WEST VIRGINIA CODE: §17A-4A-2a

§17A-4A-2a. Electronic transfer of liens.

(a) Notwithstanding any requirement in this chapter that a lien on a motor vehicle shall be noted on the face of the certificate of title, if there are one or more liens or encumbrance on a vehicle, trailer, semitrailer, pole trailer, factory-built home, or recreational vehicle, the division may electronically transmit the lien to the first lienholder and notify the first lienholder of any additional liens. Subsequent lien satisfactions may be electronically transmitted to the division and shall include the name and address of the person satisfying the lien and any other information required by the division as a condition of participating in the electronic lien information exchange program.

(b) The division may enter into agreements with a service provider or providers to administer the electronic exchange of lien information between dealers, financial institutions, and the division. For the purposes of this section, the term financial institutions shall have the same meaning as defined in §17A-6-10b of this code.

(c) When electronic transmission of liens and lien satisfaction is used, a hard copy certificate of title need not be issued until the last lien is satisfied and a clear hard copy certificate of title is issued to the owner of the vehicle. When a vehicle is subject to an electronic lien, the certificate of title for the vehicle shall be considered to be physically held by the lienholder for the purpose of compliance with state and federal odometer disclosure requirements and for any other requirement of this code. A duly certified copy of the division's electronic record of the certificate of title and lien shall be admissible in any civil, criminal, or administrative proceeding in this state as evidence of the existence of the lien.

(d) For the purposes of this chapter, whenever reference is made by this code to the physical production of a certificate of title as a paper document, or reference to the completion of information related to recording a lien as a paper document, the reference shall be understood to also include the transmission and recordation of the information in an electronic format.

(e) Beginning July 1, 2025, all financial institutions recording five or more liens in a calendar year shall use the division's electronic lien and title system for all lien actions. The division is not required to issue certificates of title as a paper document to a lienholder after the division’s electronic lien and title system is fully implemented: *Provided*, That nothing in this section invalidates, prohibits a person from requesting, or prevents the division from issuing a certificate of title as a paper document.

WV Legislature