



**THE ATTORNEY GENERAL
OF TEXAS**

**JIM MATTOX
ATTORNEY GENERAL**

June 22, 1990

Honorable Doyle Willis
Chairman
General Investigating Committee
Texas House of Representatives
P. O. Box 2910
Austin, Texas 78768-2910

LO-90-37

Dear Representative Willis:

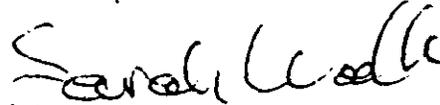
You ask whether the widow of a man who received a Purple Heart medal posthumously may apply for Purple Heart license plates. Article 6675a-5k, V.T.C.S., provides for the issuance of license plates bearing the words "Purple Heart" for vehicles owned by recipients of the Purple Heart medal. Section (m) of article 6675a-5k provides as follows:

The surviving spouse of a deceased person who was issued Pearl Harbor or Purple Heart license plates under this section is entitled to have those plates issued to the surviving spouse for as long as the surviving spouse remains unmarried. When the surviving spouse applies to renew registration for the vehicle for which the plates were issued, the county tax collector shall require the surviving spouse to make a sworn statement that the surviving spouse is unmarried.

You state that Department of Highways and Public Transportation has stated that a widow of a Purple Heart recipient is not eligible to make the initial application for Purple Heart license plates. We agree. The plain language of section (m) makes the surviving spouse of a Purple Heart recipient eligible for Purple Heart license plates only if the deceased recipient was originally issued the special license plates. Although the legislature may not have intended to deny Purple Hearts to surviving spouses

of persons who received Purple Hearts posthumously, the department must follow the plain language of the statute.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Sarah Woelk".

Sarah Woelk, Chief
Letter Opinion Section

SW/lcd

Ref.: ID# 9625