WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1978

ENROLLED
Committee Substitute for
SENATE BILL NO. 217

(By Mr. Baskin, Mr. Mincehart)

PASSED January 11, 1978
In Effect July 1, 1978
AN ACT to amend and reenact sections sixteen and seventeen, article three, chapter seventeen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to amend and reenact sections one, three and eight, article ten of said chapter, all relating to motor vehicles; establishing a staggered registration system for all trucks with gross weights of not more than eight thousand pounds; transferring these vehicles from Class “B” to Class “A” license registration; specifying time periods within which annual registration and payment of fees is to occur; increasing fees for certain classes of motor vehicles; permitting distribution and issuance of the newly created Class A registrations by county sheriffs and specifying date thereof; and exempting from payment of registration fees one vehicle owned by totally and permanently disabled veterans.

Be it enacted by the Legislature of West Virginia:

That sections sixteen and seventeen, 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 sections one, three and eight, 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 Every vehicle registration under this chapter and every
2 registration card and registration plate issued hereunder
shall expire at midnight on the thirtieth day of June
of the fiscal year for which issued: Provided, That the
commissioner may extend the period during which said
registration plates may be used.

Certificates of title need not be renewed annually but
shall remain valid until canceled by the department
for cause or upon a transfer of any interest shown there-
in.

Notwithstanding the provisions of this section or of
any provision of this chapter, the commissioner shall
adopt, for the vehicles set forth below which are sub-
ject to registration hereunder, a staggered registration
system whereby the registration of all such vehicles
shall be for a period of twelve consecutive calendar
months, the expiration dates thereof to be staggered
throughout the year.

(1) On or after the first day of July, one thousand
nine hundred seventy-eight, all Class A motor vehicles
as defined in section one, article ten of this chapter,
shall be registered for a period of twelve consecutive
calendar months. There hereby are established twelve
registration periods, each of which shall start on the
first day of each calendar month of the year and shall
end on the last day of the twelfth month from date of
beginning. The period ending January thirty-first shall
be designated the first period, that ending February
twenty-eighth (twenty-ninth) shall be designated the
second; that ending March thirty-first shall be designated
the third; that ending April thirtieth shall be designated
the fourth; that ending May thirty-first shall be design-
ated the fifth; that ending June thirtieth shall be
designated the sixth; that ending July thirty-first shall
be designated the seventh; that ending August thirty-
first shall be designated the eighth; that ending Sep-
tember thirtieth shall be designated the ninth; that end-
ing October thirty-first shall be designated the tenth;
that ending November thirtieth shall be designated
the eleventh; and that ending December thirty-first shall
be designated the twelfth.

