

1 **ENROLLED**

2 COMMITTEE SUBSTITUTE

3 FOR

4 **Senate Bill No. 429**

5 (SENATORS BEACH AND KLEMPA, *original sponsors*)

6 _____
7 [Passed March 2, 2012; in effect ninety days from passage.]
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11
12 AN ACT to amend and reenact §17A-10-1 and §17A-10-3 of the Code of
13 West Virginia, 1931, as amended, all relating to
14 classification of motor vehicles for purpose of registration;
15 changing the definition of "Class A" vehicles by increasing
16 the maximum weight of Class A to include certain vehicles now
17 classified as Class B; establishing the fee for those
18 reclassified vehicles; and defining "Class Farm Truck" as
19 "Class X".

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

21 That §17A-10-1 and §17A-10-3 of the Code of West Virginia,
22 1931, as amended, be amended and reenacted, all to read as follows:

23 **ARTICLE 10. FEES FOR REGISTRATION, LICENSING, ETC.**

24 **§17A-10-1. Classification of vehicles for purpose of registration.**

25 Vehicles subject to registration under the provisions of this

1 chapter shall be placed in the following classes for the purpose of
2 registration:

3 Class A. Motor vehicles of passenger type and trucks with a
4 gross weight of ten thousand pounds or less;

5 Class B. Motor vehicles designated as trucks with a gross
6 weight of more than ten thousand pounds, truck tractors or road
7 tractors;

8 Class C. All trailers and semitrailers, except house trailers
9 and trailers or semitrailers designed to be drawn by Class A motor
10 vehicles and having a gross weight of less than two thousand
11 pounds;

12 Class G. Motorcycles and parking enforcement vehicles;

13 Class H. Motor vehicles operated regularly for the
14 transportation of persons for compensation under a certificate of
15 convenience and necessity or contract carrier permit issued by the
16 Public Service Commission;

17 Class J. Motor vehicles operated for transportation of
18 persons for compensation by common carriers, not running over a
19 regular route or between fixed termini;

20 Class M. Mobile equipment as defined in subdivision (oo),
21 section one, article one of this chapter;

22 Class R. House trailers;

23 Class T. Trailers or semitrailers of a type designed to be
24 drawn by Class A vehicles and having a gross weight of less than
25 two thousand pounds; and

26 Class X. Motor vehicles designated as trucks having a minimum

1 gross weight of more than eight thousand pounds and a maximum gross
2 weight of eighty thousand pounds, used exclusively in the conduct
3 of a farming business, engaged in the production of agricultural
4 products by means of: (a) The planting, cultivation and harvesting
5 of agricultural, horticultural, vegetable or other products of the
6 soil; or (b) the raising, feeding and care of livestock, poultry,
7 bees and dairy cattle. A farm truck may be used only for the
8 transportation of agricultural products produced by the owner of
9 the truck, for the transportation of agricultural supplies used in
10 the production or for private passenger use.

11 **§17A-10-3. Registration fees for vehicles equipped with pneumatic**
12 **tires.**

13 The following registration fees for the classes indicated
14 shall be paid to the division for the registration of vehicles
15 subject to registration under this chapter when equipped with
16 pneumatic tires:

17 (a) Registration fees for the following classes shall be paid
18 to the division annually:

19 (1) *Class A.* -- The registration fee for motor vehicles of
20 this class is \$28.50: *Provided,* That the registration fees and any
21 other fees required by this chapter for Class A vehicles under the
22 optional biennial staggered registration system shall be multiplied
23 by two and paid biennially to the division.

24 No license fee may be charged for vehicles owned by churches,
25 or by trustees for churches, which are regularly used for

1 transporting parishioners to and from church services.
2 Notwithstanding the exemption, the certificate of registration and
3 license plates shall be obtained the same as other cards and plates
4 under this article.

5 (2) *Class B.* -- The registration fee for all motor vehicles
6 of this class is as follows:

7 (A) For declared gross weights of ten thousand one pounds to
8 sixteen thousand pounds -- \$28 plus \$5 for each one thousand pounds
9 or fraction of one thousand pounds that the gross weight of the
10 vehicle or combination of vehicles exceeds ten thousand pounds.

