

# **WEST VIRGINIA LEGISLATURE**

## **2023 REGULAR SESSION**

**Introduced**

### **House Bill 2929**

By Delegate C. Pritt

[Introduced January 23, 2023; Referred to the  
Committee on Political Subdivisions then Technology  
and Infrastructure]

1 A BILL to amend and reenact §17F-1-3 of the Code of West Virginia, 1931, as amended, relating  
 2 to regulation of all terrain vehicles and removing the authority of the governing body of a  
 3 municipal or county commission to prohibit the operation of all-terrain vehicles on streets in  
 4 municipalities or county roads.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 1. REGULATION OF ALL-TERRAIN VEHICLES.**

**§17F-1-3. Local government authority to regulate.**

1 Notwithstanding any provision of this article to the contrary:

2 (1) The governing body of a municipality may regulate in any manner ~~or prohibit~~ by lawfully  
 3 enacted ordinance, the operation of all-terrain vehicles upon any street, road or avenue within the  
 4 municipal corporate limits.

5 (2) Homeowner associations may petition the county commission of the county in which  
 6 the area regulated by the homeowner association is located for an ordinance to regulate or prohibit  
 7 the operation of all-terrain vehicles upon any street, road or avenue within the area regulated by  
 8 the homeowner association. County commissions are hereby authorized, upon receipt of a  
 9 petition authorized by the provisions of this section, to enact an ordinance regulating or prohibiting  
 10 the operation of all-terrain vehicles.

11 (3) The county commission of any county which has in effect and is operating under a  
 12 countywide comprehensive plan may by lawfully enacted ordinance regulate ~~or prohibit~~ the  
 13 operation of all-terrain vehicles on any road in the county, except interstate highways: *Provided,*  
 14 That any county which enacts any such ordinance shall notify the West Virginia state police and all  
 15 law-enforcement agencies in the county of its action in writing, together with a copy of the  
 16 ordinance.

NOTE: The purpose of this bill is to remove the authority of the governing body of a municipal or county commission to prohibit the operation of all-terrain vehicles on streets in municipalities or county roads.

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