

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Introduced

House Bill 4343

BY DELEGATE LINVILLE

[BY REQUEST OF THE DIVISION OF MOTOR VEHICLES]

[Introduced January 24, 2022; Referred
to the Committee on Technology and Infrastructure
then Government Organization]

1 A BILL to amend and reenact §17A-3-17 of the Code of West Virginia, 1931, as amended, relating
 2 to renewal of registrations by sheriffs by establishing that registration renewal is
 3 discretionary; establishing that a sheriff may renew any vehicle registration type
 4 authorized by the division; increasing the sheriff's service fee by one dollar; and
 5 establishing that the division does not have to verify property taxes for any county that
 6 does not renew vehicle registration.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 3. ORIGINAL AND RENEWAL OF REGISTRATION; ISSUANCE OF
 CERTIFICATES OF TITLE.**

**§17A-3-17. Application for and renewal of registration; sheriffs authorized to issue
 renewals of registration for certain vehicles.**

1 (a) Application for renewal of a vehicle registration shall be made by the vehicle owner by
 2 proper application and payment of taxes and registration fees provided by law.

3 (b) The division may receive applications for renewal of any vehicle registration and each
 4 sheriff ~~shall~~ may receive applications from residents in his or her county for renewal of any ~~Class~~
 5 ~~A or G~~ vehicle registration of a type authorized by the division. The division and each sheriff shall
 6 issue the renewals of registration each receives, respectively, in accordance with all of the
 7 provisions in this article pertaining to renewal of vehicle registration including, but not limited to,
 8 the payment of the taxes and fees required thereunder.

9 (c) Each sheriff shall charge a service fee of ~~one dollar~~ two dollars for each renewal of a
 10 ~~Class A or G vehicle~~ registration he or she issues. ~~Effective the first day of July, one thousand~~
 11 ~~nine hundred ninety-eight~~ The sheriff shall pay one half of this fee into the county general fund.
 12 The sheriff shall pay the remaining one half of this fee into the Deputy Sheriff Retirement Fund
 13 created in §7-14d-6 of this code.

14 (d) On the first day of each month, each sheriff shall pay over to the commissioner all fees

15 he or she collected during the preceding month for renewal of ~~Class A and G~~ vehicle registrations,
16 except his or her service fees. The payment shall be accompanied by a report showing the name
17 of the county, the name and address of the person who obtained the registration and paid the
18 registration fee therefor, the vehicle registered, the registration number, the date the registration
19 was issued, the signature of the sheriff and any other information the commissioner may
20 reasonably require in order to maintain the functions and records of the ~~department~~ division. The
21 commissioner shall deposit all fees he or she receives from the sheriffs for renewal of ~~Class A~~
22 ~~and G~~ vehicle registrations in the State Treasury to the credit of the State Road Fund as provided
23 in §17A-2-21 of this code.

24 (e) The commissioner shall provide each sheriff with the necessary forms, supplies,
25 programs, access to systems, registration plates, registration decals and instructions necessary
26 to enable him or her to perform the duties and functions specified in this section.

27 (f) No person may display upon a vehicle a new registration plate or registration decal
28 prior to the first day of the month preceding the new registration period.

29 (g) Any sheriff of a county that chooses not to renew registration of a type authorized by
30 the division for renewal in subsection (b) may not be compelled to perform the duties and functions
31 specified in this section. Notwithstanding the provisions of §17A-3-3a of this code, a vehicle owner
32 residing in a county where the sheriff chooses not to renew registration of a type authorized by
33 the division for renewal shall not be required to present a property tax receipt to the division to
34 renew the registration.

NOTE: The purpose of this bill is to grant discretion to sheriffs to participate in vehicle registration renewal instead of mandating participation. It will also remove the requirement of a vehicle owner to provide proof of property tax if the owner resides in a county that chooses not to renew registration.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.