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
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;
(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 the 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 the transportation is incidental to the business of selling the products: Provided, That the vehicles and their operators shall be subject to the safety rules promulgated by the commission;

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

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

(11) Motor vehicles designated by the West Virginia bureau of senior services for use and operation by local county aging programs: Provided, That the vehicles and their operators shall be subject to the safety rules promulgated by the commission.
Enr. Com. Sub. for S. B. No. 551] 4

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

Chairman Senate Committee

[Signature]

Chairman House Committee

[Signature]

Originated in the Senate.

In effect from passage.

Clerk of the Senate

[Signature]

Clerk of the House of Delegates

[Signature]

President of the Senate

[Signature]

Speaker House of Delegates

[Signature]

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

Governor

[Signature]