11 (B) For declared gross weights greater than sixteen thousand
12 pounds, but less than fifty-five thousand pounds -- \$78.50 plus \$10
13 for each one thousand or fraction of one thousand pounds that the
14 gross weight of the vehicle or combination of vehicles exceeds
15 sixteen thousand pounds.

16 (C) For declared gross weights of fifty-five thousand pounds
17 or more -- \$737.50 plus \$15.75 for each one thousand pounds or
18 fraction of one thousand pounds that the gross weight of the
19 vehicle or combination of vehicles exceeds fifty-five thousand
20 pounds.

21 (3) *Class G.* -- The registration fee for each motorcycle or
22 parking enforcement vehicle is \$8: *Provided,* That the registration
23 fee and any other fees required by this chapter for Class G
24 vehicles shall be for at least one year and under an optional
25 biennial registration system the annual fee shall be multiplied by
26 two and paid biennially to the division.

1 (4) *Class H.* -- The registration fee for all vehicles for
2 this class operating entirely within the state is \$5; and for
3 vehicles engaged in interstate transportation of persons, the
4 registration fee is the amount of the fees provided by this section
5 for Class B, reduced by the amount that the mileage of the vehicles
6 operated in states other than West Virginia bears to the total
7 mileage operated by the vehicles in all states under a formula to
8 be established by the Division of Motor Vehicles.

9 (5) *Class J.* -- The registration fee for all motor vehicles
10 of this class is \$85. Ambulances and hearses used exclusively as
11 ambulances and hearses are exempt from the special fees set forth
12 in this section.

13 (6) *Class M.* -- The registration fee for all vehicles of this
14 class is \$17.50.

15 (7) *Class X.* -- The registration fee for all motor vehicles
16 of this class is as follows:

17 (A) For farm trucks of declared gross weights of eight
18 thousand one pounds to sixteen thousand pounds -- \$30.

19 (B) For farm trucks of declared gross weights of sixteen
20 thousand one pounds to twenty-two thousand pounds -- \$60.

21 (C) For farm trucks of declared gross weights of twenty-two
22 thousand one pounds to twenty-eight thousand pounds -- \$90.

23 (D) For farm trucks of declared gross weights of twenty-eight
24 thousand one pounds to thirty-four thousand pounds -- \$115.

25 (E) For farm trucks of declared gross weights of thirty-four
26 thousand one pounds to forty-four thousand pounds -- \$160.

1 (F) For farm trucks of declared gross weights of forty-four
2 thousand one pounds to fifty-four thousand pounds -- \$205.

3 (G) For farm trucks of declared gross weights of fifty-four
4 thousand one pounds to eighty thousand pounds -- \$250: *Provided,*
5 That the provisions of subsection (a), section eight, article one,
6 chapter seventeen-e of this code do not apply if the vehicle
7 exceeds sixty-four thousand pounds and is a truck tractor or road
8 tractor.

9 (b) Registration fees for the following classes shall be paid
10 to the division for a maximum period of three years, or portion of
11 a year based on the number of years remaining in the three-year
12 period designated by the commissioner:

13 (1) *Class R.* -- The annual registration fee for all vehicles
14 of this class is \$12.

15 (2) *Class T.* -- The annual registration fee for all vehicles
16 of this class is \$8.

17 (c) The fees paid to the division for a multiyear registration
18 provided by this chapter shall be the same as the annual
19 registration fee established by this section and any other fee
20 required by this chapter multiplied by the number of years for
21 which the registration is issued.

22 (d) The registration fee for all Class C vehicles is \$50. All
23 Class C trailers shall be registered for the duration of the
24 owner's interest in the trailer and do not expire until either sold
25 or otherwise permanently removed from the service of the owner:
26 *Provided,* That a registrant may transfer a Class C registration

1 plate from a trailer owned less than thirty days to another Class
2 C trailer titled in the name of the registrant upon payment of the
3 transfer fee prescribed in section ten of this article.