

FILED

2015 MAR 27 A 11: 16

WEST VIRGINIA LEGISLATURE
EIGHTY-SECOND LEGISLATURE
REGULAR SESSION, 2015

OFFICE OF THE WEST VIRGINIA
SECRETARY OF STATE

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ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 486

(SENATORS LEONHARDT, BOSO, D. HALL, KARNES, MAYNARD,
MULLINS, NOHE, ROMANO AND WALTERS, *ORIGINAL SPONSORS*)

[PASSED MARCH 13, 2015; IN EFFECT NINETY DAYS FROM PASSAGE.]

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[Passed March 13, 2015; in effect ninety days from passage.]

AN ACT to amend and reenact §17A-3-23 of the Code of West Virginia, 1931, as amended, relating to removing requirement for vehicles operated by West Virginia Wing of the Civil Air Patrol to display front license plates with white lettering on a green background bearing the words "West Virginia" in one line and the words "State Car" in another line; authorizing special license plates for Civil Air Patrol vehicles; and establishing fee to be paid per special license plate.

Be it enacted by the Legislature of West Virginia:

That §17A-3-23 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

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

§17A-3-23. Registration plates to state, county, municipal and other governmental vehicles; use for undercover activities.

1 (a) Any motor vehicle designed to carry passengers,
2 owned or leased by the State of West Virginia, or any of its
3 departments, bureaus, commissions or institutions, except
4 vehicles used by the Governor, Treasurer, three vehicles per
5 elected office of the Board of Public Works, vehicles
6 operated by the State Police, not to exceed five vehicles
7 operated by the Office of the Secretary of Military Affairs
8 and Public Safety, not to exceed five vehicles operated by the
9 Division of Homeland Security and Emergency Management,
10 vehicles operated by natural resources police officers of the
11 Division of Natural Resources, not to exceed ten vehicles
12 operated by the arson investigators of the Office of State Fire
13 Marshal, not to exceed two vehicles operated by the Division
14 of Protective Services, not to exceed sixteen vehicles
15 operated by inspectors of the Office of the Alcohol Beverage
16 Control Commissioner, vehicles operated by the West
17 Virginia Wing of the Civil Air Patrol and vehicles operated
18 by probation officers employed under the Supreme Court of
19 Appeals may not be operated or driven by any person unless
20 it has displayed and attached to the front thereof, in the same
21 manner as regular motor vehicle registration plates are
22 attached, a plate of the same size as the regular registration
23 plate, with white lettering on a green background bearing the
24 words "West Virginia" in one line and the words "State Car"
25 in another line and the lettering for the words "State Car"
26 shall be of sufficient size to be plainly readable from a
27 distance of one hundred feet during daylight.

28 The vehicle shall also have attached to the rear a plate
29 bearing a number and any other words and figures as the
30 Commissioner of Motor Vehicles shall prescribe. The rear
31 plate shall also be green with the number in white.

32 (b) Registration plates issued to vehicles owned by
33 counties shall be white on red with the word "County" on top
34 of the plate and the words "West Virginia" on the bottom.

35 (c) Registration plates issued to a city or municipality
36 shall be white on blue with the word "City" on top and the
37 words "West Virginia" on the bottom.

38 (d) Registration plates issued to a city or municipality
39 law-enforcement department shall include blue lettering on a
40 white background with the word "West Virginia" on top of
41 the plate and shall be further designed by the commissioner
42 to include a law-enforcement shield together with other
43 insignia or lettering sufficient to identify the motor vehicle as
44 a municipal law-enforcement department motor vehicle. The
45 colors may not be reversed and shall be of reflectorized
46 material. The registration plates issued to counties,
47 municipalities and other governmental agencies authorized to
48 receive colored plates hereunder shall be affixed to both the
49 front and rear of the vehicles.


50 (e) (1) Registration plates issued to vehicles operated by
51 county sheriffs shall be designed by the commissioner in
52 cooperation with the sheriffs' association with the word
53 "Sheriff" on top of the plate and the words "West Virginia"
54 on the bottom. The plate shall contain a gold shield
55 representing the sheriff's star and a number assigned to that
56 plate by the commissioner. Every county sheriff shall
57 provide the commissioner with a list of vehicles operated by
58 the sheriff, unless otherwise provided in this section, and a
59 fee of \$10 for each vehicle submitted by July 1, 2002.

60 (2) Registration plates issued to vehicles operated by the
61 West Virginia Wing of the Civil Air Patrol shall be designed
62 by the commissioner in cooperation with the Civil Air Patrol
63 and include the words "Civil Air Patrol" on the plate. The

64 Civil Air Patrol shall provide the commissioner with a list of
65 vehicles operated by the Civil Air Patrol, unless otherwise
66 provided in this section, and a fee of \$10 for each new
67 vehicle for which a Civil Air Patrol license plate is requested.

