not appropriate for a governmental entity.

This policy is also intended to protect the Department, as a public entity acting on behalf of all the citizens, from allegations that it improperly sponsored partisan messages, divisive positions, or inappropriate language or designs. To that end the Department will employ criteria published in this policy during its design review process.

SECTION III: GUIDELINES

A. First Time Application for Specialty Plates

In order to request approval for a specialty plate governed under this policy, the requesting organization must provide the following:

1. A completed Application for Approval of Specialty Plate for Non-Profit Organization, Form RG-504a, including the amount of the fee to be charged for the plate, above and beyond the normal registration fee.



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Organizations should be aware that a portion of this additional fee will be retained by the Department of Motor Vehicles to defray the expenses of producing and administering special license plates.

2. Documentation from the Internal Revenue Service showing that the organization currently has a 501(c)(3), 501(c)(7), or 501(c)(8) tax exempt status.
3. Documentation in the form of prior tax returns or other documentation from the Internal Revenue Service showing that the organization has maintained the same tax exempt status for at least five years prior to the date of application.
4. Written authorization for the use of any copyrighted or registered logo, trademark, or design to be used on the plate.
5. Camera-ready artwork for the design of the plate.
6. Four hundred or more prepaid applications for the special license plate or four thousand dollars from the individual or organization seeking issuance of the license plate.
7. A marketing plan that includes target audience, media to be used, and text of media messages.

The Department will return incomplete applications to the sponsoring organization's contact individual, detailing additional items required before the Department will consider the application.

B. Approval Process

1. General Provisions

Once the sponsoring organization provides all required application items, the Department will review the plate design to determine whether the design will be approved, conditionally approved with modifications or rejected. The Director may choose to appoint a special *ad hoc* review panel for this purpose.

Plate designs may include only an emblem, a seal, logo, or other symbol representative of the organization that the Department deems appropriate. Plate designs may not include slogans, names or other text, except if such text appears within the organization's emblem, seal, logo, or other representative symbol.

License plate designs cannot contain a reference to a private or public college or university in this State or use symbols, designs, or logos of these institutions without the institution's written authorization, which must be supplied at time of application.

If the design uses any copyrighted or registered logo, trademark, or design, the organization must submit written authorization from the owner of the copyrighted or registered logo, trademark or design.

In order to maintain consistency among special plates and to facilitate law enforcement "South Carolina" must be located below the plate numbers as part of the plate design.

2. Criteria

It is the intent of the Department to ensure that all designs submitted for consideration are not offensive and meet community standards of propriety. The Department can choose to reject the production of any plate based on any of the following characteristics of the plate:

- a) Does not promote positive image for the state
- b) Low projected sales, lack of statewide appeal
- c) Controversial, low sales, or litigation in other states
- d) Production considered not to be cost beneficial to the state
- e) Partisan or misrepresentative of the sponsoring organization or another organization
- f) Potentially offensive, controversial, or inappropriate to the public
- g) Similar plate/design already exists
- h) Proliferation of specialty plates, workloads and costs to the state
- i) Advertises commercial logos or symbols
- j) Use of proceeds from plate sales considered controversial or in violation of statute/constitution
- k) Sexual or vulgar connotation



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- l) Derogatory reference to an individual or group
- m) Implication extolling alcohol, drugs or other illegal activities or substances
- n) Misrepresentation of organization as law enforcement or other government entity
- o) Use of copyrighted emblem, seal, symbol, logo or registered trademark without written authorization from the owner

3. Approval Options

Once the Department has made a determination on the design, the Department will send a letter to the sponsoring organization's contact person indicating one of the following:

- a) **Approval** - The Department approved the design and will produce the plate
 - Department will obtain specifications and costs for plate production and inform organization regarding manufacturing timetable
- b) **Conditional Approval** - The Department suggests modifications to the plate design that would meet Departmental approval.
 - If the Department suggests modification to the design, the sponsoring organization has the option of modifying and resubmitting the design as suggested by the Department, or appealing the Department's decision. Alternate modifications will not be considered by the Department.
- c) **Rejection** - The Department rejects the design and will not produce the plate.
 - If the Department rejects the design, the sponsoring organization has the option of submitting a new design, or appealing the Department's decision.

