

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Enrolled

Committee Substitute

for

Senate Bill 690

SENATORS MAYNARD AND CLINE, *original sponsors*

[Passed March 7, 2020; in effect 90 days from

passage]

1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,
2 designated §17A-13-1, relating to the operation of street-legal special purpose vehicles;
3 permitting the operation of street-legal special purpose vehicles on highways; providing
4 for registration of street-legal special purpose vehicles; establishing licensing and
5 equipment requirements for street-legal special purpose vehicles; defining terms;
6 requiring rulemaking; clarifying that low-speed vehicles are not special purpose vehicles
7 or street-legal special purpose vehicles; and allowing low speed vehicles to cross state
8 routes at traffic lights when the state route does not have a posted speed limit greater than
9 40 miles per hour.

Be it enacted by the Legislature of West Virginia:

ARTICLE 13. STREET-LEGAL SPECIAL PURPOSE VEHICLES.

§17A-13-1. Street-legal special purpose vehicles; operation on highways; registration procedures; licensing requirements; equipment requirements.

1 (a) Except as required in subsection (c) of this section, an individual may operate a “street-
2 legal special purpose vehicle” on a street or highway.

3 (b) For the purposes of this section:

4 (1) “Special purpose vehicle” includes all-terrain vehicles, utility terrain vehicles, mini-
5 trucks, pneumatic-tired military vehicles, and full-size special purpose-built vehicles, including
6 those self-constructed or built by the original equipment manufacturer and those that have been
7 modified.

8 (2) “Street-legal special purpose vehicle” is a special purpose vehicle that meets the
9 requirements of this section.

10 (c) An individual may not operate a special purpose vehicle as a street-legal special
11 purpose vehicle on a highway if:

12 (1) The highway is a controlled-access system, including, but not limited to, interstate
13 systems; or

14 (2) The county, municipality, or the Division of Natural Resources where the highway is
15 located prohibits special purpose vehicles.

16 (d) Street-legal special purpose vehicles are prohibited from traveling a distance greater
17 than 20 miles on a highway displaying centerline pavement markings.

18 (e) All street-legal special purpose vehicles are subject to the certificate of title provisions
19 of §17A-1-1 *et seq.* of this code.

20 (f) Nothing in this section authorizes the operation of a street-legal special purpose vehicle
21 in an area that is not open to motor vehicle use.

22 (g) A street-legal special purpose vehicle may be registered in the same manner as
23 provided for motorcycles pursuant to this chapter.

24 (h) Upon registration of any street-legal special purpose vehicle pursuant to this section,
25 the Division of Motor Vehicles shall issue a registration plate that is of the same size as Class G
26 special registration plates for motorcycles.

27 (i) Except as otherwise provided in this section, a street-legal special purpose vehicle shall
28 comply with the Division of Motor Vehicles' licensing, fee, and other requirements pursuant to this
29 chapter.

30 (j) The owner of a special purpose vehicle being operated as a street-legal special purpose
31 vehicle shall ensure the vehicle is equipped with:

32 (1) One or more headlamps;

33 (2) One or more tail lamps;

34 (3) One or more brake lamps;

35 (4) A tail lamp or other lamp constructed and placed to illuminate the registration plate with
36 a white light;

37 (5) One or more red reflectors on the rear;

38 (6) Amber electric turn system, one on each side of the front;

39 (7) Amber or red electric turn signals;

40 (8) A braking system, other than a parking brake;

41 (9) A horn or other warning device;

42 (10) A muffler and, if required by an applicable federal statute or rule, an emission control
43 system;

44 (11) Rearview mirrors on the right and left side of the driver;

45 (12) A windshield, unless the operator wears eye protection while operating the vehicle;

46 (13) A speedometer, illuminated for nighttime operation;

47 (14) For vehicles designed by the manufacturer for carrying one or more passengers, a
48 seat designed for passengers; and

49 (15) Tires that have at least 2/32 inches or greater tire tread.

50 (16) When owners of a street-legal special purpose vehicle have ensured that such
51 vehicles are equipped as required by this subsection, and those owners obtain a valid registration
52 card and certificate of insurance for such vehicles, those vehicles are eligible to apply for a
53 motorcycle trailer sticker.

54 (k) Mini-trucks may not be operated as street-legal special purpose vehicles on highways
55 that have been constructed pursuant to a federal highways program.

56 (l) Low-speed vehicles as defined in §17A-1-1 of the code are not considered special
57 purpose vehicles or street-legal special purpose vehicles under this section. However, low-speed
58 vehicles may cross state routes at traffic lights when the state route does not have a posted speed
59 limit greater than 40 miles per hour.

60 (m) The Division of Motor Vehicles shall propose rules for legislative approval in
61 accordance with §29A-3-1 *et seq.* of this code to implement this section.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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Chairman, Senate Committee

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Chairman, House Committee

Originated in the Senate.

In effect 90 days from passage.

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Clerk of the Senate

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Clerk of the House of Delegates

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President of the Senate

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Speaker of the House of Delegates

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Day of, 2020.

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Governor