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WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1995



ENROLLED

SENATE BILL NO. 209

(By Senator MILLER, ET AL)



PASSED MARCH 11, 1995

In Effect FROM Passage

ENROLLED
Senate Bill No. 209

(BY SENATORS MILLER, LOVE, BAILEY AND WHITLOW)

[Passed March 11, 1995; in effect from passage.]

AN ACT to amend and reenact section sixteen, article three, chapter seventeen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to amend and reenact section three, article ten of said chapter, all relating to motor vehicle registration; repealing the requirement that certain trucks be registered for one of twelve registration periods; repealing provisions regarding allocations of registration periods for trucks and other motor vehicles; establishing a three-year registration period of Class T and Class R vehicles; and payment of fees for multiyear registration.

Be it enacted by the Legislature of West Virginia:

That section sixteen, article three, chapter seventeen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted; and that section three, article ten of said chapter, be amended and reenacted, all to read as follows:

ARTICLE 3. ORIGINAL AND RENEWAL OF REGISTRATION; ISSUANCE OF CERTIFICATES OF TITLE.**§17A-3-16. Expiration of registration and certificates of title.**

1 (a) Every vehicle registration under this chapter and
2 every registration card and registration plate issued
3 hereunder shall expire at midnight on the last day of the
4 month designated by the commissioner: *Provided*, That
5 the commissioner may extend the period during which
6 said registration plates may be used.

7 Certificates of title need not be renewed annually but
8 shall remain valid until canceled by the division for
9 cause or upon a transfer of any interest shown therein.

10 (b) Notwithstanding the provisions of this section or of
11 any provision of this chapter, the commissioner shall
12 adopt a staggered registration system whereby the
13 registration of Class A motor vehicles shall be for a
14 period of twelve consecutive calendar months, the
15 expiration dates thereof to be staggered throughout the
16 year.

17 (1) On or after the first day of July, one thousand nine
18 hundred seventy-eight, all Class A motor vehicles as
19 defined in section one, article ten of this chapter, shall be
20 registered for a period of twelve consecutive calendar
21 months. There hereby are established twelve registra-
22 tion periods, each of which shall start on the first day of
23 each calendar month of the year and shall end on the last
24 day of the twelfth month from date of beginning. The
25 period ending on the thirty-first day of January shall be
26 designated the first period; that ending on the twenty-
27 eighth (twenty-ninth) day of February shall be desig-
28 nated the second; that ending on the thirty-first day of
29 March shall be designated the third; that ending on the
30 thirtieth day of April shall be designated the fourth; that
31 ending on the thirty-first day of May shall be designated
32 the fifth; that ending on the thirtieth day of June shall be
33 designated the sixth; that ending on the thirty-first day
34 of July shall be designated the seventh; that ending on
35 the thirty-first day of August shall be designated the

36 eighth; that ending on the thirtieth day of September
37 shall be designated the ninth; that ending on the thirty-
38 first day of October shall be designated the tenth; that
39 ending on the thirtieth day of November shall be desig-
40 nated the eleventh; and that ending on the thirty-first
41 day of December shall be designated the twelfth.

42 (2) All Class A motor vehicles, which are operated for
43 the first time upon the public highways of this state to
44 and including the fifteenth day of any given month shall
45 be subject to registration and payment of fee for the
46 twelve-month period commencing the first day of the
47 month of operation. All Class A motor vehicles operated
48 for the first time upon the public highways of this state
49 on and after the sixteenth day of any given month shall
50 be subject to registration and payment of fee for the
51 twelve-month period commencing the first day of the
52 month of the next following calendar month.

53 (c) On or before the first day of July, one thousand nine
54 hundred ninety-six, all Class T and Class R vehicles shall
55 be registered for a maximum period of three years or
56 portion thereof based on the number of years remaining
57 in the three-year period designated by the commissioner.

ARTICLE 10. FEES FOR REGISTRATION, LICENSING, ETC.

**§17A-10-3. Registration fees for vehicles equipped with
pneumatic tires.**

1 The following registration fees for the classes indicated
2 shall be paid to the division for the registration of
3 vehicles subject to registration hereunder when equipped
4 with pneumatic tires:

5 (a) Registration fees for the following classes shall be
6 paid to the division annually:

7 (1) *Class A.* — The registration fee for all motor
8 vehicles of this class is as follows:

9 (A) For motor vehicles of a weight of three thousand
10 pounds or less — twenty-five dollars.

11 (B) For motor vehicles of a weight of three thousand

12 and one pounds to four thousand pounds — thirty
13 dollars.

14 (C) For motor vehicles of a weight in excess of four
15 thousand pounds — thirty-six dollars.

16 (D) For motor vehicles designed as trucks with de-
17 clared gross weights of four thousand pounds or less —
18 twenty-five dollars.

19 (E) For motor vehicles designed as trucks with de-
20 clared gross weights of four thousand and one pounds to
21 eight thousand pounds — thirty dollars.

