

SB 141 QS

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WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1996



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Con. Sub. For Con. Sub. For

SENATE BILL NO. 144

(By Senators MILLER & LOVE)



PASSED MARCH 8, 1996

In Effect NINETY DAYS FROM Passage

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OFFICE OF THE CLERK
SENATE AND HOUSE OF DELEGATES
STATE OF WEST VIRGINIA

ENROLLED

COMMITTEE SUBSTITUTE
FOR

COMMITTEE SUBSTITUTE
FOR

Senate Bill No. 144

(SENATORS MILLER AND LOVE, *original sponsors*)

[Passed March 8, 1996; in effect ninety days from passage.]

AN ACT to amend and reenact sections three-a and 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 registration of motor vehicles; payment of personal property taxes prerequisite to registration or renewal; duties of assessors; a schedule of automobile values; expiration of registrations and certifications of title; establishing an optional two-year renewal cycle for Class A motor vehicles; and combining the five different registration fees for Class A motor vehicles into one fee.

Be it enacted by the Legislature of West Virginia:

That sections three-a and 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-3-3a. Payment of personal property taxes prerequisite to registration or renewal; duties of assessors; schedule of automobile values.

1 Certificates of registration and renewal of registration
2 of any vehicle or registration plates for any vehicle shall
3 not be issued or furnished by the division of motor
4 vehicles, or any other officer charged with such duty,
5 unless the applicant for the certificate or registration
6 plate, except an applicant exempt from payment of
7 registration fees under section eight, article ten of this
8 chapter, has furnished the receipt provided for in this
9 section to show full payment of the personal property
10 taxes for the calendar year which immediately precedes
11 the calendar year in which application is made on all
12 vehicles which were registered with the division of motor
13 vehicles in the applicant's name on the tax day for the
14 former calendar year: *Provided*, That after the first day
15 of July, one thousand nine hundred ninety-seven, a
16 certificate or registration plate shall not be issued to an
17 applicant who has chosen the optional two-year registra-
18 tion system provided for in section sixteen of this article,
19 unless the applicant has provided the receipts provided
20 for in this section to show full payment of the personal
21 property taxes for the two calendar years immediately
22 preceding the calendar year in which application is made
23 on all vehicles which were registered with the division of
24 motor vehicles in the applicant's name on the tax day for
25 the former calendar year. If the applicant contends that
26 any registered vehicle was not subject to personal
27 property taxation for that year, he or she shall furnish
28 the information and evidence as the commissioner of
29 motor vehicles may require to substantiate his or her

30 contention.

31 The assessor shall require any person having a duty to
32 make a return of property for taxation to him or her to
33 furnish information identifying each vehicle subject to
34 the registration provisions of this chapter. When the
35 property taxes on any vehicle have been paid, the officer
36 to whom the payment was made shall deliver to the
37 person paying the taxes a written or printed receipt for
38 the payment, and shall retain for his or her records a
39 duplicate of the receipt. It is the duty of the assessor and
40 sheriff, respectively, to see that the assessment records
41 and the receipts contain information adequately identi-
42 fying the vehicle as registered under the provisions of
43 this chapter. The officer receiving payment shall sign
44 each receipt in his or her own handwriting.

45 The state tax commissioner shall annually compile a
46 schedule of automobile values, based on the lowest
47 values shown in a nationally accepted used car guide.
48 The state tax commissioner shall furnish the schedule to
49 each assessor and shall be used by him as a guide in
50 placing the assessed values on all automobiles in his
51 county.

§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 under this chapter expires at midnight on the last day of
4 the month designated by the commissioner: *Provided,*
5 That the commissioner may extend the period during
6 which the registration plates may be used.

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

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 is for a period of
14 twelve consecutive calendar months, the expiration dates

15 of the registrations to be staggered throughout the year:
16 *Provided*, That on or after the first day of July, one
17 thousand nine hundred ninety-seven, the commissioner
18 shall also offer an optional two-year registration system,
19 whereby the registration of all vehicles shall be for a
20 period of twenty-four consecutive calendar months, the
21 expiration dates of the registrations to be staggered
22 throughout the year. Under this option, all annual fees
23 due at the time of registration shall be multiplied by two.

24 (1) On or after the first day of July, one thousand nine
25 hundred ninety-seven, all Class A motor vehicles as
26 defined in section one, article ten of this chapter, shall be
27 registered for a period of twelve or twenty-four consecu-
28 tive calendar months. There hereby are established
29 twelve registration periods, each of which shall start on
30 the first day of each calendar month of the year and shall
31 end on the last day of the twelfth month from date of
32 beginning. The period ending on the thirty-first day of
33 January is designated the first period; that ending on the
34 twenty-eighth (twenty-ninth) day of February is desig-
35 nated the second; that ending on the thirty-first day of
36 March is designated the third; that ending on the thirti-
37 eth day of April is designated the fourth; that ending on
38 the thirty-first day of May is designated the fifth; that
39 ending on the thirtieth day of June is designated the
40 sixth; that ending on the thirty-first day of July is
41 designated the seventh; that ending on the thirty-first
42 day of August is designated the eighth; that ending on
43 the thirtieth day of September is designated the ninth;
44 that ending on the thirty-first day of October is desig-
45 nated the tenth; that ending on the thirtieth day of
46 November is designated the eleventh; and that ending on
47 the thirty-first day of December is designated the
48 twelfth.

