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# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 2000



## ENROLLED

*Committee Substitute for*  
SENATE BILL NO. 551

(By Senator Hunter )



PASSED March 11, 2000  
In Effect from Passage

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SECRETARY OF STATE

## ENROLLED

COMMITTEE SUBSTITUTE

FOR

### Senate Bill No. 551

(SENATOR HUNTER, *original sponsor*)

[Passed March 11, 2000; in effect 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 exempting from the chapter those motor vehicles designated by the bureau of senior services for use by local county aging programs; and providing that those motor vehicles and the operators follow commission safety rules.

*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  
2 otherwise provided, do not apply to:

3 (1) Motor vehicles operated exclusively in the transpor-  
4 tation of United States mail or in the transportation of  
5 newspapers: *Provided*, That the vehicles and their opera-  
6 tors shall be subject to the safety rules promulgated by the  
7 commission;

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

18 (3) Motor vehicles used exclusively in the transportation  
19 of agricultural or horticultural products, livestock, poultry  
20 and dairy products from the farm or orchard on which  
21 they are raised or produced to markets, processing plants,  
22 packing houses, canneries, railway shipping points and  
23 cold storage plants, and in the transportation of agricul-  
24 tural or horticultural supplies to farms or orchards to be  
25 used thereon;

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

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

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

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

37 (8) Motor vehicles used by petroleum commission agents  
38 and oil distributors solely for the transportation of petro-  
39 leum products and related automotive products when the  
40 transportation is incidental to the business of selling the  
41 products: *Provided*, That the vehicles and their operators  
42 shall be subject to the safety rules promulgated by the  
43 commission;

44 (9) Motor vehicles owned, leased by or leased to any  
45 person and used exclusively for the transportation of  
46 processed source-separated recycled materials, generated  
47 by commercial, institutional and industrial customers,  
48 transported free of charge from the customers to a facility  
49 for further processing: *Provided*, That the vehicles and  
50 their operators shall be subject to the safety rules promul-  
51 gated by the commission;

52 (10) Motor vehicles specifically preempted from state  
53 economic regulation of intrastate motor carrier operations  
54 by the provisions of the federal aviation administration  
55 authorization act of 1994 (Pub. L. 103-305 §601 108 Stat.  
56 1605 (1994)): *Provided*, That the vehicles and their opera-  
57 tors shall be subject to the safety rules promulgated by the  
58 commission; and

59 (11) Motor vehicles designated by the West Virginia  
60 bureau of senior services for use and operation by local  
61 county aging programs: *Provided*, That the vehicles and  
62 their operators shall be subject to the safety rules promul-  
63 gated by the commission.

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

*[Handwritten Signature]*  
.....  
Chairman Senate Committee

*[Handwritten Signature]*  
.....  
Chairman House Committee

Originated in the Senate.

In effect from passage.

*[Handwritten Signature]*  
.....  
Clerk of the Senate

*[Handwritten Signature]*  
.....  
Clerk of the House of Delegates

*[Handwritten Signature]*  
.....  
President of the Senate

*[Handwritten Signature]*  
.....  
Speaker House of Delegates

The within..... *approved* ..... this the *29th*  
Day of..... *March* ....., 2000.

*[Handwritten Signature]*  
.....  
Governor

PRESENTED TO THE

GOVERNOR

Date 3/23/00

Time 4:00 pm