

# WEST VIRGINIA LEGISLATURE

## 2022 REGULAR SESSION

### ENROLLED

### Senate Bill 492

BY SENATORS AZINGER, BOLEY, AND CLEMENTS

[Passed March 11, 2022; in effect from passage]

FILED

2022 MAR 30 P 5:18

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

SB 492

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BY SENATORS AZINGER, BOLEY, AND CLEMENTS

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1 AN ACT to amend and reenact §17-16A-11 of the Code of West Virginia, 1931, as amended,  
2 relating to the electronic collection of tolls; and providing that nonrenewal of vehicle  
3 registration provisions may become effective whenever a reciprocal enforcement  
4 agreement is entered into by the West Virginia Parkways Authority, the Commissioner of  
5 Motor Vehicles, and any state sharing a common border with this state.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 16D. ELECTRONIC TOLL COLLECTION.**

**§17-16D-11. Nonrenewal of vehicle registration; effect of civil or criminal violation.**

1 (a) Upon receipt of a notice from the Parkways Authority that a vehicle owner failed to pay  
2 tolls and costs in accordance with a notice of default judgment, or court order, the Commissioner  
3 of Motor Vehicles shall refuse to register, or renew the registration of any vehicle of which the  
4 person committing the violation is a registered owner or co-owner until such time as the  
5 Commissioner of Motor Vehicles receives notice from the Parkways Authority that all fees,  
6 penalties and costs imposed on that person pursuant to this article have been paid or satisfied.

7 (b) The Commissioner of Motor Vehicles shall refuse or suspend the registration of any  
8 motor vehicle incurring a toll violation under this article if:

9 (1) The commissioner is notified by the Parkways Authority that a registered owner has  
10 been served with a citation in accordance with this article and:

11 (A) Has failed to pay the electronic toll, administrative fee, and the civil penalty for the toll  
12 violation by the date specified in the citation; or

13 (B) Has failed to contest liability for the toll violation by the date identified and in the manner  
14 specified in the citation; or

15 (2) The commissioner is notified by the Parkways Authority or the circuit court that a  
16 person who elected to contest liability for a toll violation under this article has failed to appear for  
17 trial or hearing or has been determined to be responsible for the toll violation and has failed to  
18 pay the electronic toll and related civil penalty.

19           (c) In conjunction with any rule promulgated by the Parkways Authority, the Commissioner  
20 of Motor Vehicles may adopt regulations and develop procedures to carry out the refusal or  
21 suspension of a registration as authorized by this section.

22           (d) The procedures specified in this section are in addition to any other penalty provided  
23 by law for toll violations.

24           (e) The provisions of this section may be applied to enforce a reciprocal agreement  
25 entered into by this state and another jurisdiction in accordance with section thirteen of this article,  
26 and any reciprocal enforcement of toll violations entered into by the commissioner may include  
27 any such violations involving a private toll transportation facility operating pursuant to §17-17-38  
28 of this code.

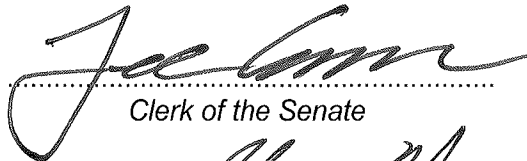
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

  
.....  
Chairman, Senate Committee

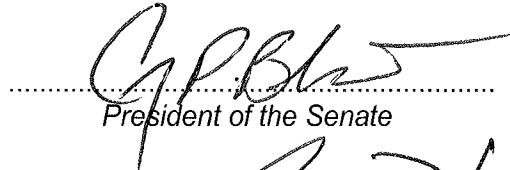
  
.....  
Chairman, House Committee

Originated in the Senate.

In effect from passage.

  
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Clerk of the Senate

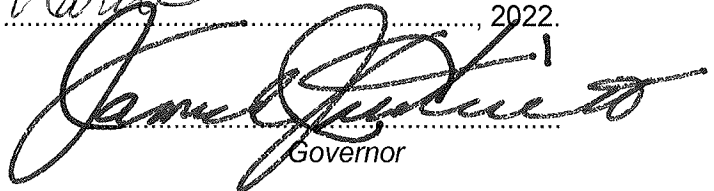
  
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Clerk of the House of Delegates

  
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President of the Senate

  
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Speaker of the House of Delegates

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OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

The within *is approved* this the *30th*  
Day of *March*, 2022.

  
.....  
Governor

PRESENTED TO THE GOVERNOR

MAR 15 2022

Time 4:11 pm