49 (2) All Class A motor vehicles, which are operated for
50 the first time upon the public highways of this state to
51 and including the fifteenth day of any given month are
52 subject to registration and payment of the fee for the
53 twelve or twenty-four month period commencing the

54 first day of the month of operation. All Class A motor
55 vehicles operated for the first time upon the public
56 highways of this state on and after the sixteenth day of
57 any given month are subject to registration and payment
58 of fee for the twelve or twenty-four month period
59 commencing the first day of the month of the next
60 following calendar month.

61 (c) On or before the first day of July, one thousand nine
62 hundred ninety-six, all Class T and Class R vehicles shall
63 be registered for a maximum period of three years or
64 portion thereof based on the number of years remaining
65 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 under this chapter when
4 equipped 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 twenty-eight dollars and fifty
9 cents: *Provided,* That the registration fees and any other
10 fees required by this chapter for Class A vehicles under
11 the optional biennial staggered registration system shall
12 be multiplied by two and paid biennially to the division.

13 No license fee shall be charged for vehicles owned by
14 churches, or by trustees for churches, which are regu-
15 larly used for transporting parishioners to and from
16 church services. Notwithstanding the exemption, the
17 certificate of registration and license plates shall be
18 obtained the same as other cards and plates under this
19 article.

20 (2) *Class B, Class E and Class K.* — The registration fee

21 for all motor vehicles of these three classes is as follows:

22 (A) For declared gross weights of eight thousand one
23 pounds to sixteen thousand pounds — twenty-eight
24 dollars plus five dollars for each one thousand pounds or
25 fraction thereof that the gross weight of the vehicle or
26 combination of vehicles exceeds eight thousand pounds.

27 (B) For declared gross weights greater than sixteen
28 thousand pounds, but less than fifty-five thousand
29 pounds — seventy-eight dollars and fifty cents plus ten
30 dollars for each one thousand pounds or fraction thereof
31 that the gross weight of the vehicle or combination of
32 vehicles exceeds sixteen thousand pounds.

33 (C) For declared gross weights of fifty-five thousand
34 pounds or more — seven hundred thirty-seven dollars
35 and fifty cents plus fifteen dollars and seventy-five cents
36 for each one thousand pounds or fraction thereof that
37 the gross weight of the vehicle or combination of vehicles
38 exceeds fifty- five thousand pounds.

39 (3) *Class C and Class L.* — The registration fee for all
40 vehicles of these two classes is seventeen dollars and
41 fifty cents except that semitrailers, full trailers, pole
42 trailers and converter gear registered as Class C and
43 Class L may be registered for a period of ten years at a
44 fee of one hundred dollars.

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

47 (5) *Class H.* — The registration fee for all vehicles for
48 this class operating entirely within the state is five
49 dollars; and for vehicles engaged in interstate transpor-
50 tation of persons, the registration fee is the amount of
51 the fees provided by this section for Class B, Class E and
52 Class K reduced by the amount that the mileage of the
53 vehicles operated in states other than West Virginia
54 bears to the total mileage operated by the vehicles in all
55 states under a formula to be established by the division
56 of motor vehicles.

57 (6) *Class J.* — The registration fee for all motor vehicles
58 of this class is eighty-five dollars. Ambulances and
59 hearses used exclusively as such are exempt from the
60 special fees set forth in this section.

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

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

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

67 (A) For farm trucks of declared gross weights of eight
68 thousand one pounds to sixteen thousand pounds —
69 thirty dollars.

70 (B) For farm trucks of declared gross weights of
71 sixteen thousand one pounds to twenty-two thousand
72 pounds — sixty dollars.

73 (C) For farm trucks of declared gross weights of
74 twenty-two thousand one pounds to twenty-eight
75 thousand pounds — ninety dollars.

76 (D) For farm trucks of declared gross weights of
77 twenty-eight thousand one pounds to thirty-four thou-
78 sand pounds — one hundred fifteen dollars.

79 (E) For farm trucks of declared gross weights of
80 thirty-four thousand one pounds to forty-four thousand
81 pounds — one hundred sixty dollars.

82 (F) For farm trucks of declared gross weights of
83 forty-four thousand one pounds to fifty-four thousand
84 pounds — two hundred five dollars.

85 (G) For farm trucks of declared gross weights of
86 fifty-four thousand one pounds to sixty-four thousand
87 pounds — two hundred fifty dollars.

88 (b) Registration fees for the following classes shall be
89 paid to the division for a maximum period of three years,
90 or portion thereof based on the number of years remain-

91 ing in the three-year period designated by the commis-
92 sioner:

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

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

97 (c) The fees paid to the division for a multiyear regis-
98 tration provided for by this chapter shall be the same as
99 the annual registration fee established by this section
100 and any other fee required by this chapter multiplied by
101 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.

Randy Shaenen
.....
Chairman Senate Committee

Rudy Seaint
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Carroll Adams
.....
Clerk of the Senate

Gregg R. Boy
.....
Clerk of the House of Delegates

Carl Roy Tomblin
.....
President of the Senate

Paul Abner
.....
Speaker House of Delegates

The within *is approved* this the *28th*
day of *March*, 1996.

Gaston Caperton
.....
Governor

PRESENTED TO THE

GOVERNOR

Date 3/22/96

Time 3:10 pm