

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 5388

FISCAL
NOTE

By Delegates G. Howell, Young, Hanshaw (Mr.
Speaker), Masters, Linville, Stephens, and G. Ward

[Introduced February 10, 2026; referred to the
Committee on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article
 2 designated §11-13NN-1, §11-13NN-2, §11-13NN-3, §11-13NN-4, §11-13NN-5, and §11-
 3 13NN-6, relating to creating a tax credit for certain West Virginia businesses participating
 4 in the official motorist services logo signing program.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 13NN. OFFICIAL MOTORIST SERVICES LOGO SIGNING PROGRAM AND
 TAX CREDIT.**

§11-13NN-1. Legislative findings and purpose.

1 The Legislature finds that independently owned West Virginia businesses play a critical
 2 role in the state’s economy, particularly in rural communities located along major transportation
 3 corridors. The Legislature further finds that participation in the official motorist services logo
 4 signing program can be cost prohibitive for small, locally owned businesses, despite the public
 5 benefit of providing travelers with reliable access to essential services.

6 Therefore, it is the purpose of this article to encourage participation by independently
 7 owned West Virginia businesses in the official motorist services logo signing program by allowing
 8 a limited tax credit equal to the actual cost paid for such signage, while ensuring the program
 9 remains focused on local economic development rather than subsidizing national or multi location
 10 enterprises.

§11-13NN-2. Definitions.

1 For purposes of this article:

2 (a) "Eligible motorist services signage expense" means fees paid by a taxpayer to the
 3 West Virginia Division of Highways for participation in the official motorist services logo signing
 4 program authorized under federal and state law.

5 (b) "Independent West Virginia business" means a business enterprise that:

6 (1) Maintains its principal place of business within the State of West Virginia;

7 (2) Is at least 51% owned by one or more individuals domiciled in the State of West
8 Virginia;

9 (3) Operates fewer than five business locations within the State of West Virginia; and

10 (4) Is not required by contract, franchise agreement, license, or other binding arrangement
11 to utilize national or regional branding standards, including but not limited to mandatory
12 trademarks, menus, pricing structures, hours of operation, or participation in national advertising
13 programs.

§11-13NN-3. Credit allowed.

1 (a) An eligible taxpayer that is an independent West Virginia business may claim a credit
2 against the taxes imposed by this chapter in an amount equal to one hundred percent of eligible
3 motorist services signage expenses paid during the taxable year.

4 (b) The credit authorized by this article is limited to expenses actually paid to the West
5 Virginia Division of Highways and shall not include costs associated with private advertising, logo
6 design, or other non governmental expenses.

7 (c) The credit authorized by this article is nontransferable and may not be carried forward
8 or _____ backward.

§11-13NN-4. Certification and verification.

1 (a) A taxpayer claiming the credit provided under this article shall certify, under penalty of
2 perjury, that the taxpayer meets all requirements of an independent West Virginia business as
3 defined in §11-13X-2.

4 (b) The Tax Commissioner may require documentation necessary to verify:

5 (1) Ownership and domicile of the taxpayer;

6 (2) The number of business locations operated by the taxpayer within the State of West
7 Virginia; and

8 (3) The absence of contractual obligations requiring national or regional branding,
9 advertising, or operational control.

10 (c) The West Virginia Division of Highways shall, upon request, verify payment of eligible
11 motorist services signage expenses but shall not determine eligibility for the tax credit.

§11-13NN-5. Rules.

1 The Tax Commissioner may propose legislative rules in accordance with §29A-3-1 et seq.
2 to administer this article, including rules establishing documentation standards and procedures
3 necessary to prevent fraud or abuse.

§11-13NN-6. Effective date.

1 This article shall take effect on January 1, 2027, and shall apply to taxable years beginning
2 on or after that date.

NOTE: The purpose of this bill is to create a tax credit for certain West Virginia businesses participating in the official motorist services logo signing program.

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