

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

ENGROSSED

Committee Substitute

for

House Bill 2338

BY DELEGATES HOWELL AND PORTERFIELD

[Originating in the Committee on Government

Organization; January 27, 2020.]

1 A BILL to amend and reenact §17A-10-3a of the Code of West Virginia, 1931, as amended,
2 relating to allowing the owner of an antique military vehicle to display alternate registration
3 insignia that is compatible with the vehicle's original markings in lieu of a registration plate;
4 and defining terms.

Be it enacted by the Legislature of West Virginia:

ARTICLE 10. FEES FOR REGISTRATION, LICENSING, ETC.

**§17A-10-3a. Special registration of antique motor vehicles and motorcycles; definition,
registration, and use of classic motor vehicles and classic motorcycles; customized
antique plates.**

1 (a) The annual registration fee for any antique motor vehicle or motorcycle as defined in
2 this section is \$2. As used in this section:

3 (1) "Antique motor vehicle" means any motor vehicle which is more than 25 years old and
4 is owned solely as a collector's item;

5 (2) "Antique military vehicle" means an antique motor vehicle, including a trailer,
6 regardless of the vehicle's size or weight, that was manufactured for use in any country's military
7 forces, and is maintained to represent its military design and markings accurately, but not
8 including any vehicles or trailers currently in service.

9 (3) "Antique motorcycle" means any motorcycle which is more than 25 years old and is
10 owned solely as a collector's item;

11 (4) "Classic motor vehicle" means a motor vehicle which is more than 25 years old and is
12 registered pursuant to §17A-10-3 of this code and is used for general transportation;

13 (5) "Classic motorcycle" means a motorcycle which is more than 25 years old and is
14 registered pursuant to §17A-10-3 of this code and is used for general transportation.

15 (b) Except as otherwise provided in this section, antique motor vehicles, antique military
16 vehicles or motorcycles may not be used for general transportation but may only be used for:

17 (1) Participation in club activities, exhibits, tours, parades, and similar events;

18 (2) The purpose of testing their operation, obtaining repairs or maintenance, and
19 transportation to and from events as described in §17A-10-3a(b)(1) of this code; and

20 (3) Recreational purposes over weekends, beginning on Friday at 12:00 p. m., and ending
21 on the following Monday at 12:00 p. m., and on holidays: *Provided*, That a classic motor vehicle
22 or a classic motorcycle as defined in this section may be registered under the applicable class at
23 the applicable registration fee set forth in §17A-10-3 of this code and may be used for general
24 transportation.

25 (c) A West Virginia motor vehicle or motorcycle displaying license plates of the same year
26 of issue as the model year of the antique motor vehicle or motorcycle, as authorized in this section,
27 may be used for general transportation purposes if the following conditions are met:

28 (1) The license plate's physical condition has been inspected and approved by the Division
29 of Motor Vehicles;

30 (2) The license plate is registered to the specific motor vehicle or motorcycle by the
31 Division of Motor Vehicles;

32 (3) The owner of the motor vehicle or motorcycle annually registers the motor vehicle or
33 motorcycle and pays an annual registration fee for the motor vehicle or motorcycle equal to that
34 charged to obtain regular state license plates;

35 (4) The motor vehicle or motorcycle passes an annual safety inspection; and

36 (5) The motor vehicle or motorcycle displays a sticker attached to the license plate, issued
37 by the division, indicating that the motor vehicle or motorcycle may be used for general
38 transportation.

39 (d) If more than one request is made for license plates having the same number, the
40 division shall accept only the first application.

41 (e) The commissioner may propose rules for legislative approval in accordance with the
42 provisions of §29A-3-1 *et seq.* of this code as may be necessary or convenient for the carrying
43 out of the provisions of this section.

44 (f) Upon appropriate application, together with a special annual fee of \$40, which is in
45 addition to all other fees required by this chapter, there shall be issued to the owner of an antique
46 motor vehicle a special registration plate for an antique motor vehicle titled in the name of the
47 qualified applicant, bearing a combination of letters or numbers requested by that applicant,
48 subject to the approval by the commissioner, and with the maximum number of letters or numbers
49 to be determined by the commissioner.

50 (g) An antique military vehicle is exempt from the requirement to display a registration
51 plate if the exemption is necessary to maintain the vehicle's accurate military markings. Upon
52 proper application submitted with an application pursuant to subsection (f) of this section, the
53 commissioner shall approve an alternative registration insignia for an antique military vehicle that
54 is compatible with the vehicle's original markings, including, but not limited to, the display of the
55 vehicle's unique military identification number not to exceed eight characters on the bumper of
56 the vehicle: *Provided*, That nothing in this section exempts the operator of an antique military
57 vehicle from the requirements set forth in §17A-3-13 of this code.