22 For the purpose of determining the weight, the actual
23 weight of the vehicle shall be taken: *Provided*, That for
24 vehicles owned by churches, or by trustees for churches,
25 which vehicles are regularly used for transporting
26 parishioners to and from church services, no license fee
27 shall be charged, but notwithstanding such exemption,
28 the certificate of registration and license plates shall be
29 obtained the same as other cards and plates under this
30 article.

31 (2) *Class B, Class E and Class K.* — The registration fee
32 for all motor vehicles of these three classes is as follows:

33 (A) For declared gross weights of eight thousand and
34 one pounds to sixteen thousand pounds — twenty-eight
35 dollars plus five dollars for each one thousand pounds or
36 fraction thereof that the gross weight of such vehicle or
37 combination of vehicles exceeds eight thousand pounds.

38 (B) For declared gross weights greater than sixteen
39 thousand pounds, but less than fifty-five thousand
40 pounds — seventy-eight dollars and fifty cents plus ten
41 dollars for each one thousand pounds or fraction thereof
42 that the gross weight of such vehicle or combination of
43 vehicles exceeds sixteen thousand pounds.

44 (C) For declared gross weights of fifty-five thousand
45 pounds or more — seven hundred thirty-seven dollars
46 and fifty cents plus fifteen dollars and seventy-five cents
47 for each one thousand pounds or fraction thereof that

48 the gross weight of such vehicle or combination of
49 vehicles exceeds fifty-five thousand pounds.

50 (3) *Class C and Class L.* — The registration fee for all
51 vehicles of these two classes is seventeen dollars and
52 fifty cents except that semitrailers, full trailers, pole
53 trailers, and converter gear registered as Class C and
54 Class L may be registered for a period of ten years at a
55 fee of one hundred dollars.

56 (4) *Class G.* — The registration fee for each motorcycle
57 is eight dollars.

58 (5) *Class H.* — The registration fee for all vehicles for
59 this class operating entirely within the state is five
60 dollars; and for vehicles engaged in interstate transpor-
61 tation of persons, the registration fee is the amount of
62 the fees provided by this section for Class B, Class E and
63 Class K reduced by the amount that the mileage of such
64 vehicles operated in states other than West Virginia
65 bears to the total mileage operated by such vehicles in all
66 states under a formula to be established by the division
67 of motor vehicles.

68 (6) *Class J.* — The registration fee for all motor vehicles
69 of this class is eighty-five dollars. Ambulances and
70 hearses used exclusively as such are exempt from the
71 above special fees.

72 (7) *Class S.* — The registration fee for all vehicles of
73 this class is seventeen dollars and fifty cents.

74 (8) *Class U.* — The registration fee for all vehicles of
75 this class is fifty-seven dollars and fifty cents.

76 (9) *Class Farm Truck.* — The registration fee for all
77 motor vehicles of this class is as follows:

78 (A) For farm trucks of declared gross weights of eight
79 thousand and one pounds to sixteen thousand pounds -
80 thirty dollars.

81 (B) For farm trucks of declared gross weights of
82 sixteen thousand and one pounds to twenty-two thou-

83 sand pounds — sixty dollars.

84 (C) For farm trucks of declared gross weights of
85 twenty-two thousand and one pounds to twenty-eight
86 thousand pounds — ninety dollars.

87 (D) For farm trucks of declared gross weights of
88 twenty-eight thousand and one pounds to thirty-four
89 thousand pounds — one hundred fifteen dollars.

90 (E) For farm trucks of declared gross weights of
91 thirty-four thousand and one pounds to forty-four
92 thousand pounds — one hundred sixty dollars.

93 (F) For farm trucks of declared gross weights of
94 forty-four thousand and one pounds to fifty-four thou-
95 sand pounds — two hundred five dollars.

96 (G) For farm trucks of declared gross weights of
97 fifty-four thousand and one pounds to sixty-four thou-
98 sand pounds — two hundred fifty dollars.

99 (b) Registration fees for the following classes shall be
100 paid to the division for a maximum period of three years,
101 or portion thereof based on the number of years remain-
102 ing in the three-year period designated by the commis-
103 sioner:

104 (1) *Class R.* — The annual registration fee for all
105 vehicles of this class is twelve dollars.

106 (2) *Class T.* — The annual registration fee for all
107 vehicles of this class is eight dollars.

108 (c) The fees paid to the division for a multiyear regis-
109 tration provided for by this chapter shall be the same as
110 the annual registration fee established by this section
111 and any other fee required by this chapter multiplied by
112 the number of years for which the registration is issued.

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

Kenneth D. Johnson
.....
Chairman Senate Committee

Ernest C. Moore
.....
Chairman House Committee

Originated in the Senate.

In effect from passage.

Darrell Edgus
.....
Clerk of the Senate

Donald J. Hoff
.....
Clerk of the House of Delegates

Earl Ray Tomblin
.....
President of the Senate

Will Rubin
.....
Speaker House of Delegates

The within *is approved* this the *23rd*

day of *March*, 1995.

Gaston Caperton
.....
Governor

PRESENTED TO THE

GOVERNOR

Date 3/22/95

Time 4:45pm