(2) All Class A motor vehicles, which are operated
for the first time upon the public highways of this state
43 to and including the fifteenth day of any given month
44 shall be subject to registration and payment of fee for
45 the twelve-month period commencing the first day of
46 the month of operation; such motor vehicles operated
47 for the first time upon the public highways of this state
48 on and after the sixteenth day of any given month
49 shall be subject to registration and payment of fee for
50 the twelve-month period commencing the first day of
51 the month of the next following calendar month.
52 (3) During the time necessary to accomplish the
53 change from the present system of annual registration
54 to the monthly series system, trucks with gross weights
55 of not more than eight thousand pounds, subject to regis-
56 tration on and after July first, one thousand nine hun-
57 dred seventy-eight, shall be registered for one of twelve
58 registration periods, which shall vary in length from a
59 minimum of six consecutive calendar months to a maxi-
60 mum of seventeen consecutive calendar months as here-
61 inafter provided. During this transitory period the regis-
62 tration fees shall be computed on a basis of one twelfth
63 of the annual fee per month. In the order of the receipt
64 of applications for registration of motor vehicles by
65 the owners thereof, the commissioner shall allocate to
66 each of the twelve registration periods such number
67 of motor vehicles as will, in his judgment, as uniformly
68 as practicable, distribute the clerical work of registering
69 such vehicles throughout the year. In determining the
70 number of registrations to be allocated to any given
71 period, he may take into consideration the volume of
72 registration of trucks and other vehicles not under the
73 monthly series registration system. The twelve regis-
74 tration periods necessary to accomplish the change from
75 the present system of annual registration to the monthly
76 series system are established as follows: Each period
77 shall commence July first, one thousand nine hundred
78 seventy-eight. The first period shall expire December
79 thirty-first, one thousand nine hundred seventy-eight;
80 the second, January thirty-first, one thousand nine hun-
81 dred seventy-nine; the third, February twenty-eighth,
82 one thousand nine hundred seventy-nine; the fourth,
March thirty-first, one thousand nine hundred seventy-nine; the fifth, April thirtieth, one thousand nine hundred seventy-nine; the sixth, May thirty-first, one thousand nine hundred seventy-nine; the seventh, June thirtieth, one thousand nine hundred seventy-nine; the eighth, July thirty-first, one thousand nine hundred seventy-nine; the ninth, August thirty-first, one thousand nine hundred seventy-nine; the tenth, September thirtieth, one thousand nine hundred seventy-nine; the eleventh, October thirty-first, one thousand nine hundred seventy-nine; and the twelfth, November thirtieth, one thousand nine hundred seventy-nine.

(4) Motor vehicles, other than those exempted above, not previously registered in this state and operated upon the highways of this state for the first time after the first day of July, one thousand nine hundred seventy-eight, shall be registered for a full twelve-month period without regard to the varying periods of registration provided for during the period of change to the staggered registration system: Provided, That the commissioner may initially register a motor vehicle for less than a twelve-month period when in his opinion such fractional registration shall tend to fulfill the purpose of the monthly series registration system.

§17A-3-17. Application for and renewal of registration; sheriffs authorized to issue renewals of registration for certain vehicles.

1 Application for renewal of a vehicle registration shall be made by the vehicle owner by proper application and payment of taxes and registration fees provided by law.

5 The department may receive applications for renewal of any vehicle registration and each sheriff may receive applications from residents in his county for renewal of any Class A or G vehicle registration: Provided, That Class A vehicle registrations for trucks with gross weights of not more than eight thousand pounds may not be received for renewal by a sheriff until the first day of January, one thousand nine hundred eighty. The department and each sheriff shall issue the renewals
of registration each receives, respectively, in accordance
with all of the provisions in this article pertaining to
renewal of vehicle registration including, but not lim-
ited to, the payment of the taxes and fees required
thereunder.
Each sheriff may charge a service fee of one dollar
for each renewal of a Class A or G vehicle registration
he issues which he shall pay into the county general
fund.
On the first day of each month, each sheriff shall pay
over to the commissioner all fees he collected during
the preceding month for renewal of Class A and G
vehicle registrations, except his service fees. Such
payment shall be accompanied by a report showing
the name of the county, the name and address of the
person who obtained the registration and paid the regis-
tration fee therefor, the vehicle registered, the registra-
tion number, the date the registration was issued, the
signature of the sheriff and any other information the
commissioner may reasonably require in order to main-
tain the functions and records of the department. The
commissioner shall deposit all fees he receives from the
sheriffs for renewal of Class A and G vehicle registra-
tions in the state treasury to the credit of the state
road fund as provided in section twenty-one, article
two of this chapter.
The commissioner shall provide each sheriff with the
necessary forms, supplies, registration plates, registra-
tion decals and instructions necessary to enable them to
perform the duties and functions specified in this sec-
tion.
No person may display upon a vehicle a new regis-
tration plate or registration decal prior to the first day
of the month preceding the new registration period.

