

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1990

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

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ENROLLED

SENATE BILL NO. 386

(By Senators Pitt and Holliday)

PASSED March 9, 1990

In Effect 90 days from Passage

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STATE OF WEST VIRGINIA
OFFICE OF THE CLERK

ENROLLED

Senate Bill No. 386

(By SENATORS PRITT AND HOLLIDAY)

[Passed March 9, 1990; in effect ninety days from passage.]

AN ACT to amend and reenact section forty-eight, article fifteen, chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to altered suspension systems of motor vehicles; unlawful acts; and providing special inspection stickers for certain specially designed or modified motor vehicles.

Be it enacted by the Legislature of West Virginia:

That section forty-eight, article fifteen, chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 15. EQUIPMENT.

§17C-15-48. Alteration of suspension system.

- 1 (a) No person may operate upon a public highway
- 2 any motor vehicle registered or required to be regis-
- 3 tered in this state if it has been modified by alteration
- 4 of its bumper mounting on the frame more than four
- 5 inches from the lower edge of the original manufac-
- 6 tured bumper configuration for that vehicle. The
- 7 bumper must be at least three inches in vertical
- 8 width, centered on the center line of the motor vehicle
- 9 and not less than the width of the wheel track
- 10 distance. The maximum distance between the vehicle

11 body to the vehicle frame may not exceed three
12 inches. The distance from the vehicle body to the
13 vehicle frame shall be measured from the vehicle
14 body mount seat to the vehicle frame mount seat. No
15 vehicle may be modified to cause the vehicle body or
16 chassis to come in contact with the ground, expose the
17 fuel tank to damage from collision, or cause the wheels
18 to come in contact with the body under normal
19 operation. No part of the original suspension system
20 may be disconnected to defeat the safe operation of the
21 suspension system. Front end suspension by the use of
22 lift blocks is expressly prohibited. However, nothing
23 contained in this section prevents the installation of
24 heavy duty equipment, including shock absorbers and
25 overload springs. Nothing contained in this section
26 prohibits the operation on a public highway of a motor
27 vehicle with normal wear to the suspension system if
28 such normal wear does not adversely affect the control
29 of the vehicle.

30 (b) No person may operate upon a public highway
31 any motor vehicle registered in this state if it has been
32 modified by alteration of its altitude from the ground
33 to the extent that its bumpers, measured to any point
34 on the lower edge of the main horizontal bumper bar,
35 exclusive of any bumper guards, do not fall within the
36 limits specified herein for its gross vehicle weight
37 rating category. The front and rear bumper height of
38 trucks whose gross vehicle weight rating is ten thou-
39 sand pounds or less, may be no less than six inches
40 and no more than thirty-one inches. The provisions of
41 this subsection do not apply to trucks with a gross
42 vehicle weight rating in excess of ten thousand
43 pounds. For the purpose of this section, the term
44 "gross vehicle weight ratings" means manufacturer's
45 gross vehicle weight ratings established for that
46 vehicle.

47 (c) In the absence of bumpers, and in cases where
48 bumper heights have been lowered or modified more
49 than four inches, height measurements under subsec-
50 tion (a) or (b) shall be made to the bottom of the frame
51 rail.

52 (d) This section does not apply to specially designed
53 or modified motor vehicles when operated off the
54 public highways in races and similar events. Such
55 motor vehicles may be lawfully towed on the high-
56 ways of this state.

57 (e) No person may operate upon a public highway
58 any motor vehicle registered or required to be regis-
59 tered in this state if it has been modified by alteration
60 as set out in the provisions of this section unless the
61 tires on the altered motor vehicle meet specifications
62 approved by the United States department of transpor-
63 tation. In addition, neither the motor vehicle nor the
64 chassis may come in contact with the tires under
65 normal operation.

66 (f) Modified vehicles must have a special inspection
67 sticker which must be inspected by the thirty-first day
68 of July, one thousand nine hundred ninety. The fee
69 for the modified vehicle stickers will be twenty-five
70 dollars with the department of public safety establish-
71 ing rules concerning such inspection. Each municipal,
72 county and state law-enforcement agency must record
73 on accident report forms whether a modified vehicle
74 was involved in the accident.

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

Frederick L. Person
.....
Chairman Senate Committee

Bernard V. Kelly
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

David C. Malone
.....
Clerk of the Senate

Donald D. Kopp
.....
Clerk of the House of Delegates

Keth H. Kistner
.....
President of the Senate

Bob C. C.
.....
Speaker House of Delegates

The within is approved this the *31st*
day of *March* *Winston Caperton* 1990.
.....
Governor

PRESENTED TO THE

GOVERNOR

Date 3/20/40

Time 10:29 am