C. Appeal Process

1. If the Department alters, modifies, or refuses to produce a special license plate, the organization or individual applying for the license plate may appeal the Department's decision to a special joint legislative committee.
2. If the Department offers conditional approval for or rejects the plate design, the Department will inform the organization in writing of the appeals procedure.
3. The legislative review committee shall be comprised of two members from the House Education and Public Works Committee, two members from the Senate Transportation Committee. Appointments to the joint legislative committee shall be made by the chairmen of the House Education and Public Works Committee and the Senate Transportation Committee.
4. The organization's representatives are responsible for initiating the appeal with the legislative review committee.
5. Upon request from the legislative review committee, the Department will provide the committee with the Department's review files.
6. The Department's decision may be reversed by a majority of the joint legislative committee. If the committee reverses the Department's decision, the Department must issue the license plate pursuant to the committee's decision.

D. Production, Distribution and Issuance of Approved Plates

1. The Department will initially produce the number of plates for which pre-paid applications have been submitted. If the organization has paid a flat four thousand dollar fee in lieu of the pre-paid applications, the Department will produce an initial run of three hundred plates for distribution in field offices throughout the state.
2. Only owners of private passenger motor vehicles as described in S.C. Code of Law §56-3-630 may apply for and obtain a specialty plate designed under this policy.
3. The special license plate must be issued or revalidated for a biennial period which expires twenty-four months from the month it is issued.
4. The biennial fee for this special license plate is the regular fee set forth in Article 5, Chapter 3 of this Title 56, plus an additional fee requested by the individual or organization seeking issuance of the plate.



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

E. Fees

1. At the time of application for approval, the sponsoring organization must specify the additional fee that is to be charged for the specialty plate, above the normal registration fee.
2. The initial additional fee amount requested by the organization may be changed only every five years from the first year the plate is issued.
3. At the time of application for approval, the sponsoring organization must submit either four hundred or more prepaid applications for the special license plate or four thousand dollars from the individual or organization seeking issuance of the license plate.
4. The pre-paid applications must include the normal registration fee plus the additional fee for the plate specified by the organization.
5. If the individual or organization seeking issuance of the plate submits four thousand dollars, the Comptroller General shall place that money into a restricted account to be used by the Department to defray the initial cost of producing the special license plate.
6. If the Department grants conditional approval for or rejects the design, the Department will refund any fees collected at the time of application, should the sponsoring organization choose not to resubmit a design or not to appeal the Department's decision.
7. If the Department approves the design for production, and if the organization submitted \$4000 at time of application, the Department will retain the fee submitted by the organization.
8. If the Department approves the design for production, and if the organization submitted 400 pre-paid applications at time of application, the Department will inform the organization of the production cost of the plate once that cost has been procured. Once the plate is manufactured, the Department will retain the normal registration fee for statutory distribution, and will also retain a portion of the additional special license fee to cover the costs of producing the plate. The Department will disburse the remaining fees to the sponsoring organization in the month after the plate is put into production.
9. Once the plate is distributed for general issuance, the Department will retain from each plate sale the normal registration fee for statutory distribution and will also retain a portion of the additional special license fee intended to cover the Department's cost of production. The Department will disburse the remaining fees to the sponsoring organization in the month after the fees have been collected.

F. Re-application for New Design

1. If an organization that applied for a specialized plate under §56-3-8000 requests a new plate design, or if an organization obtaining approval for a plate design under §56-3-8000 BEFORE September 7, 2006 requests inclusion under the section as amended on September 7, 2006, then that organization must re-submit its design as specified in all previous sections of these guidelines.



