WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1992

ENROLLED
Committee Substitute for
SENATE BILL NO. 423

(By Senator Chafin, et al.)

PASSED March 6, 1992
In Effect 90 days from Passage
ENROLLED
COMMITTEE SUBSTITUTE
FOR
Senate Bill No. 423
(SENATORS CHAFIN, DALTON, WAGNER, HELMICK, BRACKENRICH, JONES, WHITLOW, M. MANCHIN, SHARPE, HECK, FELTON, TOMBLIN, J. MANCHIN, WEHRLE, MINARD, ANDERSON, HAWSE AND BLATNIK, original sponsors)

[Passed March 6, 1992; in effect ninety days 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 clarifying provisions concerning motor vehicles transporting recycling materials.

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. PURPOSES, DEFINITIONS AND EXEMPTIONS.

§24A-1-3. Exemptions from chapter.

1 The provisions of this chapter, except where specifically otherwise provided, shall not apply to:

3 (1) Motor vehicles operated exclusively in the transportation of United States mail or in the trans-
portation of newspapers: Provided, That such vehicles and their operators shall be subject to the safety rules promulgated by the commission;

(2) Motor vehicles owned and operated by the United States of America, the state of West Virginia or any county, municipality or county board of education, urban mass transportation authority established and maintained pursuant to article twenty-seven, chapter eight of this code, or by any department thereof, and any motor vehicles operated under a contract with a county board of education exclusively for the transportation of children to and from school or such other legitimate transportation for the schools as the commission may specifically authorize;

(3) Motor vehicles used exclusively in the transportation of agricultural or horticultural products, livestock, poultry and dairy products from the farm or orchard on which they are raised or produced to markets, processing plants, packing houses, canneries, railway shipping points and cold storage plants, and in the transportation of agricultural or horticultural supplies to such farms or orchards to be used thereon;

(4) Motor vehicles used exclusively in the transportation of human or animal excreta;

(5) Motor vehicles used exclusively in ambulance service or duly chartered rescue squad service;

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

(7) Motor vehicles used exclusively in the transportation of coal from mining operations to loading facilities for further shipment by rail or water carriers: Provided, That such vehicles and their operators shall be subject to the safety rules promulgated by the commission;

(8) Motor vehicles used by petroleum commission agents and oil distributors solely for the transportation of petroleum products and related automotive products when such transportation is incidental to the business of selling said products: Provided, That such
vehicles and their operators shall be subject to the
safety rules promulgated by the commission; and

(9) Motor vehicles owned, leased by or leased to any
person and used exclusively for the transportation of
processed source-separated recycled materials, gener-
ated by commercial, institutional and industrial custo-
mers, transported free of charge from such customers
to a facility for further processing: Provided, That such
vehicles and their operators shall be subject to the
safety rules promulgated by the commission.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within is approved this the day of , 1992.

Governor