

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 4161

By Delegate Kump

[Introduced January 14, 2026; referred to the

Committee on the Judiciary]

1 A BILL to amend and reenact §17A-3-1a of the Code of West Virginia, 1931, as amended, relating
2 to out of state license plate vehicles; making it illegal to have a vehicle parked at a
3 residence with an out of state license plate for more than 90 days; and creating criminal
4 penalties.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. ORIGINAL AND RENEWAL OF REGISTRATION; ISSUANCE OF

CERTIFICATES OF TITLE.

§17A-3-1a. Registration of vehicles of new residents.

1 (a) Every owner of a motor vehicle, trailer or other vehicle, shall, within 30 days after taking
2 up residence in the state, apply to the division and obtain registration and title for the vehicle.

3 (b) For the purposes of this chapter there is a rebuttable presumption that a natural person
4 is a resident of this state if any of the following elements exist including, but not limited to:

5 (1) The person is registered to vote in this state.

6 (2) The person enrolls the person's child to be educated in a public elementary or
7 secondary school in this state.

8 (3) The person is receiving public assistance from this state.

9 (4) The person resides or has continuously remained in this state for a period exceeding 30
10 days except for infrequent or brief absences.

11 (5) The person has accepted employment or engages in any trade, profession, or
12 occupation within this state, except that this does not include a person who is commuting from the
13 person's residence in another state or whose employment is seasonal or temporary, not
14 exceeding 90 days.

15 (6) The person has filed for a homestead tax exemption on property in this state.

16 "Resident" does not include a person who is attending a college, university or other
17 educational institution in this state, if the person has a domicile in another state and has a valid

18 operator's license and vehicle registration issued by the state of domicile. "Resident" also does not
19 include members of the Armed Forces that are stationed in West Virginia providing that their
20 vehicles are properly registered in their state of residence or a member of the Armed Forces
21 stationed in another state or country providing that their vehicles are properly registered in that
22 state or country.

23 A corporation, association, partnership, company or firm whose principal place of business
24 is located within this state is a resident of this state.

25 The provisions of this section shall not apply to vehicles registered under proportional
26 registration agreement.

27 (c) It is unlawful for any person to have a vehicle with out of state license plate parked at his
28 or her residence for more than 90 days, except as otherwise permitted by the provisions of this
29 chapter.

30 (d) Unless otherwise provided for in this article, any person violating the provisions of
31 subsection (a) of this article is guilty of a misdemeanor and, upon conviction thereof, shall be fined
32 or jailed, or both, according to §17A-3-1(b) of this code.

NOTE: The purpose of this bill is to provide authority for West Virginia law enforcement agencies to fine an individual who has a vehicle with out of state license plates that has been parked at their residence for more than 90 days.

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