South Carolina Department of Motor Vehicles
Application for Approval of Specialty Plate for Non-Profit
Organization

RG-504a
 (est. 12/06)
 p. 1

Thank you for your request for a new Non-Profit Organization Specialty License Plate. SC Code of Law, Section 56-3-8000 requires that an organization applying for approval of a specialty license plate must be a non-profit organization certified as a 501(c)(3), 501(c)(7), or 501(c)(8) organization by the Federal Internal Revenue Service. The organization must have maintained that certification continuously for at least five years prior to the date on this application. Organizations making application must also meet the guidelines detailed on the reverse side of this application.

Part I Organization Information

Name of Organization	Organization Website address
Number of Organization Members in SC	Estimated number of Plates To Be Sold First Year
Has plate been proposed in other state(s)? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, in which state(s) has the plate been proposed?	
In which states is the plate currently being sold?	What is the annual sales volume of this plate nationwide?
Why would South Carolinians want to purchase this plate?	
Suggested additional fee to be charged for plate (in addition to regular plate registration fee)	What will the fund earned from these fees be used for?
Can this plate be purchased by the general public? Yes <input type="checkbox"/> No <input type="checkbox"/> If no, Please list documentation that must be provided by the purchaser in order to qualify for the plate.	
Mission of Organization	

Part II Organization Contact Information

Name of Authorized Organization Contact	Title	Telephone Number
Address/City/ State/ZIP		Email Address
Signature	Date	

Part III Payment Method

- \$4000 fee - attached 400 pre-paid applications – applications and fees attached

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Effective Date: 2/5/07

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South Carolina Department of Motor Vehicles
Application for Approval of Specialty Plate for Non-Profit
Organization

RG-504a
 (est. 12/06)
 p. 2

In order to request approval for a specialty plate governed under this policy, the requesting organization must provide the following:

1. A completed Application for Approval of Specialty Plate for Non-Profit Organization, Form RG-504a, including the amount of the fee to be charged for the plate, above and beyond the normal registration fee. Organizations should be aware that a portion of this additional fee will be retained by the Department of Motor Vehicles to defray the expenses of producing and administering special license plates.
2. Documentation from the Internal Revenue Service showing that the organization currently has a 501(c)(3), 501(c)(7), or 501(c)(8) tax exempt status.
3. Documentation in the form of prior tax returns or other documentation from the Internal Revenue Service showing that the organization has maintained the same tax exempt status for at least five years prior to the date of application.
4. Written authorization for the use of any copyrighted or registered logo, trademark, or design to be used on the plate.
5. Camera-ready artwork for the design of the plate.
6. Four hundred or more prepaid applications for the special license plate or four thousand dollars from the individual or organization seeking issuance of the license plate.
7. A marketing plan that includes target audience, media to be used, and text of media messages.

The Department will return incomplete applications to the sponsoring organization's contact individual, detailing additional items required before the Department will consider the application.

The Department can choose to reject the production of any plate based on any of the following characteristics of the plate:

1. Failure to promote a positive image for the State
2. Low projected sales, lack of statewide appeal
3. Controversial, low sales, or litigation in other states
4. Production considered not to be cost beneficial to the state
5. Partisan or misrepresentative of the sponsoring organization or another organization
6. Potentially offensive, controversial, or inappropriate to the public
7. Similar plate/design already exists
8. Proliferation of specialty plates, workloads and costs to the state
9. Impinges on Advertising/corporation concerns
10. Use of proceeds from plate sales considered controversial or in violation of statute/constitution
11. Sexual or vulgar connotation
12. Derogatory reference to an individual or group
13. Implication extolling alcohol, drugs or other illegal activities or substances
14. Misrepresentation of organization as law enforcement or other government entity
15. Use of copyrighted emblem, seal, symbol, logo or registered trademark without written authorization from the owner

The Department will review the Application within thirty days of receipt, and will notify the organization's authorized contact of the Department's decision.

