WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1996

ENROLLED

SENATE BILL NO. 144

(By Senators Miller & Cave)

PASSED March 8, 1996
In Effect NINETY DAYS FROM Passage
ENROLLED

COMMITTEE SUBSTITUTE FOR
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Senate Bill No. 144

(SENATORS MILLER AND LOVE, original sponsors)

[Passed March 8, 1996; in effect ninety days from passage.]

AN ACT to amend and reenact sections three-a and sixteen, article three, chapter seventeen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to amend and reenact section three, article ten of said chapter, all relating to registration of motor vehicles; payment of personal property taxes prerequisite to registration or renewal; duties of assessors; a schedule of automobile values; expiration of registrations and certifications of title; establishing an optional two-year renewal cycle for Class A motor vehicles; and combining the five different registration fees for Class A motor vehicles into one fee.

Be it enacted by the Legislature of West Virginia:
That sections three-a and sixteen, 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 section three, 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-3-3a. Payment of personal property taxes prerequisite to registration or renewal; duties of assessors; schedule of automobile values.

Certificates of registration and renewal of registration of any vehicle or registration plates for any vehicle shall not be issued or furnished by the division of motor vehicles, or any other officer charged with such duty, unless the applicant for the certificate or registration plate, except an applicant exempt from payment of registration fees under section eight, article ten of this chapter, has furnished the receipt provided for in this section to show full payment of the personal property taxes for the calendar year which immediately precedes the calendar year in which application is made on all vehicles which were registered with the division of motor vehicles in the applicant's name on the tax day for the former calendar year: Provided, That after the first day of July, one thousand nine hundred ninety-seven, a certificate or registration plate shall not be issued to an applicant who has chosen the optional two-year registration system provided for in section sixteen of this article, unless the applicant has provided the receipts provided for in this section to show full payment of the personal property taxes for the two calendar years immediately preceding the calendar year in which application is made on all vehicles which were registered with the division of motor vehicles in the applicant’s name on the tax day for the former calendar year. If the applicant contends that any registered vehicle was not subject to personal property taxation for that year, he or she shall furnish the information and evidence as the commissioner of motor vehicles may require to substantiate his or her
The assessor shall require any person having a duty to make a return of property for taxation to him or her to furnish information identifying each vehicle subject to the registration provisions of this chapter. When the property taxes on any vehicle have been paid, the officer to whom the payment was made shall deliver to the person paying the taxes a written or printed receipt for the payment, and shall retain for his or her records a duplicate of the receipt. It is the duty of the assessor and sheriff, respectively, to see that the assessment records and the receipts contain information adequately identifying the vehicle as registered under the provisions of this chapter. The officer receiving payment shall sign each receipt in his or her own handwriting.

The state tax commissioner shall annually compile a schedule of automobile values, based on the lowest values shown in a nationally accepted used car guide. The state tax commissioner shall furnish the schedule to each assessor and shall be used by him as a guide in placing the assessed values on all automobiles in his county.

§17A-3-16. Expiration of registration and certificates of title.

(a) Every vehicle registration under this chapter and every registration card and registration plate issued under this chapter expires at midnight on the last day of the month designated by the commissioner: Provided, That the commissioner may extend the period during which the registration plates may be used.

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

(b) Notwithstanding the provisions of this section or of any provision of this chapter, the commissioner shall adopt a staggered registration system whereby the registration of Class A motor vehicles is for a period of twelve consecutive calendar months, the expiration dates
of the registrations to be staggered throughout the year:

Provided, That on or after the first day of July, one thousand nine hundred ninety-seven, the commissioner shall also offer an optional two-year registration system, whereby the registration of all vehicles shall be for a period of twenty-four consecutive calendar months, the expiration dates of the registrations to be staggered throughout the year. Under this option, all annual fees due at the time of registration shall be multiplied by two.

(1) On or after the first day of July, one thousand nine hundred ninety-seven, all Class A motor vehicles as defined in section one, article ten of this chapter, shall be registered for a period of twelve or twenty-four 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 on the thirty-first day of January is designated the first period; that ending on the twenty-eighth (twenty-ninth) day of February is designated the second; that ending on the thirty-first day of March is designated the third; that ending on the thirtieth day of April is designated the fourth; that ending on the thirty-first day of May is designated the fifth; that ending on the thirtieth day of June is designated the sixth; that ending on the thirty-first day of July is designated the seventh; that ending on the thirty-first day of August is designated the eighth; that ending on the thirtieth day of September is designated the ninth; that ending on the thirty-first day of October is designated the tenth; that ending on the thirtieth day of November is designated the eleventh; and that ending on the thirty-first day of December is designated the twelfth.

