

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 2049

By Delegate Hanna

[Introduced January 11, 2023; Referred to the
Committee on Technology and Infrastructure]

1 A BILL to amend and reenact §17A-10-3a of the Code of West Virginia, 1931, as amended,
2 relating to the registration of antique vehicles.

Be it enacted by the Legislature of West Virginia:

ARTICLE 10. FEES FOR REGISTRATION, LICENSING, ETC.

**§17A-10-3a. Special registration and use of antique motor vehicles and motorcycles;
definitions; use of classic motor vehicles and classic motorcycles; customized
antique plates; exemption for display of registration plate.**

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 "Antique motor vehicle" means any motor vehicle which is more than 25 years old and is
4 owned solely as a collector's item, including vehicles up to and exceeding 10,000 lbs when no
5 longer used for commercial purposes and in compliance with subsection (b) of this section.

6 "Antique military vehicle" means an antique motor vehicle, regardless of the vehicle's size
7 or weight, that was manufactured for use in any country's military forces, and that is maintained to
8 represent its military design and markings accurately, including a trailer meeting the same
9 requirements, but not including a vehicle or trailer currently in service.

10 "Antique motorcycle" means any motorcycle which is more than 25 years old and is owned
11 solely as a collector's item.

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

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

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

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

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

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

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

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

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

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

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

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

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

45 (f) Upon appropriate application, together with a special annual fee of \$40, which is in
46 addition to all other fees required by this chapter, there shall be issued to the owner of an antique
47 motor vehicle a special registration plate for an antique motor vehicle titled in the name of the
48 qualified applicant, bearing a combination of letters or numbers requested by that applicant,
49 subject to the approval by the commissioner, and with the maximum number of letters or numbers
50 to be determined by the commissioner.

51 (g) Upon proper application pursuant to §17A-10-3a(f) of this code, the commissioner shall
52 approve an alternative registration insignia for an antique military vehicle that is compatible with
53 the vehicle's original markings, including, but not limited to, the display of the vehicle's unique
54 military identification number not to exceed eight characters on the bumper of the vehicle:
55 *Provided*, That nothing in this section exempts the operator of an antique military vehicle from the
56 requirements set forth in §17A-3-13 of this code. Pursuant to this subsection, an antique military
57 vehicle is exempt from the requirement to display a registration plate if the exemption is necessary
58 to maintain the vehicle's accurate military marking.

NOTE: The purpose of this bill is to allow for trucks up to 10,000lbs to be registered as antique vehicles when no longer used for commercial purposes.

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