

1 **Senate Bill No. 429**

2 (By Senators Beach and Klempa)

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4 [Introduced January 25, 2012; referred to the Committee on
5 Transportation and Infrastructure.]

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10 A BILL to amend and reenact §17A-10-1 and §17A-10-3 of the Code of
11 West Virginia, 1931, as amended, all relating to
12 classification of motor vehicles for purpose of registration;
13 changing the definition of "Class A" vehicles by increasing
14 the maximum weight of Class A to include certain vehicles now
15 classified as Class B; establishing the fee for those
16 reclassified vehicles; and defining "Class Farm Truck" as
17 "Class X".

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

19 That §17A-10-1 and §17A-10-3 of the Code of West Virginia,
20 1931, as amended, be amended and reenacted, all to read as follows:

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

22 **§17A-10-1. Classification of vehicles for purpose of registration.**

23 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: Provided,
5 That wherever the term "passenger vehicle" is used in this code,
6 this definition applies regardless of a reference to a specific
7 weight;

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

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

15 Class G. Motorcycles and parking enforcement vehicles;

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

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

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

1 Class R. House trailers;

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

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

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

19 The following registration fees for the classes indicated
20 shall be paid to the division for the registration of vehicles
21 subject to registration under this chapter when equipped with
22 pneumatic tires:

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

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

6 No license fee may be charged for vehicles owned by churches,
7 or by trustees for churches, which are regularly used for
8 transporting parishioners to and from church services.
9 Notwithstanding the exemption, the certificate of registration and
10 license plates shall be obtained the same as other cards and plates
11 under this article.

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

14 (A) For declared gross weights of ~~eight~~ ten thousand one
15 pounds to sixteen thousand pounds -- \$28 plus \$5 for each one
16 thousand pounds or fraction of one thousand pounds that the gross
17 weight of the vehicle or combination of vehicles exceeds eight
18 thousand pounds.

19 (B) For declared gross weights greater than sixteen thousand
20 pounds, but less than fifty-five thousand pounds -- \$78.50 plus \$10
21 for each one thousand or fraction of one thousand pounds that the
22 gross weight of the vehicle or combination of vehicles exceeds
23 sixteen thousand pounds.

24 (C) For declared gross weights of fifty-five thousand pounds

1 or more -- \$737.50 plus \$15.75 for each one thousand pounds or
2 fraction of one thousand pounds that the gross weight of the
3 vehicle or combination of vehicles exceeds fifty-five thousand
4 pounds.

5 (3) *Class G.* -- The registration fee for each motorcycle or
6 parking enforcement vehicle is \$8: *Provided,* That the registration
7 fee and any other fees required by this chapter for Class G
8 vehicles shall be for at least one year and under an optional
9 biennial registration system the annual fee shall be multiplied by
10 two and paid biennially to the division.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5 (c) The fees paid to the division for a multiyear registration
6 provided by this chapter shall be the same as the annual
7 registration fee established by this section and any other fee
8 required by this chapter multiplied by the number of years for
9 which the registration is issued.

10 (d) The registration fee for all Class C vehicles is \$50. ~~On~~
11 ~~or before July 1, 2000, all~~ All Class C trailers shall be
12 registered for the duration of the owner's interest in the trailer
13 and do not expire until either sold or otherwise permanently
14 removed from the service of the owner: *Provided*, That a registrant
15 may transfer a Class C registration plate from a trailer owned less
16 than thirty days to another Class C trailer titled in the name of
17 the registrant upon payment of the transfer fee prescribed in
18 section ten of this article.

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 less than 10,001 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.