

WEST VIRGINIA LEGISLATURE  
REGULAR SESSION, 1971



ENROLLED

HOUSE BILL No. 803

(By Mr. SEIBERT)



PASSED MARCH 9, 1971

In Effect NINE DAYS FROM Passage



FILED IN THE OFFICE  
JOHN D. ROSENBERG, IV  
SECRETARY OF STATE

THIS DATE 4-2-71

803

**ENROLLED**  
**House Bill No. 803**  
(By MR. SEIBERT)

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[Passed March 9, 1971; in effect ninety days from passage.]

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AN ACT to amend and reenact section six, article six, chapter twenty-four-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to compensation of commissioners for administering that chapter. *of CA Blankenship* a

*Be it enacted by the Legislature of West Virginia:*

That section six, article six, chapter twenty-four-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted, to read as follows:

**ARTICLE 6. DUTIES AND PRIVILEGES OF MOTOR CARRIERS  
SUBJECT TO REGULATION OF THE COMMISSION.**

**§24A-6-6. Special annual assessment against motor carriers  
for expenses of administering chapter; "public  
service commission motor carrier fund."**

- 1 In addition to the license fees, registration fees, or any
- 2 other taxes required by law to be collected from motor

3 carriers subject to this chapter, each such motor carrier  
4 shall be subject to, and shall pay to the public service  
5 commission, a special annual assessment for the purpose  
6 of paying the salaries, compensation, costs and expenses  
7 of administering and enforcing this chapter. All proceeds  
8 or funds derived from such assessment shall be paid into  
9 the state treasury and credited to a special fund desig-  
10 nated public service commission motor carrier fund, to  
11 be appropriated as provided by law for the purposes  
12 herein stated. Each member of the commission shall re-  
13 ceive a salary of five thousand five hundred dollars per  
14 annum as compensation for the administration of this  
15 chapter in addition to all other salary or compensation  
16 otherwise provided by law, to be paid in monthly install-  
17 ments from said fund. The special assessment against each  
18 motor carrier shall be apportioned upon the number and  
19 capacity of motor vehicles used by said carrier, computed  
20 as hereinafter provided.

21 (a) for each uniform identification card \$ 3.00

22 (b) Upon each power unit of such carriers of  
23 property, in accordance with its capacity as rated

24 by its manufacturer, in addition to amount of sub-

25 division (a):

26 Of one ton or less capacity ..... 9.00

27 Of over one to one and one-half tons capacity ..... 13.50

28 Of over one and one-half tons to two tons capacity .. 18.00

29 Of over two tons to three tons capacity ..... 22.50

30 Of over three tons to four tons capacity ..... 27.00

31 Of over four tons to five tons capacity ..... 31.50

32 Of over five tons to six tons capacity ..... 36.00

33 Of over six tons to seven tons capacity ..... 40.50

34 Of over seven tons to eight tons capacity ..... 45.00

35 Of over eight tons to nine tons capacity ..... 49.50

36 Of over nine tons to ten tons capacity ..... 54.00

37 Of over ten tons capacity, \$54.00 plus \$4.50 for each

38 additional ton of capacity in excess of ten tons.

39 (c) Upon each trailer and semitrailer of such

40 carriers of property, in accordance with its capacity

41 as rated by its manufacturer, in an amount of two-

42 thirds of the amount provided for vehicles of its ca-

43 pacity in subdivision (b) of this section.

44 (d) Upon each power unit of such carriers of

45	passengers, in accordance with the seating capacity	
46	thereof, in addition to amount in subdivision (a):	
47	Of ten passengers or less .....	13.50
48	Of eleven to twenty passengers, inclusive .....	22.50
49	Of twenty-one to thirty passengers, inclusive .....	31.50
50	Of thirty-one to forty passengers, inclusive .....	45.00
51	Of over forty passengers .....	54.00

52 (e) The annual assessment of each motor carrier shall  
 53 be paid on or before the first day of July of each year.  
 54 Additional assessments shall be collected upon the plac-  
 55 ing in use of any additional motor vehicle: *Provided*, That  
 56 such additional assessments shall be subject to a reduc-  
 57 tion in the amounts shown in subdivisions (b), (c), and  
 58 (d) corresponding to the unexpired quarterly periods  
 59 of the fiscal year, but shall not in any event be less than  
 60 one-fourth of such amount plus the sum of three dollars  
 61 provided in subdivision (a).

62 (f) Upon payment by any motor carrier of the as-  
 63 sessment provided for, the public service commission  
 64 shall advise the department of motor vehicles by notice  
 65 in writing that such assessment has been paid, where-

66 upon the department of motor vehicles may issue motor  
67 vehicle license for the vehicles described in said notice.

68 (g) Prior to the beginning of any fiscal year the pub-  
69 lic service commission, after taking into consideration  
70 any unexpended balance in the motor carrier fund, the  
71 probable receipts to be received in the ensuing fiscal year,  
72 and the probable costs of administering and enforcing  
73 this chapter for the ensuing fiscal year, may fix the  
74 assessments provided for in this section for the ensuing  
75 fiscal year in amounts which, in the commission's judg-  
76 ment, will produce sufficient revenue to administer and  
77 enforce this chapter for said fiscal year: *Provided*, That  
78 in no event shall such assessments exceed the amounts  
79 set up in this section.

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

Russell A. Beall  
Chairman Senate Committee

Phyllis J. Rutledge  
Chairman House Committee

Originated in the House.

In effect ninety days from passage.

Howard Nye  
Clerk of the Senate

W. Blankenship  
Clerk of the House of Delegates

Spencer  
President of the Senate

Ivor F. Bowers  
Speaker House of Delegates

The within approved this the 1st  
day of April, 1971.

Arch A. Moore Jr.  
Governor



PRESENTED TO THE  
GOVERNOR

Date 3/13/71

Time 3:45 p.m.

RECEIVED

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OFFICE OF  
SECRETARY OF STATE  
STATE OF WEST VIRGINIA