

HB# 4328

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1994



ENROLLED

Com. Sub. For
HOUSE BILL No. *4328*

(By Delegates *Warner and Campbell*)



Passed *March 11,* 1994

In Effect *90 Days From* Passage

ENROLLED
COMMITTEE SUBSTITUTE
FOR
H. B. 4328
(By DELEGATES WARNER AND CAMPBELL)

[Passed March 11, 1994; in effect ninety days from passage.]

AN ACT to amend article three, chapter seventeen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section twenty-four, relating to motor vehicle registration; waiver of any permits, authorities or licenses required to operate a motor vehicle in this state during times of declared emergencies; conditions and requirements; statement of purpose; and length of emergency waiver period.

Be it enacted by the Legislature of West Virginia:

That article three, chapter seventeen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section twenty-four, to read as follows:

**ARTICLE 3. ORIGINAL AND RENEWAL OF REGISTRATION;
ISSUANCE OF CERTIFICATES OF TITLE.**

§17A-3-24. Emergency waiver of registration and licensing requirements; conditions and limitations; statement of purpose; length of emergency waiver period; promulgation of rules.

1 (a) The governor may authorize the commissioner of
2 motor vehicles or his or her designee to waive tempor-

3 arily any requirements under the provisions of this
4 chapter, or any other provision of this code relating to
5 any permits, authorizations or licenses required to
6 operate a motor vehicle in this state: *Provided*, That
7 such temporary waiver shall be for the sole purpose of
8 facilitating the response of motor carriers providing
9 humanitarian relief during time of emergency officially
10 declared by the president of the United States, the
11 governor of this state or the chief executive of any other
12 state or jurisdiction: *Provided, however*, That the
13 following conditions are satisfied:

14 (1) The driver of any such vehicle shall be properly
15 licensed in his state of residency;

16 (2) The motor vehicle to be operated is properly
17 licensed and registered in this or any other state; and

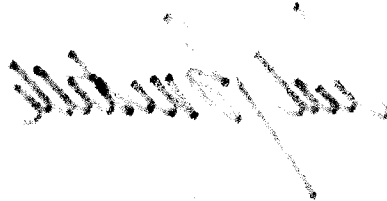
18 (3) The motor vehicle to be operated satisfies all motor
19 vehicle insurance requirements or provisions of its state
20 of registration.

21 (b) Proof of the insurance required by subdivision (3),
22 subsection (a) of this section shall be carried in the cab
23 of the motor vehicle.

24 (c) Any motor vehicle operating pursuant to this
25 section shall be issued a statement from the person or
26 entity authorizing the transport of such goods or
27 materials certifying that the motor carrier is providing
28 humanitarian relief without compensation on volunteer
29 basis and including a description of materials or goods
30 being transported during the time of declared emer-
31 gency while it is in this state. Such statement shall be
32 carried in the cab of the motor vehicle and be made
33 available for inspection upon request of the commis-
34 sioner, any of his or her designees, or any law-enforce-
35 ment officer.

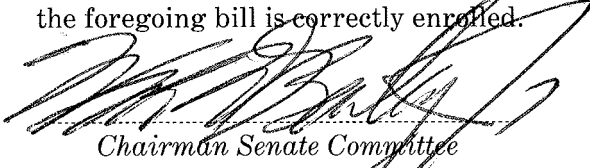
36 (d) The commissioner of motor vehicles shall deter-
37 mine at the time the temporary waiver is issued the
38 length of time such waiver shall be in effect: *Provided*,
39 That all temporary waivers issued pursuant to this
40 section shall become void upon the termination of the
41 time of emergency as determined by the president of the

42 United States, the governor of this state or the chief
43 executive of any other state or jurisdiction.

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Enr. Com. Sub. for H. B. 4328] 4

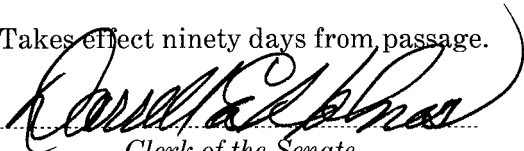
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


Chairman Senate Committee



Ernest C. Moore
Chairman House Committee


Originating in the House.

Takes effect ninety days from passage.

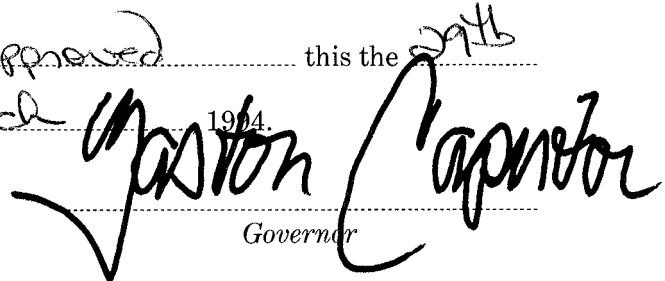

Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker of the House of Delegates

The within is approved _____ this the 27th
day of March 1904.


Gaston Caperton
Governor

PRESENTED TO THE

GOVERNOR

Date 3/25/94

Time 10:09am