68 (f) The commissioner is authorized to designate the colors
69 and design of any other registration plates that are issued
70 without charge to any other agency in accordance with the
71 motor vehicle laws.

72 (g) Upon application, the commissioner is authorized to
73 issue a maximum of five Class A license plates per applicant
74 to be used by county sheriffs and municipalities on law-
75 enforcement vehicles while engaged in undercover
76 investigations.

77 (h) The commissioner is authorized to issue a maximum
78 of five Class A license plates to be used on vehicles assigned
79 to the Division of Motor Vehicle investigators for
80 commercial driver examination fraud investigation and *-s*
81 driver's license issuance fraud detection and fraud
82 prevention. 

83 (i) The commissioner is authorized to issue an unlimited
84 number of license plates per applicant to authorized drug and
85 violent crime task forces in the State of West Virginia when
86 the chairperson of the control group of a drug and violent
87 crime task force signs a written affidavit stating that the
88 vehicle or vehicles for which the plates are being requested
89 will be used only for official undercover work conducted by
90 a drug and violent crime task force.

91 (j) The commissioner is authorized to issue twenty Class
92 A license plates to the Criminal Investigation Division of the
93 Department of Revenue for use by its investigators.

94 (k) The commissioner may issue a maximum of ten Class
95 A license plates to the Division of Natural Resources for use
96 by natural resources police officers. The commissioner shall
97 designate the color and design of the registration plates to be
98 displayed on the front and the rear of all other state-owned
99 vehicles owned by the Division of Natural Resources and
100 operated by natural resources police officers.

101 (l) The commissioner is authorized to issue an unlimited
102 number of Class A license plates to the Commission on
103 Special Investigations for state-owned vehicles used for
104 official undercover work conducted by the Commission on
105 Special Investigations.

106 (m) The commissioner is authorized to issue a maximum
107 of two Class A plates to the Division of Protective Services
108 for state-owned vehicles used by the Division of Protective
109 Services in fulfilling its mission.

110 (n) The commissioner is authorized to issue Class A
111 registration plates for vehicles used by the Medicaid Fraud
112 Control Unit created by section seven, article seven, chapter
113 nine of this code.

114 (o) The commissioner is authorized to issue Class A
115 registration plates for vehicles used by the West Virginia
116 Insurance Fraud Unit created by section eight, article forty-
117 one, chapter thirty-three of this code.

118 (p) No other registration plate may be issued for, or
119 attached to, any state-owned vehicle.

120 (q) The Commissioner of Motor Vehicles shall have a
121 sufficient number of both front and rear plates produced to
122 attach to all state-owned cars. The numbered registration
123 plates for the vehicles shall start with the number five

124 hundred and the commissioner shall issue consecutive
125 numbers for all state-owned cars.

126 (r) It is the duty of each office, department, bureau,
127 commission or institution furnished any vehicle to have plates
128 as described herein affixed thereto prior to the operation of
129 the vehicle by any official or employee.

130 (s) The commissioner may issue special registration
131 plates for motor vehicles titled in the name of the Division of
132 Public Transit or in the name of a public transit authority as
133 defined in this subsection and operated by a public transit
134 authority or a public transit provider to transport persons in
135 the public interest. For purposes of this subsection, "public
136 transit authority" means an urban mass transportation
137 authority created pursuant to the provisions of article twenty-
138 seven, chapter eight of this code or a nonprofit entity exempt
139 from federal and state income taxes under the Internal
140 Revenue Code and whose purpose is to provide mass
141 transportation to the public at large. The special registration
142 plate shall be designed by the commissioner and shall display
143 the words "public transit" or words or letters of similar effect
144 to indicate the public purpose of the use of the vehicle. The
145 special registration plate shall be issued without charge.

146 (t) Any person who violates the provisions of this section
147 is guilty of a misdemeanor and, upon conviction thereof, shall
148 be fined not less than \$50 nor more than \$100. Magistrates
149 have concurrent jurisdiction with circuit courts for the
150 enforcement of this section.

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

Mark R. ...
.....
Chairman Senate Committee

Al B. ...
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Mark A. ...
.....
Clerk of the Senate

Steph ...
.....
Clerk of the House of Delegates

Will ...
.....
President of the Senate

John ...
.....
Speaker of the House of Delegates

The within *is approved* this the *27th*
Day of *March*, 2015.

Earl Ray Tomblin!
.....
Governor

PRESENTED TO THE GOVERNOR

MAR 19 2015

~~Time~~ 11:20 am