

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 2338

BY DELEGATES HOWELL AND PORTERFIELD

[Passed February 28, 2020; in effect ninety days from
passage.]

1 AN ACT 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 and use of antique motor vehicles and motorcycles;
definitions; use of classic motor vehicles and classic motorcycles; customized
antique plates; exemption for display of registration plate.**

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 "Antique motor vehicle" means any motor vehicle which is more than 25 years old and is
4 owned solely as a collector's item.

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

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

11 "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 "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 or motorcycles
16 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
21 ending on the following Monday at 12:00 p. m., and on holidays: *Provided*, That a classic motor
22 vehicle or a classic motorcycle as defined in this section may be registered under the applicable
23 class at the applicable registration fee set forth in §17A-10-3 of this code and may be used for
24 general transportation.

25 (c) A West Virginia motor vehicle or motorcycle displaying license plates of the same
26 year of issue as the model year of the antique motor vehicle or motorcycle, as authorized in this
27 section, 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
29 Division 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,
37 issued 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
46 antique motor vehicle a special registration plate for an antique motor vehicle titled in the name
47 of the qualified applicant, bearing a combination of letters or numbers requested by that
48 applicant, subject to the approval by the commissioner, and with the maximum number of letters
49 or numbers to be determined by the commissioner.

50 (g) Upon proper application pursuant to §17A-10-3a(f) of this code, the commissioner
51 shall approve an alternative registration insignia for an antique military vehicle that is compatible
52 with the vehicle's original markings, including, but not limited to, the display of the vehicle's
53 unique military identification number not to exceed eight characters on the bumper of the
54 vehicle: *Provided*, That nothing in this section exempts the operator of an antique military
55 vehicle from the requirements set forth in §17A-3-13 of this code. Pursuant to this subsection,
56 an antique military vehicle is exempt from the requirement to display a registration plate if the
57 exemption is necessary to maintain the vehicle's accurate military marking.

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

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Chairman, House Committee

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Chairman, Senate Committee

Originating in the House.

In effect ninety days from passage.

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Clerk of the House of Delegates

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Clerk of the Senate

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Speaker of the House of Delegates

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President of the Senate

The within this the.....
day of, 2020.

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Governor