

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 3165

By Delegates Linville and Kump

[Introduced January 31, 2023; Referred to the
Committee on Technology and Infrastructure then
Finance]

1 A BILL to amend and reenact §17A-10-8 of the Code of West Virginia, 1931, as amended, relating
 2 to vehicles exempt from payment of registration fees, by lowering the percentage of a
 3 service-connected disability required for exemption from 100 percent to 50 percent or
 4 greater; and, by adding recipients of the Distinguished Service Cross, Navy Cross, or Air
 5 Force Cross, to the list of persons who may receive such exemption.

Be it enacted by the Legislature of West Virginia:

ARTICLE 10. FEES FOR REGISTRATION, LICENSING, ETC.

§17A-10-8. Vehicles exempt from payment of registration fees.

1 The following specified vehicles shall be exempt from the payment of any registration fees:

2 (1) Any vehicle owned or operated by the United States government, the State of West
 3 Virginia or any of their political subdivisions. The proper representative of the United States
 4 government, the State of West Virginia or any of their political subdivisions shall make an
 5 application for registration for the vehicle and the registration plate or plates issued for the vehicle
 6 shall be displayed as provided in this chapter;

7 (2) Any fire vehicle owned or operated by a volunteer fire department organized for the
 8 protection of community property;

9 (3) Any ambulance or any other emergency rescue vehicle owned or operated by a
 10 nonprofit, charitable organization and used exclusively for charitable purposes;

11 (4) Any vehicle owned by a disabled veteran as defined by the provisions of Public Law
 12 663 of the 79th Congress of the United States, or Public Law 187 of the 82nd Congress of the
 13 United States, or Public Law 77 of the 90th Congress of the United States; except for vehicles
 14 used for hire which are owned by disabled veterans;

15 (5) Not more than one vehicle owned by a veteran with a ~~hundred percent total~~ and
 16 permanent service-connected disability of not less than 50% as certified by the Director of the
 17 Department of Veterans' Affairs of West Virginia and not used for commercial purposes;

18 (6) Not more than one Class A or Class G vehicle, as defined in section one of this article,

19 owned by a former prisoner of war and not used for commercial purposes. For purposes of this
20 subdivision, the term "prisoner of war" means any member of the Armed Forces of the United
21 States, including the United States Coast Guard and National Guard, who was held by any hostile
22 force with which the United States was actually engaged in armed conflict during any period of the
23 incarceration; or any person, military or civilian, assigned to duty on the U.S.S. Pueblo who was
24 captured by the military forces of North Korea on January 23, 1968, and thereafter held prisoner;
25 except any person who, at any time, voluntarily, knowingly and without duress, gave aid to or
26 collaborated with or in any manner served any such hostile force;

27 (7) Not more than one Class A or Class G vehicle, as defined in section one of this article,
28 owned by a recipient of the Congressional Medal of Honor, Distinguished Service Cross, Navy
29 Cross, or Air Force Cross, and not used for commercial purposes; and

30 (8) Vehicles registered in the name of community action agencies and used exclusively for
31 a Head Start program.

NOTE: The purpose of this bill is to modify certain vehicles exempt from payment of registration fees, by lowering the percentage of a service-connected disability required for exemption from 100 percent to 50 percent or greater. The bill also adds recipients of the Distinguished Service Cross, Navy Cross, or Air Force Cross, to the list of persons who may receive such exemption.

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