ARTICLE 10. FEES FOR REGISTRATION, LICENSING, ETC.
§17A-10-1. Classification of vehicles for purpose of registration.
Vehicles subject to registration under the provisions
of this chapter shall be placed in the following classes
for the purpose of registration:
Class A. Motor vehicles of passenger type and trucks with a gross weight of not more than eight thousand pounds, other than those operated for compensation;

Class B. Motor vehicles designated as trucks with a gross weight of more than eight thousand pounds, truck tractors, or road tractors other than those operated for compensation;

Class C. All trailers and semitrailers, except those operated for compensation, and except house trailers and trailers or semitrailers designed to be drawn by Class A motor vehicles and having a gross weight of less than two thousand pounds;

Class E. Motor vehicles designated as trucks, truck tractors, or road tractors operated for transportation of property for compensation, but being exempt from the operating jurisdiction of the public service commission, and for which a statement of exemption has been received from the public service commission;

Class G. Motorcycles;

Class H. Motor vehicles operated regularly for the transportation of persons for compensation under a certificate of convenience and necessity or contract carrier permit issued by the public service commission;

Class J. Motor vehicles operated for transportation of persons for compensation by common carriers, not running over a regular route or between fixed termini;

Class K. Motor vehicles designated as trucks, truck tractors, or road tractors operated for transportation of property for compensation under a certificate of convenience and necessity or a contract carrier permit issued by the public service commission;

Class L. All trailers and semitrailers used for transportation of property for compensation;

Class R. House trailers;

Class S. Special mobile equipment as defined in subdivision (r), section one, article one of this chapter;

Class T. Trailers or semitrailers of a type designed to be drawn by Class A vehicles and having a gross weight of less than two thousand pounds;
§17A-10-3. Registration fees for vehicles equipped with pneumatic tires.

1 The following registration fees for the classes indicated shall be paid annually to the department for the registration of vehicles subject to registration hereunder when equipped with pneumatic tires:

2 Class A. The registration fee for all motor vehicles of this class shall be as follows:

3 (1) For motor vehicles of a weight of three thousand pounds or less—twenty-five dollars.

4 (2) For motor vehicles of a weight of three thousand and one pounds to four thousand pounds—thirty dollars.

5 (3) For motor vehicles of a weight in excess of four thousand pounds—thirty-six dollars.

6 (4) For motor vehicles designed as trucks with declared gross weights of four thousand pounds or less—twenty-five dollars.

7 (5) For motor vehicles designed as trucks with declared gross weights of four thousand and one pounds to eight thousand pounds—thirty dollars.

8 For the purpose of determining the weight the actual weight of the vehicle shall be taken: Provided, That
for vehicles owned by churches, or by trustees for
churches, which vehicles are regularly used for trans-
porting parishioners to and from church services, no
license fee shall be charged, but notwithstanding such
exemption, the certificate of registration and license
plates shall be obtained the same as other cards and
plates under this article.

Class B, Class E and Class K. The registration fee
for all motor vehicles of these three classes shall be as
follows:

(1) For declared gross weights of eight thousand
and one pounds to sixteen thousand pounds—twenty-
eight dollars plus five dollars for each one thousand
pounds or fraction thereof that the gross weight of such
vehicle or combination of vehicles exceeds eight thou-
sand pounds.

(2) For declared gross weights greater than sixteen
thousand pounds—seventy-eight dollars and fifty cents
plus ten dollars for each one thousand pounds or fraction
thereof that the gross weight of such vehicle or com-
bination of vehicles exceeds sixteen thousand pounds.

If the declared gross weight of a Class B, Class E or
Class K motor vehicle includes the gross weight of a
Class C or Class L vehicle used in combination with
such Class B, Class E or Class K motor vehicle and the
declared gross weight of the vehicles constituting such
combination exceeds sixteen thousand pounds and the
registration fee prescribed hereunder for such Class C
or Class L vehicle has been paid, there shall be deducted
from the registration fee for such Class B, Class E or
Class K motor vehicle the amount of seventeen dollars
and fifty cents; but, there shall be no such deduction
where the declared gross weight of the vehicles con-
stituting such combination is less than sixteen thousand
and one pounds.

