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# DMV, magistrate bills move forward

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SUICIDE, bullying bills move forward. Page 1-D.

CHARLESTON — House committees OK'd bills on Tuesday to raise DMV fees and raise the qualifications for county magistrates. The DMV bill came through with one significant change for vehicle registration fees.

### DMV fee bill

SB 608 increases 11 Division of Motor Vehicles (DMV) fees to raise about \$39.4 million a year for the Road Fund for road and bridge repairs and maintenance.

The version that came from the Senate included these fee hikes:

The now \$30 vehicle registration — it's actually \$28.50 plus a \$1 litter fee and 50-cent insurance enforcement fee — would be split into two classes. Up to 4,000 pounds would be \$40; 4,001-8,000 pounds would be \$60.

A driver's license would increase from \$2.50 per year to \$6.50 — a five-year license would go from \$12.50 to \$32.50.

A 15- or 16-year old driver seeking a level 1 or 2 Graduated Driver's License or instruction permit now pays \$5, and may take the written or road test as many times as needed to pass. Under the bill, it would be \$5 per attempt.

The House Finance Committee amended the bill Tuesday to change the two-weightclass vehicle registration fee back to one fee of \$45 — \$46.40 with the two extra charges. DMV Deputy Commissioner Steve Dale said the DMV doesn't have the technology to handle the two-class system, and it would pose additional expense, effort and time burdens to DMV offices and to car dealerships.

The fee chart accompanying the bill shows that the DMV projects at 931,000 transactions a year for vehicles 4,000 pounds and under, and 549,000 for the heavier ones — so more people will be paying a higher fee under the Finance committee amendment.

Some vehicle curb weight (full gas tank, all fluids, no passengers or cargo) examples from the manufacturers: Toyota Camry, 3,263 pounds; Toyota Highlander SUV, 3,946 pounds; Toyota Tundra pickup, 5,250 pounds; Chevy Malibu, 3,432 pounds; Chevy Silverado 1500 pickup, 4,733 pounds.

The Finance committee amendment also included some adjustments for rental car and car insurance businesses. The amended bill passed by voice vote, with just one no, and moved to the full House.

### Magistrate degree bill

SB 195 calls for magistrates, as of Jan. 1, 2014, to have any of these qualifications: A bachelor's or associate's degree from an accredited college, or four years of experience as a magistrate. Sitting magistrates as of Jan. 1, 2014, will be required to have at least a high school education or its equivalent.

The Senate had removed a provision from the original bill requiring an associate's degree in criminal justice, and Delegate Kelli Sobonya, R-Cabell, tried to amend that back into the bill, worried that the current version makes room for unqualified candidates. "There's all kinds of college degrees out there. Does that make you a good magistrate?"

Committee Vice Chair Mark Hunt, D-Kanawha, responded that state troopers can obtain an associate's degree in criminal justice from Marshall University with just a few weeks of training at the State Police Academy; the Senate's intent was to make sure candidates have thinking skills, and some well-rounded background and education.

With Sobonya's amendment, "We're going to establish a whole system filled with state troopers," he said.

Delegate Barbara Evans Fleischauer, D-Monongalia, added that magistrates deal with more than just criminal issues — including a variety of family law matters.

The amendment failed and a divided committee passed it by voice vote — Chairman Tim Miley, D-Harrison, calling it in favor of the ayes. It also goes to the full House.

#### Other House action

The House approved SB 282, which extends the authority the Division of Highways to undertake 10 "design-build" highway projects from this June 2011 to June 30, 2013. Design-build projects are money-saving measures that employ the same company to design and build a highway project.

SJR 10, eliminating the two-consecutive-term limit for county sheriffs, moved to second reading in the House. If it passes Thursday, the Legislature would put before the voters in November 2012 a Constitutional amendment to repeal the current limit set in code. The amendment would have to be approved by a simple majority.

The House Judiciary committee approved SB 581, which shrinks the early voting window. Early voting now begins on the 20th day before an election. The bill changes it to the 13th day.

It came by request from county clerks, who saw most early voting done during the final days, as a cost- and labor-saving measure.

The committee tweaked a sentence requiring early voting on two Saturdays, because some Tuesday elections don't have two Saturdays within the 13-day period. The amendment just allows early voting on all Saturdays during the period. SB 581 now goes to the full House.

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