WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Engrossed

Committee Substitute

for

Senate Bill 690

SENATORS MAYNARD AND CLINE, original sponsors

[Originating in the Committee on Government Organization; reported on February 24, 2020]
A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §17A-13-1, relating to the operation of street-legal special purpose vehicles; permitting the operation of street-legal special purpose vehicles on highways; providing for registration of street-legal special purpose vehicles; establishing licensing and equipment requirements for street-legal special purpose vehicles; defining terms; and requiring rulemaking.

Be it enacted by the Legislature of West Virginia:

ARTICLE 13. STREET-LEGAL SPECIAL PURPOSE VEHICLES.

§17A-13-1. Street-legal special purpose vehicles; operation on highways; registration procedures; licensing requirements; equipment requirements.

(a) Except as required in subsection (c) of this section, an individual may operate a “street-legal special purpose vehicle” on a street or highway.

(b) For the purposes of this section:

(1) “Special purpose vehicle” includes all-terrain vehicles, utility terrain vehicles, mini-trucks, pneumatic-tired military vehicles, and full-size special purpose-built vehicles, including those self-constructed or built by the original equipment manufacturer and those that have been modified.

(2) “Street-legal special purpose vehicle” is a special purpose vehicle that meets the requirements of this section.

(c) An individual may not operate a special purpose vehicle as a street-legal special purpose vehicle on a highway if:

(1) The highway is a controlled-access system, including, but not limited to, interstate systems; or

(2) The county, municipality, or the Division of Natural Resources where the highway is located prohibits special purpose vehicles.
(d) Special purpose vehicles are prohibited from traveling a distance greater than 20 miles on a highway displaying centerline pavement markings.

(e) All street-legal special purpose vehicles are subject to the certificate of title provisions of §17A-1-1 *et seq.* of this code.

(f) Nothing in this section authorizes the operation of a street-legal special purpose vehicle in an area that is not open to motor vehicle use.

(g) A street-legal special purpose vehicle may be registered in the same manner as provided for motorcycles pursuant to this chapter.

(h) Upon registration of any street-legal special purpose vehicle pursuant to this section, the Division of Motor Vehicles shall issue a registration plate that is of the same size as Class G special registration plates for motorcycles.

(i) Except as otherwise provided in this section, a street-legal special purpose vehicle shall comply with the Division of Motor Vehicles' licensing, fee, and other requirements pursuant to this chapter.

(j) The owner of a special purpose vehicle being operated as a street-legal special purpose vehicle shall ensure the vehicle is equipped with:

1. One or more headlamps;
2. One or more tail lamps;
3. One or more brake lamps;
4. A tail lamp or other lamp constructed and placed to illuminate the registration plate with a white light;
5. One or more red reflectors on the rear;
6. Amber electric turn system, one on each side of the front;
7. Amber or red electric turn signals;
8. A braking system, other than a parking brake;
9. A horn or other warning device;
(10) A muffler and, if required by an applicable federal statute or rule, an emission control system;

(11) Rearview mirrors on the right and left side of the driver;

(12) A windshield, unless the operator wears eye protection while operating the vehicle;

(13) A speedometer, illuminated for nighttime operation;

(14) For vehicles designed by the manufacturer for carrying one or more passengers, a seat designed for passengers; and

(15) Tires that have at least 2/32 inches or greater tire tread.

(16) When owners of a street-legal special purpose vehicle have ensured that such vehicles are equipped as required by this subsection, and those owners obtain a valid registration card and certificate of insurance for such vehicles, those vehicles are eligible to apply for a motorcycle trailer sticker.

(k) Mini-trucks may not be operated as street-legal special purpose vehicles on highways that have been constructed pursuant to a federal highways program.

(l) The Division of Motor Vehicles shall propose rules for legislative approval in accordance with §29A-3-1 et seq. of this code to implement this section.