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WEST VIRGINIA LEGISLATURE
EIGHTIETH LEGISLATURE
REGULAR SESSION, 2012

SECRETARY OF STATE

SB 429

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ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 429

(SENATORS BEACH AND KLEMPA, ORIGINAL SPONSORS)

[PASSED MARCH 2, 2012; IN EFFECT NINETY DAYS FROM PASSAGE.]

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Senate Bill No. 429

(SENATORS BEACH AND KLEMPA, *original sponsors*)

[Passed March 2, 2012; in effect ninety days from passage.]

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

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 10. FEES FOR REGISTRATION, LICENSING, ETC.

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

1 Vehicles subject to registration under the provisions of
2 this chapter shall be placed in the following classes for the
3 purpose of registration:

4 Class A. Motor vehicles of passenger type and trucks
5 with a gross weight of ten thousand pounds or less;

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

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

13 Class G. Motorcycles and parking enforcement vehicles;

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

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

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

23 Class R. House trailers;

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

27 Class X. Motor vehicles designated as trucks having a
28 minimum gross weight of more than eight thousand pounds
29 and a maximum gross weight of eighty thousand pounds,
30 used exclusively in the conduct of a farming business,
31 engaged in the production of agricultural products by means
32 of: (a) The planting, cultivation and harvesting of agricul-
33 tural, horticultural, vegetable or other products of the soil;
34 or (b) the raising, feeding and care of livestock, poultry, bees
35 and dairy cattle. A farm truck may be used only for the
36 transportation of agricultural products produced by the
37 owner of the truck, for the transportation of agricultural
38 supplies used in the production or for private passenger use.

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

1 The following registration fees for the classes indicated
2 shall be paid to the division for the registration of vehicles
3 subject to registration under this chapter when equipped
4 with pneumatic tires:

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

7 (1) *Class A.* — The registration fee for motor vehicles of
8 this class is \$28.50: *Provided*, That the registration fees and
9 any other fees required by this chapter for Class A vehicles
10 under the optional biennial staggered registration system
11 shall be multiplied by two and paid biennially to the divi-
12 sion.

13 No license fee may be charged for vehicles owned by
14 churches, or by trustees for churches, which are regularly
15 used for transporting parishioners to and from church
16 services. Notwithstanding the exemption, the certificate of
17 registration and license plates shall be obtained the same as
18 other cards and plates under this article.

19 (2) *Class B.* — The registration fee for all motor vehicles
20 of this class is as follows:

21 (A) For declared gross weights of ten thousand one
22 pounds to sixteen thousand pounds — \$28 plus \$5 for each
23 one thousand pounds or fraction of one thousand pounds that
24 the gross weight of the vehicle or combination of vehicles
25 exceeds ten thousand pounds.

26 (B) For declared gross weights greater than sixteen
27 thousand pounds, but less than fifty-five thousand pounds —
28 \$78.50 plus \$10 for each one thousand or fraction of one
29 thousand pounds that the gross weight of the vehicle or
30 combination of vehicles exceeds sixteen thousand pounds.

31 (C) For declared gross weights of fifty-five thousand
32 pounds or more — \$737.50 plus \$15.75 for each one thousand

33 pounds or fraction of one thousand pounds that the gross
34 weight of the vehicle or combination of vehicles exceeds
35 fifty-five thousand pounds.

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

42 (4) *Class H.* — The registration fee for all vehicles for this
43 class operating entirely within the state is \$5; and for
44 vehicles engaged in interstate transportation of persons, the
45 registration fee is the amount of the fees provided by this
46 section for Class B, reduced by the amount that the mileage
47 of the vehicles operated in states other than West Virginia
48 bears to the total mileage operated by the vehicles in all
49 states under a formula to be established by the Division of
50 Motor Vehicles.

51 (5) *Class J.* — The registration fee for all motor vehicles
52 of this class is \$85. Ambulances and hearses used exclusively
53 as ambulances and hearses are exempt from the special fees
54 set forth in this section.

55 (6) *Class M.* — The registration fee for all vehicles of this
56 class is \$17.50.

57 (7) *Class X.* — The registration fee for all motor vehicles
58 of this class is as follows:

59 (A) For farm trucks of declared gross weights of eight
60 thousand one pounds to sixteen thousand pounds — \$30.

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

63 (C) For farm trucks of declared gross weights of twenty-
64 two thousand one pounds to twenty-eight thousand pounds
65 — \$90.

66 (D) For farm trucks of declared gross weights of twenty-
67 eight thousand one pounds to thirty-four thousand pounds —
68 \$115.

69 (E) For farm trucks of declared gross weights of thirty-
70 four thousand one pounds to forty-four thousand pounds —
71 \$160.

72 (F) For farm trucks of declared gross weights of forty-
73 four thousand one pounds to fifty-four thousand pounds —
74 \$205.

75 (G) For farm trucks of declared gross weights of fifty-
76 four thousand one pounds to eighty thousand pounds —
77 \$250: *Provided*, That the provisions of subsection (a), section
78 eight, article one, chapter seventeen-e of this code do not
79 apply if the vehicle exceeds sixty-four thousand pounds and
80 is a truck tractor or road tractor.

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

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

87 (2) *Class T.* — The annual registration fee for all vehicles
88 of this class is \$8.

89 (c) The fees paid to the division for a multiyear registra-
90 tion provided by this chapter shall be the same as the annual
91 registration fee established by this section and any other fee
92 required by this chapter multiplied by the number of years
93 for which the registration is issued.

94 (d) The registration fee for all Class C vehicles is \$50. All
95 Class C trailers shall be registered for the duration of the
96 owner's interest in the trailer and do not expire until either
97 sold or otherwise permanently removed from the service of
98 the owner: *Provided*, That a registrant may transfer a Class
99 C registration plate from a trailer owned less than thirty

100 days to another Class C trailer titled in the name of the
101 registrant upon payment of the transfer fee prescribed in
102 section ten of this article.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

.....
Chairman Senate Committee

.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

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Clerk of the Senate

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Clerk of the House of Delegates

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President of the Senate

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Speaker of the House of Delegates

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

The within *is approved* this the *14th*
Day of *March*, 2012.

.....
Governor

PRESENTED TO THE GOVERNOR

MAR - 9 2012

Time 4:12 pm