Class C and Class L. The registration fee for all ve-
hicles of these two classes shall be seventeen dollars
and fifty cents.

Class G. The registration fee for each motorcycle shall
be eight dollars.
Class H. The registration fee for all vehicles for this
class operating entirely within the state shall be five
dollars; and for vehicles engaged in interstate trans-
portation of persons, the registration fee shall be fees
provided by this section for Class B, Class E and Class
K reduced by the amount that the mileage of such ve-
hicles operated in states other than West Virginia bears
to the total mileage operated by such vehicles in all
states under a formula to be established by the depart-
ment of motor vehicles.

Class J. The registration fee for all motor vehicles
of this class shall be eighty-five dollars. Ambulances
and hearses used exclusively as such shall be exempted
from the above special fees.

Class R. The registration fee for all vehicles of this
class shall be twelve dollars.

Class S. The registration fee for all vehicles of this
class shall be seventeen dollars and fifty cents.

Class T. The registration fee for all vehicles of this
class shall be eight dollars.

Class U. The registration fee for all vehicles of this
class shall be fifty-seven dollars and fifty cents.

Class Farm Truck. The registration fee for all motor
vehicles of this class shall be as follows: (1) For farm
trucks of declared gross weights of eight thousand and
one pounds to sixteen thousand pounds—thirty dollars;
(2) for farm trucks of declared gross weights of sixteen
thousand and one pounds to twenty-two thousand pounds
—sixty dollars; (3) for farm trucks of declared gross
weights of twenty-two thousand and one pounds to
twenty-eight thousand pounds—ninety dollars; (4) for
farm trucks of declared gross weights of twenty-
eight thousand and one pounds to thirty-four thou-
sand pounds—one hundred fifteen dollars; (5) for farm
trucks of declared gross weights of thirty-four thousand
and one pounds to forty-four thousand pounds—one
hundred sixty dollars; (6) for farm trucks of declared
gross weights of forty-four thousand and one pounds
to fifty-four thousand pounds—two hundred five dol-
ars; and (7) for farm trucks of declared gross weights
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of fifty-four thousand and one pounds to sixty-four thousand pounds—two hundred fifty dollars.

§17A-10-8. Vehicles exempt from payment of registration fees.

The following specified vehicles shall be exempt from the payment of any registration fees:

1. Any vehicle owned or operated by the United States government, the state of West Virginia or any of their political subdivisions. The proper representative of the United States government, the state of West Virginia, or any of their political subdivisions shall make an application for registration for the vehicle and the registration plate or plates issued for the vehicle shall be displayed as provided in this chapter.

2. Any fire vehicle owned or operated by a volunteer fire department organized for the protection of community property.

3. Any ambulance or any other emergency rescue vehicle owned or operated by a nonprofit, charitable organization, and used exclusively for charitable purposes.

4. Any vehicle owned by a disabled veteran as defined by the provisions of Public Law 663 of the 79th Congress of the United States, or Public Law 187 of the 82nd Congress of the United States, or Public Law 77 of the 90th Congress of the United States; except for vehicles used for hire which are owned by disabled veterans.

5. Not more than one vehicle owned by a veteran with a hundred percent total and permanent service-connected disability as certified by the director of the Department of Veterans' Affairs of West Virginia and not used for commercial purposes.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. Davis  
Chairman Senate Committee

Clarence C. Chestnut Jr.  
Chairman House Committee

Originated in the Senate.

To take effect July 1, 1978.

J. E. Dillon Jr.  
Clerk of the Senate

E. Blankenship  
Clerk of the House of Delegates

W. F. Barnett Jr.  
President of the Senate

Donald L. Zapf  
Speaker House of Delegates

The within is approved this the 31st day of March, 1978.

John D. Rockefeller III  
Governor