

1 COMMITTEE SUBSTITUTE

2 FOR

3 **Senate Bill No. 429**

4 (By Senators Beach and Klempa)

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6 [Originating in the Committee on Transportation and  
7 Infrastructure; reported February 1, 2012.]  
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12 A BILL to amend and reenact §17A-10-1 and §17A-10-3 of the Code of  
13 West Virginia, 1931, as amended, all relating to  
14 classification of motor vehicles for purpose of registration;  
15 changing the definition of "Class A" vehicles by increasing  
16 the maximum weight of Class A to include certain vehicles now  
17 classified as Class B; establishing the fee for those  
18 reclassified vehicles; and defining "Class Farm Truck" as  
19 "Class X".

20 *Be it enacted by the Legislature of West Virginia:*

21 That §17A-10-1 and §17A-10-3 of the Code of West Virginia,  
22 1931, as amended, be amended and reenacted, all to read as follows:

23 **ARTICLE 10. FEES FOR REGISTRATION, LICENSING, ETC.**

24 **§17A-10-1. Classification of vehicles for purpose of registration.**

25 Vehicles subject to registration under the provisions of this

1 chapter shall be placed in the following classes for the purpose of  
2 registration:

3 Class A. Motor vehicles of passenger type and trucks with a  
4 gross weight of ~~not more than eight~~ ten thousand pounds or less;

5 Class B. Motor vehicles designated as trucks with a gross  
6 weight of more than ~~eight~~ ten thousand pounds, truck tractors or  
7 road tractors;

8 Class C. All trailers and semitrailers, except house trailers  
9 and trailers or semitrailers designed to be drawn by Class A motor  
10 vehicles and having a gross weight of less than two thousand  
11 pounds;

12 Class G. Motorcycles and parking enforcement vehicles;

13 Class H. Motor vehicles operated regularly for the  
14 transportation of persons for compensation under a certificate of  
15 convenience and necessity or contract carrier permit issued by the  
16 Public Service Commission;

17 Class J. Motor vehicles operated for transportation of  
18 persons for compensation by common carriers, not running over a  
19 regular route or between fixed termini;

20 Class M. Mobile equipment as defined in subdivision (oo),  
21 section one, article one of this chapter;

22 Class R. House trailers;

23 Class T. Trailers or semitrailers of a type designed to be  
24 drawn by Class A vehicles and having a gross weight of less than  
25 two thousand pounds; and

26 Class ~~Farm Truck~~ X. Motor vehicles designated as trucks

1 having a minimum gross weight of more than eight thousand pounds  
2 and a maximum gross weight of eighty thousand pounds, used  
3 exclusively in the conduct of a farming business, engaged in the  
4 production of agricultural products by means of: (a) The planting,  
5 cultivation and harvesting of agricultural, horticultural,  
6 vegetable or other products of the soil; or (b) the raising,  
7 feeding and care of livestock, poultry, bees and dairy cattle. A  
8 farm truck may be used only for the transportation of agricultural  
9 products produced by the owner of the truck, for the transportation  
10 of agricultural supplies used in the production or for private  
11 passenger use.

12 **§17A-10-3. Registration fees for vehicles equipped with pneumatic**  
13 **tires.**

14 The following registration fees for the classes indicated  
15 shall be paid to the division for the registration of vehicles  
16 subject to registration under this chapter when equipped with  
17 pneumatic tires:

18 (a) Registration fees for the following classes shall be paid  
19 to the division annually:

20 (1) *Class A.* -- The registration fee for ~~all~~ motor vehicles of  
21 this class is \$28.50: *Provided,* That the registration fees and any  
22 other fees required by this chapter for Class A vehicles under the  
23 optional biennial staggered registration system shall be multiplied  
24 by two and paid biennially to the division.

25 No license fee may be charged for vehicles owned by churches,

1 or by trustees for churches, which are regularly used for  
2 transporting parishioners to and from church services.  
3 Notwithstanding the exemption, the certificate of registration and  
4 license plates shall be obtained the same as other cards and plates  
5 under this article.

6 (2) *Class B.* -- The registration fee for all motor vehicles of  
7 this class is as follows:

8 (A) For declared gross weights of ~~eight~~ ten thousand one  
9 pounds to sixteen thousand pounds -- \$28 plus \$5 for each one  
10 thousand pounds or fraction of one thousand pounds that the gross  
11 weight of the vehicle or combination of vehicles exceeds ~~eight~~ ten  
12 thousand pounds.