(2) All Class A motor vehicles, which are operated for the first time upon the public highways of this state to and including the fifteenth day of any given month are subject to registration and payment of the fee for the twelve or twenty-four month period commencing the
first day of the month of operation. All Class A motor vehicles operated for the first time upon the public highways of this state on and after the sixteenth day of any given month are subject to registration and payment of fee for the twelve or twenty-four month period commencing the first day of the month of the next following calendar month.

(c) On or before the first day of July, one thousand nine hundred ninety-six, all Class T and Class R vehicles shall be registered for a maximum period of three years or portion thereof based on the number of years remaining in the three-year period designated by the commissioner.

ARTICLE 10. FEES FOR REGISTRATION, LICENSING, ETC.

§17A-10-3. Registration fees for vehicles equipped with pneumatic tires.

The following registration fees for the classes indicated shall be paid to the division for the registration of vehicles subject to registration under this chapter when equipped with pneumatic tires:

(a) Registration fees for the following classes shall be paid to the division annually:

(1) Class A. — The registration fee for all motor vehicles of this class is twenty-eight dollars and fifty cents: Provided, That the registration fees and any other fees required by this chapter for Class A vehicles under the optional biennial staggered registration system shall be multiplied by two and paid biennially to the division.

No license fee shall be charged for vehicles owned by churches, or by trustees for churches, which are regularly used for transporting parishioners to and from church services. Notwithstanding the exemption, the certificate of registration and license plates shall be obtained the same as other cards and plates under this article.

(2) Class B, Class E and Class K. — The registration fee
for all motor vehicles of these three classes is as follows:

(A) For declared gross weights of eight thousand 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 the vehicle or
combination of vehicles exceeds eight thousand pounds.

(B) For declared gross weights greater than sixteen
thousand pounds, but less than fifty-five thousand
pounds — seventy-eight dollars and fifty cents plus ten
dollars for each one thousand pounds or fraction thereof
that the gross weight of the vehicle or combination of
vehicles exceeds sixteen thousand pounds.

(C) For declared gross weights of fifty-five thousand
pounds or more — seven hundred thirty-seven dollars
and fifty cents plus fifteen dollars and seventy-five cents
for each one thousand pounds or fraction thereof that
the gross weight of the vehicle or combination of vehicles
exceeds fifty-five thousand pounds.

(3) Class C and Class L. — The registration fee for all
vehicles of these two classes is seventeen dollars and
fifty cents except that semitrailers, full trailers, pole
trailers and converter gear registered as Class C and
Class L may be registered for a period of ten years at a
fee of one hundred dollars.

(4) Class G. — The registration fee for each motorcycle
is eight dollars.

(5) Class H. — The registration fee for all vehicles for
this class operating entirely within the state is five
dollars; and for vehicles engaged in interstate transpor-
tation of persons, the registration fee is the amount of
the fees provided by this section for Class B, Class E and
Class K reduced by the amount that the mileage of the
vehicles operated in states other than West Virginia
bears to the total mileage operated by the vehicles in all
states under a formula to be established by the division
of motor vehicles.
(6) **Class J.** — The registration fee for all motor vehicles of this class is eighty-five dollars. Ambulances and hearses used exclusively as such are exempt from the special fees set forth in this section.

(7) **Class S.** — The registration fee for all vehicles of this class is seventeen dollars and fifty cents.

(8) **Class U.** — The registration fee for all vehicles of this class is fifty-seven dollars and fifty cents.

(9) **Class Farm Truck.** — The registration fee for all motor vehicles of this class is as follows:

(A) For farm trucks of declared gross weights of eight thousand one pounds to sixteen thousand pounds — thirty dollars.

(B) For farm trucks of declared gross weights of sixteen thousand one pounds to twenty-two thousand pounds — sixty dollars.

(C) For farm trucks of declared gross weights of twenty-two thousand one pounds to twenty-eight thousand pounds — ninety dollars.

(D) For farm trucks of declared gross weights of twenty-eight thousand one pounds to thirty-four thousand pounds — one hundred fifteen dollars.

(E) For farm trucks of declared gross weights of thirty-four thousand one pounds to forty-four thousand pounds — one hundred sixty dollars.

(F) For farm trucks of declared gross weights of forty-four thousand one pounds to fifty-four thousand pounds — two hundred five dollars.

(G) For farm trucks of declared gross weights of fifty-four thousand one pounds to sixty-four thousand pounds — two hundred fifty dollars.

(b) Registration fees for the following classes shall be paid to the division for a maximum period of three years, or portion thereof based on the number of years remain-
ing in the three-year period designated by the commissioner:

(1) **Class R.** — The annual registration fee for all vehicles of this class is twelve dollars.

(2) **Class T.** — The annual registration fee for all vehicles of this class is eight dollars.

(c) The fees paid to the division for a multiyear registration provided for by this chapter shall be the same as the annual registration fee established by this section and any other fee required by this chapter multiplied by the number of years for which the registration is issued.
That 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 28th day of March, 1996.

Governor