Completed application materials should be sent to:
 South Carolina Department of Motor Vehicles
 Attn: Special Plate Review Officer
 PO Box 1498
 Blythewood, SC 29016



South Carolina Department of Motor Vehicles
Specialty Plate for Non-Profit Organization
Review Disposition

RG-504b
(est. 12/06)

Name of Organization _____

Review Date _____

Reviewed By: _____

Recommendation:

- Approve
- Reject
- Conditional Approval with following modifications:

Date _____

Final Disposition by Executive Director

- Approve
- Reject
- Conditional Approval as described above

Signature

Date

Attachment 3 – Application Receipt Letter

Mark Sanford
Governor



Marcia S. Adams
Director

State of South Carolina
Department of Motor Vehicles

Date

Mr. George Sample
Sample Organization
PO Box 000
Sample, SC 00000

Dear Mr. Sample:

The South Carolina Department of Motor Vehicles has received your application for a specialty plate on behalf of your non-profit organization SAMPLE ORGANIZATION.

- Your application is complete and will be reviewed for approval. Once the approval review is completed, the Department will inform you in writing of its decision.
- Your application is missing the following:
 - A completed Application for Approval of Specialty Plate for Non-Profit Organization, Form RG-504a, including the amount of the fee to be charged for the plate, above and beyond the normal registration fee. Organizations should be aware that a portion of this additional fee will be retained by the Department of Motor Vehicles to defray the expenses of producing and administering special license plates.
 - Documentation from the Internal Revenue Service showing that the organization currently has a 501(c)(3), 501(c)(7), or 501(c)(8) tax exempt status.
 - Documentation in the form of prior tax returns or other documentation from the Internal Revenue Service showing that the organization has maintained the same tax exempt status for at least five years prior to the date of application.
 - Written authorization for the use of any copyrighted or registered logo, trademark, or design to be used on the plate.
 - Camera-ready artwork for the design of the plate.
 - Four hundred or more prepaid applications for the special license plate or four thousand dollars from the individual or organization seeking issuance of the license plate.
 - A marketing plan that includes target audience, media to be used, and text of media messages.

Please forward the requested materials as soon as possible to:

South Carolina Department of Motor Vehicles
Attn: Special Plate Review Officer
PO Box 1498
Blythewood, SC 29016

Attachment 4 – Department Review Letter

Mark Sanford
Governor



Marcia S. Adams
Director

State of South Carolina
Department of Motor Vehicles

Mr. George Sample
Sample Organization
PO Box 000
Sample, SC 00000

Date

Dear Mr. Sample:

The South Carolina Department of Motor Vehicles has reviewed your application for a specialty plate on behalf of your non-profit organization SAMPLE ORGANIZATION. Your plate design has been:

- Approved. The Department will obtain specifications and costs for plate production and inform you of the manufacturing timetable once you have returned this letter, indicating your desire to proceed with production.
- Conditionally Approved. The Department will approve your plate design with the modifications attached. Your organization can accept the modifications and resubmit the design as suggested by the Department, or you may appeal the Department's decision as described below. Alternate modifications will not be considered by the Department.
- Rejected

You may appeal the Department's decision by requesting a review by the legislative review committee. You will need to address your letter of appeal to the Chairs of the House Education and Public Works Committee and the Senate Transportation Committee

The Department will retain all application fees until the review process is complete. If you choose not to appeal the Department's decision, all fees will be returned to your organization.

REVIEW ACKNOWLEDGEMENT

Please indicate your preference below:

- (For approved designs only) My organization acknowledges approval and requests production of the plate.
- My organization will make suggested modifications and resubmit the design.
- My organization withdraws its application. Please return all application fees.
- My organization wishes to appeal the Department's decision to the legislative review committee.

Please complete all information below and return letter to:
South Carolina Department of Motor Vehicles
Attn: Special Plate Review Officer
PO Box 1498
Blythewood, SC 29016

Name of Organization		Telephone
Authorized Contact	Signature	Date

Appendix A – Department Review Procedures

Checking and Processing Applications

- Upon request, application, design guidelines, and general instructions will be mailed to individual/organization requesting the specialty license plate. Application materials will also be available on the Department website.
- Applicant will submit request for a proposed specialty license plate to the Special Plate Review Officer (SPRO).
- SPRO will review the application and packet contents for completeness. Review will include the proposed design, the not-for-profit status, eligibility, and other applicable information.
- Once the application has been reviewed, SPRO will send receipt letter to organization contact, indicating whether application is complete or incomplete.
- Once all application material has been received, SPRO will create a file for each organization and take application check(s) to Accounts Receivable Unit.

