

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1937



ENROLLED

HOUSE BILL No. 430

(By Mr. Van Sickler)



PASSED March 13, 1937

In Effect 90 days from Passage

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(By MR. VAN SICKLER)

[Passed March 13, 1937; in effect ninety days from passage.]

AN ACT to amend section twenty-three, article six, chapter sixty, acts of the Legislature of West Virginia, first extraordinary session, one thousand nine hundred thirty-three, as amended by chapter sixty-three, acts of the Legislature of West Virginia, one thousand nine hundred thirty-five, relating to motor vehicle licenses and license plates.

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, as amended by chapter sixty-three, acts of the Legislature of West Virginia, one thousand nine hundred thirty-five, be amended to read as follows:

Section 23. *Registration Fees for Motor Vehicles; Dupli-*

cate Plates; on Transfer Original Owner to Retain Plates;
Use of Retained Plates; Penalties. Beginning on the first
day of July, one thousand nine hundred thirty-four, the reg-
istration fees herein prescribed shall be for the entire fiscal
year: *Provided*, That where application for such registration
is made between the first day of October and the thirty-first
day of December, inclusive, in any fiscal year, the charge
therefor shall be three-quarters of such yearly fee, and when
application for such registration is made between the first
day of January and the thirty-first day of March, inclusive,
in any fiscal year, the charges shall be one-half of such yearly
fee, and where application for such registration is made be-
tween the first day of April and the thirtieth day of June,
inclusive, in any fiscal year, the charge shall be one-quarter
of such yearly fee.

The registration certificate and the right to use correspond-
ing registration plates issued after the first day of July, one
thousand nine hundred thirty-four, shall expire at midnight
on the thirtieth day of June of the fiscal year for which is-
sued.

The commissioner is authorized to transfer the plates of a

23 deceased person to his legal heir or legatee upon payment of
24 a transfer fee of one dollar.

25 In the event of the loss or inadvertent destruction of any
26 plate issued under the provisions of this article, the commis-
27 sioner shall investigate the circumstances of alleged loss or
28 destruction, and if satisfied that the loss or destruction has
29 occurred as alleged, shall issue a duplicate, or duplicates, or
30 may in his discretion issue a new set of plates with appro-
31 priate certificate of registration, at a cost not to exceed one
32 dollar. The owner of a set of registered plates may surrender
33 them to the commissioner and, upon the payment of one dollar
34 as an exchange fee and upon the payment of such additional
35 fees as are necessary to equalize the value of the plates sur-
36 rendered with the value of the registration plates desired,
37 receive in exchange a set of registration plates for a vehicle
38 of a different class: *Provided*, That the vehicle for which
39 such plates are desired is titled in the same name as that in
40 which the original plates were issued. In the event of the
41 loss or inadvertent destruction of any certificate of registra-
42 tion issued under the provisions of this article, the commis-
43 sioner may issue a duplicate upon receipt of affidavit of such

44 loss at a cost not to exceed one dollar. Upon the transfer of
45 ownership of any motor vehicle, it shall be the duty of the
46 original owner to retain the registration plates issued there-
47 for and to immediately notify the state road commissioner of
48 such transfer upon such form as may be provided therefor
49 and to deliver to him the certificate of registration, where-
50 upon the commissioner shall, upon the payment of a fee of
51 one dollar, issue a new certificate showing the use that is to
52 be made of such plates. Such plates may be used by such
53 owner on another vehicle of the same class as the vehicle for
54 which they were originally issued if such other vehicle does
55 not require a greater license fee than was required for such
56 original vehicle. If such other vehicle requires a greater
57 license fee than such original vehicle, then such plates may
58 be used by paying such difference to the road commissioner,
59 but it shall be unlawful to use such plates until such differ-
60 ence is paid. When such transfer of ownership is made to a
61 licensed dealer in motor vehicles it shall be the duty of such
62 licensed dealer to immediately execute notification of trans-
63 fer, in triplicate, to have this notification properly signed by
64 the owner making the transfer. The dealer will also collect

65 the transfer fee of one dollar and any additional fee that
66 may be required under the terms of this act. The dealer will
67 immediately forward to the road commissioner the original
68 copy of the notification of transfer together with all fees
69 collected. One copy of the notification of transfer shall be
70 given to the owner and one shall be retained by the dealer.
71 The owner's copy, properly signed by the dealer, will be the
72 owner's identification until he receives a new registration
73 card from the road commissioner.

74 Any licensed dealer who shall fail to comply with the pro-
75 visions of this act shall be guilty of a misdemeanor, and upon
76 conviction thereof shall be fined not less than fifty, nor more
77 than three hundred dollars. Certificates of registration and
78 corresponding registration plates of vehicles operating under
79 a permit or certificate of convenience may be transferred only
80 under the provisions of, and when provided by, the rules and
81 regulations of the commissioner.

82 Any owner or operator who shall obtain a registration cer-
83 tificate, or registration plates, or other licenses provided for
84 in this article, by misrepresentation or by any other method
85 not authorized by law, or who shall violate any of the other

86 provisions of this section, shall be guilty of a misdemeanor,
87 and, upon conviction thereof, shall be fined not less than ten
88 nor more than fifty dollars.

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

W. B. Galbreath

Chairman Senate Committee

Geor. B. Walker

Chairman House Committee

Originated in the.....

Takes effect.....passage.

Charles H. Miller

Clerk of the Senate

Wm. S. Hance

Clerk of the House of Delegates

Chas. E. Hays

President of the Senate

J. F. Thomas

Speaker House of Delegates

The within *Approved* this the *18th*

day of *March*, 1937.

James A. Holt

Governor.

Filed in the office of the Secretary of State
of West Virginia. **MAR 19 1937**

Wm. S. O'BRIEN,
Secretary of State