13 (B) For declared gross weights greater than sixteen thousand  
14 pounds, but less than fifty-five thousand pounds -- \$78.50 plus \$10  
15 for each one thousand or fraction of one thousand pounds that the  
16 gross weight of the vehicle or combination of vehicles exceeds  
17 sixteen thousand pounds.

18 (C) For declared gross weights of fifty-five thousand pounds  
19 or more -- \$737.50 plus \$15.75 for each one thousand pounds or  
20 fraction of one thousand pounds that the gross weight of the  
21 vehicle or combination of vehicles exceeds fifty-five thousand  
22 pounds.

23 (3) *Class G.* -- The registration fee for each motorcycle or  
24 parking enforcement vehicle is \$8: *Provided*, That the registration  
25 fee and any other fees required by this chapter for Class G  
26 vehicles shall be for at least one year and under an optional

1 biennial registration system the annual fee shall be multiplied by  
2 two and paid biennially to the division.

3 (4) *Class H.* -- The registration fee for all vehicles for this  
4 class operating entirely within the state is \$5; and for vehicles  
5 engaged in interstate transportation of persons, the registration  
6 fee is the amount of the fees provided by this section for Class B,  
7 reduced by the amount that the mileage of the vehicles operated in  
8 states other than West Virginia bears to the total mileage operated  
9 by the vehicles in all states under a formula to be established by  
10 the Division of Motor Vehicles.

11 (5) *Class J.* -- The registration fee for all motor vehicles of  
12 this class is \$85. Ambulances and hearses used exclusively as  
13 ambulances and hearses are exempt from the special fees set forth  
14 in this section.

15 (6) *Class M.* -- The registration fee for all vehicles of this  
16 class is \$17.50.

17 (7) *Class ~~farm truck~~ X.* -- The registration fee for all motor  
18 vehicles of this class is as follows:

19 (A) For farm trucks of declared gross weights of eight  
20 thousand one pounds to sixteen thousand pounds -- \$30.

21 (B) For farm trucks of declared gross weights of sixteen  
22 thousand one pounds to twenty-two thousand pounds -- \$60.

23 (C) For farm trucks of declared gross weights of twenty-two  
24 thousand one pounds to twenty-eight thousand pounds -- \$90.

25 (D) For farm trucks of declared gross weights of twenty-eight  
26 thousand one pounds to thirty-four thousand pounds -- \$115.

1 (E) For farm trucks of declared gross weights of thirty-four  
2 thousand one pounds to forty-four thousand pounds -- \$160.

3 (F) For farm trucks of declared gross weights of forty-four  
4 thousand one pounds to fifty-four thousand pounds -- \$205.

5 (G) For farm trucks of declared gross weights of fifty-four  
6 thousand one pounds to eighty thousand pounds -- \$250: *Provided,*  
7 That the provisions of subsection (a), section eight, article one,  
8 chapter seventeen-e of this code do not apply if the vehicle  
9 exceeds sixty-four thousand pounds and is a truck tractor or road  
10 tractor.

11 (b) Registration fees for the following classes shall be paid  
12 to the division for a maximum period of three years, or portion of  
13 a year based on the number of years remaining in the three-year  
14 period designated by the commissioner:

15 (1) *Class R.* -- The annual registration fee for all vehicles  
16 of this class is \$12.

17 (2) *Class T.* -- The annual registration fee for all vehicles  
18 of this class is \$8.

19 (c) The fees paid to the division for a multiyear registration  
20 provided by this chapter shall be the same as the annual  
21 registration fee established by this section and any other fee  
22 required by this chapter multiplied by the number of years for  
23 which the registration is issued.

24 (d) The registration fee for all Class C vehicles is \$50. ~~On~~  
25 ~~or before July 1, 2000, all~~ All Class C trailers shall be  
26 registered for the duration of the owner's interest in the trailer

1 and do not expire until either sold or otherwise permanently  
2 removed from the service of the owner: *Provided*, That a registrant  
3 may transfer a Class C registration plate from a trailer owned less  
4 than thirty days to another Class C trailer titled in the name of  
5 the registrant upon payment of the transfer fee prescribed in  
6 section ten of this article.

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(NOTE: The purpose of this bill is to expand the definition of Class A vehicles to include larger pickup type trucks registered at more than 8,000 pounds but no more than 10,000 pounds. This change would allow these vehicles to display special license plates and allow sheriffs to renew these registrations in their offices. The bill also designates class farm trucks as "Class X".

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.)