

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1935



ENROLLED

HOUSE BILL No. 396

(By Mr. Hiner)



PASSED March 9th 1935

In Effect July 1st 1935 Passage

396

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House Bill No. 396
(BY MR. HINER)

[Passed March 9, 1935: in effect July 1, 1935.]

AN ACT to amend and reenact section twenty-three, article six, chapter sixty, acts of the Legislature of West Virginia, first extraordinary session, one thousand nine hundred thirty-three, and to provide for the issuance of motor vehicle licenses and to provide for such license plates to be retained by the owner thereof upon the transfer of ownership of any motor vehicle.

Be it enacted by the Legislature of West Virginia:

That section twenty-three, article six, chapter sixty, acts of the Legislature of West Virginia, first extraordinary session, one thousand nine hundred thirty-three, be amended so as to read as follows:

Section 23. Beginning on the first day of July, one thousand
2 nine hundred thirty-four, the registration fees herein prescribed
3 shall be for the entire fiscal year: *Provided*, That where ap-

4 plication for such registration is made between the first day of
5 October and the thirty-first day of December, inclusive, in any
6 fiscal year, the charge therefor shall be three quarters of such
7 yearly fee and when application for such registration is made
8 between the first day of January and the thirty-first day of
9 March, inclusive, in any fiscal year, the charges shall be one-
10 half of such yearly fee and where application for such regis-
11 tration is made between the first day of April and the thirtieth
12 day of June, inclusive, in any fiscal year, the charge shall be
13 one quarter of such yearly fee.

14 The registration certificate and the right to use corresponding
15 registration plates issued after the first day of July, one thou-
16 sand nine hundred thirty-four, shall expire at midnight on the
17 thirtieth day of June of the fiscal year for which issued.

18 In the event of the loss or inadvertent destruction of any
19 plate issued under the provisions of this article, the commis-
20 sioner shall investigate the circumstances of alleged loss or de-
21 struction, and if satisfied that the loss or destruction has oc-
22 curred as alleged, shall issue a duplicate, or duplicated, or may
23 in its discretion issue a new set of plates with appropriate cer-
24 tificate of registration, at a cost not to exceed one dollar. In

25 the event of the loss or inadvertent destruction of any certifi-
26 cate of registration issued under the provisions of this article,
27 the commissioner may issue a duplicate upon receipt of affidavit
28 of such loss at cost not to exceed one dollar. Upon the transfer
29 of ownership of any motor vehicle, it shall be the duty of the
30 original owner to retain the registration plates issued therefor
31 and to immediately notify the state road commissioner of such
32 transfer upon such form as may be provided therefor and to
33 deliver to him the certificate of registration, whereupon the
34 commissioner shall, upon the payment of a fee of one dollar,
35 issue a new certificate showing the use that is to be made of
36 such plates. Such plates may be used by such owner on an-
37 other vehicle of the same class as the vehicle for which they
38 were originally issued if such other vehicle does not require a
39 greater license fee than was required for such original vehicle.
40 If such other vehicle requires a greater license fee than such
41 original vehicle, then such plates may be used by paying such
42 difference to the road commissioner, but it shall be unlawful to
43 use such plates until such difference is paid. When such transfer
44 of ownership is made to a licensed dealer in motor vehicles it
45 shall be the duty of such licensed dealer to immediately execute

46 notification of transfer, in triplicate, to have this notification
47 properly signed by the owner making the transfer. The dealer
48 will also collect the transfer fee of one dollar and any additional
49 fee that may be required under the terms of this act. The
50 dealer will immediately forward to the road commissioner the
51 original copy of the notification of transfer together with all
52 fees collected. One copy of the notification of transfer shall
53 be given to the owner and one shall be retained by the dealer.
54 The owner's copy, properly signed by the dealer, will be the
55 owner's identification until he receives new registration card
56 from the road commissioner.

57 Any licensed dealer who shall fail to comply with the pro-
58 visions of this act will be guilty of a misdemeanor, and upon
59 conviction thereof shall be fined not less than fifty, nor more
60 than three hundred dollars. Certificates of registration and
61 corresponding registration plates of vehicles operating under
62 a permit or certificate of convenience may be transferred only
63 under the provisions of, and when provided by, the rules and
64 regulations of the commissioner.

65 Any owner or operator who shall obtain a registration cer-
66 tificate, or registration plates, or other licenses provided for

67 in this article, by misrepresentation or by any other method
68 not authorized by law, or who shall violate any of the other
69 provisions of this section, shall be guilty of a misdemeanor,
70 and, upon conviction thereof, shall be fined not less than ten
71 nor more than fifty dollars.

I certify that the foregoing act,
having been presented to the Governor for
his approval, and not having been returned
by him to the House of the Legislature in
which it originated within the time pre-
scribed by the constitution of the state, has
become a law without his approval.

This the 15th day of March,
1935.



SECRETARY OF STATE

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

Clinton L. Howard

Chairman Senate Committee

Arnold M. Vickers

Chairman House Committee

Originated in the *House*

Takes effect *July 1 21 1935* passage.

Charles F. Miller

Clerk of the Senate

Geo. S. Hall

Clerk of the House of Delegates

Chas. E. Hooper

President of the Senate

John S. Patton

Speaker House of Delegates.

The within.....this the.....

day of....., 1935.

.....
Governor.

Filed in the office of the Secretary of State
of West Virginia.

MAR 15 1935

Wm. S. O'BRIEN,
Secretary of State