Assembling the Review Panel

- SPRO will notify Executive Director of need for special plate review panel.
- Director will appoint *ad hoc* panel to review request.
- SPRO will:
 - Compile additional data if needed (research based on similar requests in other states, prior requests for same plate, etc.)
 - Compile notebooks for each review panel member,
 - Schedule meetings and,
 - At least one week prior to the scheduled meeting, forward the notebooks and any other pertinent information to the review panel members.

Conducting the Review

Messages and designs displayed on state license plates are approved by the state for display to all audiences on the public highways, and are the sole responsibility of the state.

Flexibility is provided in consideration of a range of potential specialty license plates while protecting the public from state action that might be construed as using taxpayer-generated funding to create messages or impressions that are not appropriate for a governmental entity.

The review process also protects the Department, as a public entity acting on behalf of all the citizens, from allegations that it improperly sponsored partisan messages, divisive positions, or inappropriate language or designs.

Reviewers should consider the following issues when conducting the review:

- Guidance from Administration.
- Does the proposed plate promote a positive image for the state?
- Does the proposed specialty license plate appeal to statewide or local interest?
- Does the proposed specialty license plate have inappropriate language or design?
- Does the proposed specialty license plate have potentially divisive, controversial, or political positions?
- If a “controversial” specialty license plate is being issued in another jurisdiction, has it caused litigations/significant controversy?
- Does the proposed specialty license plate have improperly sponsored partisan messages?
- Is the proposed specialty license plate for a non-profit entity? (required by statute)
- Does the proposed specialty license plate advertise commercial (for profit) corporate logos?
- Is the proposed specialty license plate similar in design or meaning to a currently issued specialty license plate?
- Have other jurisdictions approved a similar specialty license plate, and have the specialty license plate sales failed?
- Are sales projections reasonable?
- Are we proliferating too many specialty license plates?

Appendix A – Department Review Procedures

- Maintaining consistency and fairness in approval/disapproval of organizations with similar circumstances.
- Does the specialty license plate have direct or indirect:
 - sexual connotation;
 - vulgarity;
 - one or more words that are not generally considered appropriate for all audiences, including children;
 - a derogatory reference to any individual or group;
 - a reference to alcohol or to illegal activities or substances; or
 - a misrepresentation of a law enforcement or other governmental entity?

Recommendations of Review Panel

- The Review panel will recommend approval, conditional approval or rejection, and forward the recommendation to the Executive Director.
- The Executive Director or designee will give final approval, conditional approval or disapproval to the proposed specialty license plate.
- If the panel's recommendation is overturned by the Executive Director, SPRO notifies all reviewers in writing of final status.
- After final disposition by Executive Director, SPRO will mail the Department Review Letter to the organization contact.
- If the design has been approved:
 - When the SPRO receives the Review Acknowledgement, SPRO notifies the Inventory Officer at the DMV Supply Warehouse.
 - Inventory Officer will initiate the production process,
 - Once the production costs and schedule have been determined, Inventory Officer informs organization contact of per/plate production cost and implementation timetable.
 - When plates are received in warehouse, Inventory Officer will inform organization contact that plates are available for sale.
 - Inventory Officer arranges for internal communications and distribution of plates to offices for sale.
 - Internal and external communications sites are updated to include new plate design.
- If the design has been rejected, and the organization chooses not to appeal:
 - once the SPRO receives the Review Acknowledgement. SPRO prepares a request for refund for all application fees.
 - Accounts Payable processes refund and mails to organization contact.
- If the design has been conditionally approved, and the organization chooses to modify its design:
 - SPRO reviews the revised design to ensure that it meets the review panel's specifications. If not, review panel reconvenes to consider alternatives.
- If the design has been rejected or conditionally approved, and the organization chooses to appeal:
 - SPRO sends organization the contact addresses for legislative review panel.