

# **WEST VIRGINIA LEGISLATURE**

**2016 REGULAR SESSION**

**ENROLLED**

**Committee Substitute**

**for**

**House Bill 4168**

BY DELEGATES HOWELL, FRICH, STORCH, ARVON,  
ELDRIDGE, MOFFATT, FAIRCLOTH, UPSON, WESTFALL,  
R. PHILLIPS AND MILLER

[Passed March 12, 2016; in effect July 1, 2016.]

1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,  
2 designated §17A-6F-1, §17A-6F-2, §17A-6F-3 and §17A-6F-4, all relating to creating a  
3 special motor vehicle collector license plate; defining terms; establishing requirements and  
4 fees for a motor vehicle collector license plate application and for use of such plate;  
5 creating a misdemeanor offense; establishing criminal penalties; and requiring emergency  
6 and legislative rulemaking.

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

1 That the Code of West Virginia, 1931, as amended, be amended and reenacted by adding  
2 thereto a new article, designated §17A-6F-1, §17A-6F-2, §17A-6F-3 and §17A-6F-4, all to read  
3 as follows:

**ARTICLE 6F. MOTOR VEHICLE COLLECTOR LICENSE PLATE.**

**§17A-6F-1. Definitions.**

1 For the purposes of this article:

2 “Collector motor vehicle” means a motor vehicle that is more than twenty-five years old  
3 and is owned solely as a collector’s item.

4 “Motor vehicle collector” or “collector” means any person who holds a motor vehicle  
5 collector license plate.

**§17A-6F-2. Special motor vehicle collector license plate; qualifications; fees.**

1 (a) The commissioner may issue special motor vehicle collector license plates in  
2 accordance with this article. To qualify for and receive a motor vehicle collector license plate, an  
3 applicant must meet the following requirements:

- 4 (1) Be a permanent resident of the State of West Virginia;
- 5 (2) Submit an application in a form specified by the commissioner;
- 6 (3) Own a collector motor vehicle;
- 7 (4) Present proof of ownership of the vehicle or a bill of sale; and
- 8 (5) Present proof financial responsibility required in section two, article four, chapter

9 seventeen-d of this code covering the motor vehicle.

10 (b) Once a person is issued a motor vehicle collector license plate pursuant to this article,  
11 the person is not required to continue to own a collector motor vehicle to maintain or renew the  
12 special motor vehicle collector license plate.

13 (c) A motor vehicle collector license plate issued pursuant to this article is valid for a period  
14 of one year from the date of issue. A collector may hold multiple special motor vehicle collector  
15 license plates at the same time.

16 (d) The fee for a special motor vehicle collector plate is \$60, and the annual renewal fee  
17 is \$60. The fee for an additional special motor vehicle collector plate is \$30, and the annual fee  
18 to renew is \$30 per plate.

19 (e) Misuse of a motor vehicle collector plate, by intentionally or fraudulently displaying  
20 such plate in a manner inconsistent with the provisions of this article, shall be a misdemeanor  
21 punishable by a fine of not more than \$50 for a first offense and not more than \$100 for each  
22 additional offense. A motor vehicle collector plate may not be used by a car dealer or broker as  
23 defined in sections one, article six, chapter seventeen-a of this code.

**§17A-6F-3. Use of collector motor vehicles with a motor vehicle collector plate.**

1 (a) A collector motor vehicle may be operated upon the streets and highways displaying  
2 a motor vehicle collector plate if:

3 (1) The vehicle displays a motor vehicle collector license plate, issued pursuant to this  
4 article; and

5 (2) The vehicle has been owned by the collector for thirty days or less, or the vehicle has  
6 a certificate of title in the name of the collector issued in this state.

7 (b) A collector motor vehicle may not be used for general transportation and may only be  
8 used for purposes allowed for the use of antique motor vehicles provided in subsection (b), section  
9 three-a, article ten, chapter seventeen-a of this code.

10 (c) A collector may transfer a motor vehicle collector license plate among multiple collector

11 motor vehicles under his or her ownership: *Provided*, That the collector operates each vehicle in  
12 compliance with the requirements of this article.

**§17A-6F-4. Rulemaking.**

1 The commissioner shall promulgate emergency legislative rules and legislative rules in  
2 accordance with the provisions of chapter twenty-nine-a of this code as may be necessary or  
3 convenient for the carrying out of the provisions of this article. Notwithstanding any other  
4 provisions of this code to the contrary, upon the enactment of this article in the 2016 Regular  
5 Session, the provision of this article shall govern motor vehicle collector plates: *Provided*, That  
6 the commissioner may amend existing legislative rules to carry out of the provisions of this article.