

Senate Bill No. 263

(By Senators Beach and Klempa)

[Introduced January 25, 2011; referred to the Committee on
Transportation and Infrastructure; and then to the Committee on
Finance.]

A BILL to amend the Code of West Virginia, 1931, as amended, by
adding thereto a new section, designated §17A-6-10d, relating
to special plates for the testing of vehicles operated by
nonprofit corporations engaged in research and development of
motor vehicles, special fuels or equipment for motor vehicles;
requiring written records be kept; prohibiting bonding;
requiring vehicles to be insured; and exempting the vehicles
from safety inspections, but requiring the vehicles to be
safe.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended
by adding thereto a new section, designated §17A-6-10d, to read as
follows:

ARTICLE 6. LICENSING OF DEALERS AND WRECKERS OR DISMANTLERS;

1 **SPECIAL PLATES; TEMPORARY PLATES OR MARKERS.**

2 **§17A-6-10d. Special plates for nonprofit corporations engaged in**
3 **research and development.**

4 (a) Notwithstanding any of the other provisions of this
5 article, a nonprofit corporation engaged in research and
6 development using motor vehicles pursuant to article twelve,
7 chapter eighteen-b of this code and affiliated with institutions of
8 higher education may operate or move a vehicle, either owned or in
9 the possession of the nonprofit corporation upon the highways of
10 this state for purposes of transporting or testing that vehicle
11 without first registering or titling the vehicle and displaying,
12 in a manner prescribed by the commissioner, a special plate issued
13 to such nonprofit corporation as provided in this section.

14 (b) Any nonprofit corporation as prescribed in subsection (a)
15 of this section may make application to the commissioner upon a
16 form prescribed by him or her for a certificate containing a
17 general distinguishing number and for the special plate. The
18 applicant shall verify that it is a Section 501(c)(3) of the
19 Internal Revenue Code of 1986 nonprofit corporation and submit
20 sufficient information, as may be required by the commissioner,
21 that it is engaged in research and development of vehicles, special
22 fuels or equipment for motor vehicles.

23 (c) The commissioner, upon approving an application, may issue
24 without charge to the applicant, a certificate containing the

1 nonprofit corporation's name and address and its general
2 distinguishing number. The commissioner may also issue without
3 charge, a special plate, as determined by the commissioner as
4 necessary, that must be displayed on the vehicle. Each plate shall
5 also contain a number or symbol distinguishing it from other plates
6 bearing the same general distinguishing number.

7 (d) The nonprofit corporation that is issued a special plate
8 pursuant to this section must keep written records as required by
9 the commissioner concerning the operation of the vehicle. The
10 records shall be open to inspection by any law-enforcement officer
11 or division employee.

12 (e) This section does not apply to the use of any other
13 vehicles owned, leased or operated by the nonprofit corporation.

14 (f) A nonprofit corporation that has been issued a special
15 plate is not required to comply with the bond or dealer recovery
16 fund otherwise required under this article for that vehicle.

17 (g) A nonprofit corporation that has been issued a special
18 plate shall furnish information, satisfactory to the commissioner,
19 that the vehicle is covered by an appropriate insurance policy or
20 proof of financial responsibility in amounts not less than the
21 requirements of section two, article four, chapter seventeen-d of
22 this code.

23 (h) Vehicles operated by a nonprofit corporation pursuant to
24 this section are exempt from the annual motor vehicle inspection

1 and the displaying of the certificate of inspection otherwise
2 required by article sixteen, chapter seventeen-c of this code.
3 However, a vehicle that has been issued a special plate pursuant to
4 this section must be safe and may not, in any manner, endanger the
5 driver, other vehicle occupants, other motorists, pedestrians or
6 the general public.

NOTE: The purpose of this bill is to allow nonprofit research corporations affiliated with an institution of higher education with programs in the research and development of vehicles, special fuels or equipment for motor vehicles to operate vehicles that have been issued special plates on the roads. The bill requires written records to be kept. The bill provides that bonding is not required. The bill also requires the vehicles to be insured. The bill exempts the vehicles from safety inspections, but requires the vehicles to be safe.

§17A-6-10d is new; therefore, strike-throughs and underscoring have been omitted.