

COMMITTEE SUBSTITUTE

FOR

## **Senate Bill No. 429**

(By Senators Beach and Klempa)

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[Originating in the Committee on Transportation  
and Infrastructure; reported February 1, 2012.]

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A BILL to amend and reenact §17A-10-1 and §17A-10-3 of the Code of West Virginia, 1931, as amended, all relating to classification of motor vehicles for purpose of registration; changing the definition of “Class A” vehicles by increasing the maximum weight of Class A to include certain vehicles now classified as Class B; establishing the fee for those reclassified vehicles; and defining “Class Farm Truck” as “Class X”.

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

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

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

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

1 Vehicles subject to registration under the provisions of  
2 this chapter shall be placed in the following classes for the  
3 purpose of registration:

4 Class A. Motor vehicles of passenger type and trucks  
5 with a gross weight of ~~not more than eight~~ ten thousand  
6 pounds or less;

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

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

14 Class G. Motorcycles and parking enforcement vehicles;

15 Class H. Motor vehicles operated regularly for the  
16 transportation of persons for compensation under a certifi-  
17 cate of convenience and necessity or contract carrier permit  
18 issued by the Public Service Commission;

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

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

24 Class R. House trailers;

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

28 Class ~~Farm Truck~~ X. Motor vehicles designated as trucks  
29 having a minimum gross weight of more than eight thousand  
30 pounds and a maximum gross weight of eighty thousand  
31 pounds, used exclusively in the conduct of a farming busi-  
32 ness, engaged in the production of agricultural products by  
33 means of: (a) The planting, cultivation and harvesting of  
34 agricultural, horticultural, vegetable or other products of the  
35 soil; or (b) the raising, feeding and care of livestock, poultry,  
36 bees and dairy cattle. A farm truck may be used only for the  
37 transportation of agricultural products produced by the  
38 owner of the truck, for the transportation of agricultural  
39 supplies used in the production or for private passenger use.

**§17A-10-3. Registration fees for vehicles equipped with pneu-  
matic tires.**

1 The following registration fees for the classes indicated  
2 shall be paid to the division for the registration of vehicles

3 subject to registration under this chapter when equipped  
4 with pneumatic tires:

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

7 (1) *Class A.* — The registration fee for ~~all~~ motor vehicles  
8 of this class is \$28.50: *Provided*, That the registration fees  
9 and any other fees required by this chapter for Class A  
10 vehicles under the optional biennial staggered registration  
11 system shall be multiplied by two and paid biennially to the  
12 division.

13 No license fee may be charged for vehicles owned by  
14 churches, or by trustees for churches, which are regularly  
15 used for transporting parishioners to and from church  
16 services. Notwithstanding the exemption, the certificate of  
17 registration and license plates shall be obtained the same as  
18 other cards and plates under this article.

19 (2) *Class B.* — The registration fee for all motor vehicles  
20 of this class is as follows:

21 (A) For declared gross weights of ~~eight~~ ten thousand one  
22 pounds to sixteen thousand pounds — \$28 plus \$5 for each  
23 one thousand pounds or fraction of one thousand pounds that  
24 the gross weight of the vehicle or combination of vehicles  
25 exceeds ~~eight~~ ten thousand pounds.

26 (B) For declared gross weights greater than sixteen  
27 thousand pounds, but less than fifty-five thousand pounds —  
28 \$78.50 plus \$10 for each one thousand or fraction of one  
29 thousand pounds that the gross weight of the vehicle or  
30 combination of vehicles exceeds sixteen thousand pounds.

31 (C) For declared gross weights of fifty-five thousand  
32 pounds or more — \$737.50 plus \$15.75 for each one thousand  
33 pounds or fraction of one thousand pounds that the gross  
34 weight of the vehicle or combination of vehicles exceeds  
35 fifty-five thousand pounds.

36 (3) *Class G.* — The registration fee for each motorcycle or  
37 parking enforcement vehicle is \$8: *Provided,* That the  
38 registration fee and any other fees required by this chapter  
39 for Class G vehicles shall be for at least one year and under  
40 an optional biennial registration system the annual fee shall  
41 be multiplied by two and paid biennially to the division.

42 (4) *Class H.* — The registration fee for all vehicles for this  
43 class operating entirely within the state is \$5; and for  
44 vehicles engaged in interstate transportation of persons, the  
45 registration fee is the amount of the fees provided by this  
46 section for Class B, reduced by the amount that the mileage  
47 of the vehicles operated in states other than West Virginia

48 bears to the total mileage operated by the vehicles in all  
49 states under a formula to be established by the Division of  
50 Motor Vehicles.

51 (5) *Class J.* — The registration fee for all motor vehicles  
52 of this class is \$85. Ambulances and hearses used exclusively  
53 as ambulances and hearses are exempt from the special fees  
54 set forth in this section.

55 (6) *Class M.* — The registration fee for all vehicles of this  
56 class is \$17.50.

57 (7) *Class ~~farm truck~~ X.* — The registration fee for all  
58 motor vehicles of this class is as follows:

59 (A) For farm trucks of declared gross weights of eight  
60 thousand one pounds to sixteen thousand pounds — \$30.

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

63 (C) For farm trucks of declared gross weights of twenty-  
64 two thousand one pounds to twenty-eight thousand pounds  
65 — \$90.

66 (D) For farm trucks of declared gross weights of twenty-  
67 eight thousand one pounds to thirty-four thousand pounds —  
68 \$115.

69 (E) For farm trucks of declared gross weights of thirty-  
70 four thousand one pounds to forty-four thousand pounds —  
71 \$160.

72 (F) For farm trucks of declared gross weights of forty-  
73 four thousand one pounds to fifty-four thousand pounds —  
74 \$205.

75 (G) For farm trucks of declared gross weights of fifty-  
76 four thousand one pounds to eighty thousand pounds —  
77 \$250: *Provided*, That the provisions of subsection (a), section  
78 eight, article one, chapter seventeen-e of this code do not  
79 apply if the vehicle exceeds sixty-four thousand pounds and  
80 is a truck tractor or road tractor.

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

85 (1) *Class R.* — The annual registration fee for all vehicles  
86 of this class is \$12.

87 (2) *Class T.* — The annual registration fee for all vehicles  
88 of this class is \$8.

89 (c) The fees paid to the division for a multiyear registra-  
90 tion provided by this chapter shall be the same as the annual

91 registration fee established by this section and any other fee  
92 required by this chapter multiplied by the number of years  
93 for which the registration is issued.

94 (d) The registration fee for all Class C vehicles is \$50. ~~On~~  
95 ~~or before July 1, 2000, all~~ All Class C trailers shall be  
96 registered for the duration of the owner's interest in the  
97 trailer and do not expire until either sold or otherwise  
98 permanently removed from the service of the owner: *Pro-*  
99 *vided*, That a registrant may transfer a Class C registration  
100 plate from a trailer owned less than thirty days to another  
101 Class C trailer titled in the name of the registrant upon  
102 payment of the transfer fee prescribed in section ten of this  
103 article.

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(NOTE: The purpose of this bill is to expand the definition of Class A vehicles to include larger pickup type trucks registered at more than 8,000 pounds but no more than 10,000 pounds. This change would allow these vehicles to display special license plates and allow sheriffs to renew these registrations in their offices. The bill also designates class farm trucks as "Class X".

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.)