

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

Senate Bill 265

By Senators Weld, Captuo, Phillips, Clements, Hunt,
and Rucker

[Introduced January 17, 2023; referred
to the Committee on Transportation and
Infrastructure]

1 A BILL to amend and reenact §17A-10-3a of the Code of West Virginia, 1931, as amended,
 2 relating to allowing for a special license plate for an antique motor vehicle to be permanent
 3 for the life of a vehicle.

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, regardless of weight, which is more than
 4 25 years old and is owned solely as a collector's item.

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

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

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

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

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

- 17 (1) Participation in club activities, exhibits, tours, parades, and similar events;
- 18 (2) The purpose of testing their operation, obtaining repairs or maintenance, and

19 transportation to and from events as described in §17A-10-3a(b)(1) of this code; and

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

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

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

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

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

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

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

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

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

44 (f) Upon appropriate application, together with a special annual fee of \$40, which is in

45 addition to all other fees required by this chapter, there shall be issued to the owner of an antique
46 motor vehicle a special registration plate for an antique motor vehicle titled in the name of the
47 qualified applicant, bearing a combination of letters or numbers requested by that applicant,
48 subject to the approval by the commissioner, and with the maximum number of letters or numbers
49 to be determined by the commissioner.

50 (g) Notwithstanding any other provision of this code to the contrary, a special registration
51 plate for an antique vehicle shall be permanent and issued for the life of the vehicle while that
52 vehicle is owned by the applicant. In the event the vehicle's present owner sells the vehicle, the
53 registration plate shall remain with the seller/owner and may be used on another qualified antique
54 vehicle, provided that seller/owner pays all applicable registration and title fees. If the owner sells
55 the vehicle, the special registration plate may be transferred to the vehicle's new owner in
56 accordance with rules promulgated by the Division of Motor Vehicles.

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

NOTE: The purpose of this bill is to allow for a special license plate for an antique motor vehicle to be permanent for the life of a vehicle.

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