

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1935



ENROLLED

HOUSE BILL No. 472

(By Mr. Thomas)



PASSED March 9th 1935

In Effect from Passage

472

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House Bill No. 472

(BY MR. THOMAS)

[Passed March 9, 1935; in effect from passage.]

AN ACT to amend and reenact section one, article seven, chapter seventeen of the code of West Virginia, one thousand nine hundred thirty-one, relating to certificates of title for motor vehicles and imposing a tax upon the certification of such titles.

Be it enacted by the Legislature of West Virginia:

That section one, article seven, chapter seventeen of the code of West Virginia, one thousand nine hundred thirty-one, be amended and reenacted to read as follows:

ARTICLE VII.

Section 1. Certificates of registration of any vehicle or 2 registration plates therefor, whether original issues or dupli- 3 cates, shall not be issued or furnished by the state road com-

4 mission or any other officer charged with such duty, unless the
5 applicant therefor already has received, or shall at the same
6 time make application for and be granted, an official certificate
7 of title of such motor vehicle. Such application shall be upon a
8 blank form to be furnished by the state road commission, and
9 shall contain a full description of the motor vehicle, which
10 description shall contain the manufacturer's number, the motor
11 number and any distinguishing marks, together with a state-
12 ment of the applicant's title and of any liens or encumbrances
13 upon such motor vehicles, the names and addresses of the hold-
14 ers of such liens, and such other information as the state road
15 commission may require. The application shall be signed and
16 sworn to by the applicant. A tax is hereby imposed upon the
17 privilege of effecting the certification of title of each motor
18 vehicle in the amount equal to two per cent of the value of said
19 motor vehicle at the time of such certification. If the motor
20 vehicle is new, the actual purchase price or consideration to the
21 purchaser thereof shall be the value of said vehicle; if the motor
22 vehicle is a used or second-hand vehicle, the actual price or con-
23 sideration paid therefor by the purchaser shall be deemed the
24 value thereof for the purposes of this act: *Provided*, That so

25 much of the purchase price or consideration as is represented
26 by the exchange of other motor vehicle shall be deducted from
27 the total actual price or consideration paid for said vehicle,
28 whether the same be new or second-hand. No certificate of title
29 for any motor vehicle shall be issued to any applicant unless
30 such applicant shall have paid to the state road commissioner
31 the tax imposed by this act; but the tax imposed by this act
32 shall not apply to motor vehicles to be registered under sections
33 seventeen and eighteen, article six of this chapter, which are
34 used or to be used exclusively in interstate commerce. The total
35 amount of revenue collected by reason of this tax shall be paid
36 into the state road fund and expended by the state road com-
37 missioner in the maintenance and construction of the state's
38 secondary roads. In addition to said tax there shall be a charge
39 of one dollar for each original certificate of title so issued.

40 The state road commission, or other officer charged with such
41 duty by the commission, if satisfied that the applicant is the
42 owner of such vehicle, or otherwise entitled to have the same
43 registered in his name, shall thereupon issue to the applicant an
44 appropriate certificate of title over the signature of the official
45 designated by the commission, authenticated by a seal to be

46 procured and used for such purpose. Such certificates shall be
47 numbered consecutively, beginning with number one, and shall
48 contain such description and other evidence of identification of
49 such motor vehicle as the state road commission may deem
50 proper.

51 Such certificate shall be good for the life of the car, so long
52 as the same is owned or held by the original holder of such cer-
53 tificate, and need not be renewed annually, or at any other time,
54 except as herein provided.

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

Clinton L. Howard

Chairman Senate Committee

Arnold M. Tickers

Chairman House Committee

Originated in the House

Takes effect from passage.

Charles C. ...

Clerk of the Senate

Geo. S. Hall

Clerk of the House of Delegates

Chas. E. Hodges

President of the Senate

John ...

Speaker House of Delegates.

The within is approved this the 15th

day of March, 1935.

H. B. ...

Governor.

Filed in the office of the Secretary of State of West Virginia. **MAR 15 1935**

Wm. S. O'BRIEN,
Secretary of State