

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

House Bill 2862

**FISCAL
NOTE**

By Delegates T. Clark, Canterbury, Browning,
DeVault, Jennings, Roop, Heckert, Moore, Dittman,
Drennan, and Adkins

[Introduced February 24, 2025; referred to the
Committee on Finance]

1 A BILL to amend and reenact §17-16D-6 of the Code of West Virginia, 1931, as amended, relating
2 to exempting certain emergency service vehicles from the payment of tolls.

Be it enacted by the Legislature of West Virginia:

ARTICLE 16D. ELECTRONIC TOLL COLLECTION.

§17-16D-6. Liability of owner.

1 (a) All owners and operators of motor vehicles shall pay the posted toll when on any toll
2 road, highway, or bridge authorized by the Legislature, including any toll collected by a private toll
3 transportation facility pursuant to §17-17-38 of this code, either by paying the toll at a toll collection
4 facility on the toll road, highway, or bridge at the time of travel thereon or by paying the toll within
5 the time prescribed for toll payment in a toll billing notice or invoice generated by an electronic toll
6 collection system. These tolls may be collected by electronic toll collection. If an owner or operator
7 of a vehicle fails to pay the prescribed toll when due, the owner of the vehicle is in violation of this
8 article.

9 (b) If a violation occurs, the registration plate number of the vehicle as recorded by a video
10 collection system establishes a rebuttable presumption for civil enforcement purposes that the
11 owner of the vehicle was operating the vehicle, or had consented to another person operating the
12 vehicle, at that time. This presumption may be overcome only if the owner: (1) proves by a
13 preponderance of the evidence that he or she was not in fact operating the vehicle at the time; and
14 (2) identifies by name and mailing address the person who was operating the vehicle.

15 (c) If the presumption is not overcome by a preponderance of the evidence, the owner of
16 the vehicle shall be found to have violated this article and be held responsible for payment of the
17 tolls and the administrative fees and money penalties imposed by this article for failure to timely
18 pay the tolls.

19 (d) Nothing in this section prohibits: (1) A law-enforcement officer from issuing a citation to
20 a person in control of a vehicle for a violation of this article or other provisions of law at the time of
21 the violation; (2) the Parkways Authority from issuing reminder notices or making other

22 communications directly or indirectly in connection with toll collection efforts or efforts to enforce
23 violations of this article. The Parkways Authority is authorized to use secondary sources of
24 information and services including, but not limited to, services such as the National Change of
25 Address Service or skip tracing services; or (3) a private toll transportation facility from issuing any
26 notices, reminders, or other communications in connection with its toll collection efforts pursuant to
27 §17-17-38(c) and §17-17-38(d) of this code.

28 (e) Ambulances transporting patients on the turnpike for non-emergency appointments
29 and services are exempt from the payment of tolls otherwise provided by this article.

NOTE: The purpose of this bill is to exempt certain emergency service vehicles from the payment of tolls.

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