



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

**Division of Motor Vehicles**

1800 Kanawha Boulevard East • Building Three  
Charleston, West Virginia 25317-0010

Bob Wise  
Governor

Fred VanKirk, P. E.  
Secretary

February 19, 2003

Roger Pritt  
Commissioner

Mr. John O. Vannatta  
22472 Sparrow Court  
Leonardtown, Maryland 20650

Dear Mr. Vannatta:

I am writing in response to your letter dated January 17, 2003. You requested West Virginia's interpretation of regulations applying to CDL licensing, IFTA, IRP, and commercial regulations, as well as scale house issues as it pertains to members of the American Truck Historical Society when traveling in or through West Virginia.

I have had Pete Lake, Director of Vehicle Services look into this issue with the managers who oversee the governing departments relating to your concerns.

Phil Kingery, Manager of IRP/IFTA was asked to make inquiry of other jurisdictions as well as an in-depth review and a consultation effort of the rules, regulations and code as it relates to this issue. The vehicles you describe do not properly fit into the West Virginia Code definition of "Antique Motor Vehicle" or "Recreational Vehicle". Therefore, our position has not changed; the vehicles you have described must meet all applicable IRP/IFTA regulations.

Doug Thompson, Manager of CDL, found no exemptions from CDL requirements if the vehicles have two axles and a GVW exceeding 26,000 pounds, registered in excess of 26,000 pounds GVW, or combination vehicle registered that exceeds 26,000 GVW.

Mr. Brunty, Scale Enforcement Supervisor, found no way to exempt these vehicles from stopping at the scales. Identification of trucks going by the scales alone would not be operationally possible.

As for the display of a "Hobbyist Declaration", law enforcement in West Virginia does not come under the direct control of the Division of Motor Vehicles. I cannot assure you that the declaration would be acceptable to law enforcement.

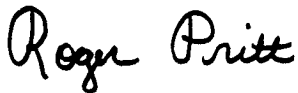
Mr. John O. Vannetta

February 19, 2003

Page 2

I am pleased to have the opportunity to respond to your concerns regarding this issue. However, at this time, we cannot provide the interpretation that you desire.

Sincerely,

A handwritten signature in black ink that reads "Roger Pritt". The letters are cursive and fluid, with the first letter of each name being capitalized and prominent.

Roger Pritt  
Commissioner

RP:DPL/pj