

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1972

ENROLLED

SENATE BILL NO. 194

(By Mr. BARNETT)

PASSED MARCH 11 1972

In Effect FROM Passage



194

FILED IN THE OFFICE
JOHN D. ROCKEFELLER, IV
SECRETARY OF STATE
THIS DATE 3-22-72

ENROLLED
Senate Bill No. 194
(By MR. BARNETT)

[Passed March 11, 1972; in effect from passage.]

AN ACT to amend and reenact section three, article one, chapter twenty-four-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to motor carriers and exempting from the provisions of this chapter, motor vehicles used exclusively by commission agents and oil distributors.

Be it enacted by the Legislature of West Virginia:

That section three, article one, 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 1. PURPOSE, DEFINITIONS AND EXEMPTIONS.

§24A-1-3. Exemptions from chapter.

- 1 The provisions of this chapter, except where spe-
- 2 cifically otherwise provided, shall not apply to:
- 3 (1) Motor vehicles operated exclusively in the trans-
- 4 portation of United States mail or in the transportation of
- 5 newspapers;
- 6 (2) Motor vehicles owned and operated by the United
- 7 States of America, the state of West Virginia or any
- 8 county, municipality or county board of education, or by
- 9 any department thereof, and any motor vehicles operated
- 10 under a contract with a county board of education ex-
- 11 clusively for the transportation of children to and from
- 12 school or such other legitimate transportation for the
- 13 schools as the commission may specifically authorize;
- 14 (3) Motor vehicles used exclusively in the transporta-
- 15 tion of agricultural or horticultural products, livestock,
- 16 poultry and dairy products from the farm or orchard on
- 17 which they are raised or produced to markets, processing
- 18 plants, packing houses, canneries, railway shipping

19 points and cold storage plants, and in the transportation
20 of agricultural or horticultural supplies to such farms or
21 orchards to be used thereon;

22 (4) Motor vehicles used exclusively in the transporta-
23 tion of human or animal excreta;

24 (5) Motor vehicles used exclusively in ambulance
25 service;

26 (6) Motor vehicles used exclusively for volunteer fire
27 department service;

28 (7) Motor vehicles used exclusively in the transporta-
29 tion of coal from mining operations to loading facilities
30 for further shipment by rail or water carriers; and

31 (8) Motor vehicles used by petroleum commission
32 agents and oil distributors solely for the transportation
33 of petroleum products and related automotive products
34 when such transportation is incidental to the business of
35 selling said products: *Provided, however,* That the owner
36 of said vehicle or vehicles shall have in effect at all times
37 a public liability insurance policy with respect to said
38 vehicle or vehicles and the driver or drivers thereof in
39 an amount equal to or in excess of that required by the
40 public service commission of West Virginia for similar
41 vehicles under its jurisdiction, evidence of which insur-
42 ance shall be filed with the motor carrier division of said
43 public service commission. All such motor vehicles not
44 so insured shall be subject to the provisions of this
45 chapter.

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

Russell H. Bruce
Chairman Senate Committee

Phyllis J. Rutledge
Chairman House Committee

Originated in the Senate.

To take effect from passage.

Howard Wolcott
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

E. H. McCount
President of the Senate

Louis W. McManus
Speaker House of Delegates

The within approved this the 27th
March day of _____, 1972.

Hubert H. Hanes, Jr.
Governor

PRESENTED TO THE
GOVERNOR

Date 3/16/72

Time 2:10 p.m.

MAR 29 9 29 AM '72
OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA