

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Committee Substitute

for

House Bill 2338

BY DELEGATE HOWELL AND PORTERFIELD

[Originating in the Committee on Government

Organization, February 8, 2019.]

1 A BILL to amend and reenact §17A-10-3a the Code of West Virginia, 1931, as amended, relating
2 to allowing the owner of an antique military vehicle to display alternate registration insignia
3 that is compatible with the vehicle's original markings in lieu of a registration plate.

Be it enacted by the Legislature of West Virginia:

ARTICLE 10. FEES FOR REGISTRATION, LICENSING, ETC.

§17A-10-3a. Special registration of antique motor vehicles and motorcycles; definition, registration, and use of classic motor vehicles and classic motorcycles; customized antique plates.

1 (a) The annual registration fee for any antique motor vehicle or motorcycle as defined in
2 this section is \$2. As used in this section:

3 (1) "Antique motor vehicle" means any motor vehicle which is more than 25 years old and
4 is owned solely as a collector's item;

5 (2) "Antique military vehicle" means an antique motor vehicle, including a trailer,
6 regardless of the vehicle's size or weight, that was manufactured for use in any country's military
7 forces, and is maintained to represent its military design and markings accurately.

8 (3) "Antique motorcycle" means any motorcycle which is more than 25 years old and is
9 owned solely as a collector's item;

10 (4) "Classic motor vehicle" means a motor vehicle which is more than 25 years old and is
11 registered pursuant to §17A-10-3 of this code and is used for general transportation;

12 (5) "Classic motorcycle" means a motorcycle which is more than 25 years old and is
13 registered pursuant to §17A-10-3 of this code and is used for general transportation.

14 (b) Except as otherwise provided in this section, antique motor vehicles, antique military
15 vehicles or motorcycles may not be used for general transportation but may only be used for:

16 (1) Participation in club activities, exhibits, tours, parades, and similar events;

17 (2) The purpose of testing their operation, obtaining repairs or maintenance, and
18 transportation to and from events as described in §17A-10-3a(b)(1) of this code; and

19 (3) Recreational purposes over weekends, beginning on Friday at 12:00 p. m., and ending
20 on the following Monday at 12:00 p.m., and on holidays: *Provided*, That a classic motor vehicle
21 or a classic motorcycle as defined in this section may be registered under the applicable class at
22 the applicable registration fee set forth in §17A-10-3 of this code and may be used for general
23 transportation.

24 (c) A West Virginia motor vehicle or motorcycle displaying license plates of the same year
25 of issue as the model year of the antique motor vehicle or motorcycle, as authorized in this section,
26 may be used for general transportation purposes if the following conditions are met:

27 (1) The license plate's physical condition has been inspected and approved by the Division
28 of Motor Vehicles;

29 (2) The license plate is registered to the specific motor vehicle or motorcycle by the
30 Division of Motor Vehicles;

31 (3) The owner of the motor vehicle or motorcycle annually registers the motor vehicle or
32 motorcycle and pays an annual registration fee for the motor vehicle or motorcycle equal to that
33 charged to obtain regular state license plates;

34 (4) The motor vehicle or motorcycle passes an annual safety inspection; and

35 (5) The motor vehicle or motorcycle displays a sticker attached to the license plate, issued
36 by the division, indicating that the motor vehicle or motorcycle may be used for general
37 transportation.

38 (d) If more than one request is made for license plates having the same number, the
39 division shall accept only the first application.

40 (e) The commissioner may propose rules for legislative approval in accordance with the
41 provisions of §29A-3-1 *et seq.* of this code as may be necessary or convenient for the carrying
42 out of the provisions of this section.

43 (f) Upon appropriate application, together with a special annual fee of \$40, which is in
44 addition to all other fees required by this chapter, there shall be issued to the owner of an antique

45 motor vehicle a special registration plate for an antique motor vehicle titled in the name of the
46 qualified applicant, bearing a combination of letters or numbers requested by that applicant,
47 subject to the approval by the commissioner, and with the maximum number of letters or numbers
48 to be determined by the commissioner.

49 (g) An antique military vehicle is exempt from the requirement to display a registration
50 plate if the exemption is necessary to maintain the vehicle's accurate military markings. Upon
51 proper application submitted with an application pursuant to subsection (f) of this section, the
52 commissioner shall approve an alternative registration insignia for an antique military vehicle that
53 is compatible with the vehicle's original markings, including, but not limited to, the display of the
54 vehicle's unique military identification number not to exceed eight characters on the bumper of
55 the vehicle: *Provided*, That nothing in this section exempts the operator of an antique military
56 vehicle from the requirements set forth in §17A-3-13 of this code.

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