

# **WEST VIRGINIA LEGISLATURE**

## **2020 REGULAR SESSION**

**Introduced**

### **Senate Bill 834**

BY SENATOR MAYNARD

[Introduced February 17, 2020; referred  
to the Committee on Transportation and  
Infrastructure]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,  
 2 designated 17-13-1, relating to the operation of street-legal special purpose vehicles;  
 3 permitting the operation of street-legal special purpose vehicles on highways; providing  
 4 for registration of street-legal special purpose vehicles on highways; providing for  
 5 registration of street-legal special purpose vehicles; establishing licensing and equipment  
 6 requirements for street-legal special purpose vehicles; defining terms; and requiring  
 7 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.**

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

3 (b) For the purposes of this section:

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

7 “Street-legal special purpose vehicle” is a special purpose vehicle that meets the  
 8 requirements of this section.

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

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

13 (2) The county or municipality where the highway is located prohibits special purpose  
 14 vehicles.

15 (d) Special purpose vehicles are prohibited from traveling a distance greater than 20 miles

16 on a highway displaying centerline pavement markings.

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

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

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

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

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

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

31 (1) One or more headlamps;

32 (2) One or more tail lamps;

33 (3) One or more brake lamps;

34 (4) A tail lamp or other lamp constructed and placed to illuminate the registration plate with  
35 a white light;

36 (5) One or more red reflectors on the rear;

37 (6) Amber electric turn system, one on each side of the front;

38 (7) Amber or red electric turn signals;

39 (8) A braking system, other than a parking brake;

40 (9) A horn or other warning device;

41 (10) A muffler and, if required by an applicable federal statute or rule, an emission control

- 42 system;
- 43 (11) Rearview mirrors on the right and left side of the driver;
- 44 (12) A windshield, unless the operator wears eye protection while operating the vehicle;
- 45 (13) A speedometer, illuminated for nighttime operation;
- 46 (14) For vehicles designed by the manufacturer for carrying one or more passengers, a
- 47 seat designed for passengers; and
- 48 (15) Tires that have at least 2/32 inches or greater tire tread.
- 49 (16) When owners of a street-legal special purpose vehicle have ensured that such
- 50 vehicles are equipped as required by this subsection, and those owners obtain a valid registration
- 51 card and certificate of insurance for such vehicles, those vehicle are eligible to apply for a
- 52 motorcycle trailer sticker.
- 53 (k) Mini-trucks may not be operated as street-legal special purpose vehicles on highways
- 54 that have been constructed pursuant to a federal highways program.
- 55 (l) The Division of Motor Vehicles and the Division of Highways shall propose rules for
- 56 legislative approval in accordance with §29A-3-1 et seq. of this code to implement this section.

NOTE: The purpose of this bill is to permit street-legal special purpose vehicles to be operated on highways; establishing registration procedures for street-legal special purpose vehicles; and establishing licensing and equipment requirements for street-legal special purpose vehicles. The bill defines terms. The bill requires rule making.

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