

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1949

ENROLLED

SENATE BILL No. 111

(By Mr. Bean)

PASSED February 28 1949

In Effect Ninety days from Passage



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ENROLLED

Senate Bill No. 111

(BY MR. BEAN)

[Passed February 28, 1949; in effect ninety days from passage.]

AN ACT to amend and reenact section four, article nineteen, chapter seventeen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the unauthorized operation of vehicle; unlawful taking, receiving or disposing of the same; penalty.

Be it enacted by the Legislature of West Virginia:

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

Section 4. *Unauthorized Operation of Vehicle; Unlawful Taking, Receiving or Disposing of the Same; Penalty.*—
2
3 No person, other than the duly authorized agent, servant
4 or employee of the owner thereof, shall take, without the

5 knowledge and consent of the owner, and operate upon any
6 public road or highway in this state, any automobile or
7 other motor vehicle owned by another. Any person who,
8 wilfully and without the knowledge or consent of the
9 owner or person in lawful charge thereof, and with the
10 intent to deprive such owner or person in lawful charge of
11 the possession or use thereof, either temporarily or perma-
12 nently, shall take possession of, enter and drive, or other-
13 wise take away from any street, road, alley, public or pri-
14 vate parking place, garage or other building or place,
15 while the same is lawfully therein or thereon, any auto-
16 mobile or other motor vehicle belonging to another or in
17 his lawful possession; and any person or persons who shall
18 assist, aid and abet, or be present for the purpose and with
19 the intent to assist, aid or abet, another person or persons
20 in such taking possession of, entering and driving or other-
21 wise taking away any such automobile or other motor
22 vehicle; and any person who shall receive, buy, conceal,
23 or otherwise dispose of any such automobile or other mo-
24 tor vehicle, knowing the same to have been stolen or taken
25 without the knowledge or consent of the owner or

26 person in lawful charge thereof, shall be deemed guilty of
27 a felony, and upon conviction thereof, shall be fined not
28 less than two hundred nor more than five thousand dol-
29 lars, and confined in the penitentiary for not less than one
30 nor more than five years. If a corporation or joint stock
31 company, through or by any of its officers, members,
32 agents, servants or employees, under the circumstances
33 and with the knowledge defined in this section, shall re-
34 ceive, buy, conceal or otherwise dispose of any such auto-
35 mobile or other motor vehicle, such corporation or joint
36 stock company shall, upon conviction thereof, be pun-
37 ished with a fine of not less than two thousand nor more
38 than ten thousand dollars.

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

Joseph L. Mcener
Chairman Senate Committee

R. Matthews
Chairman House Committee

Originated in the Senate.

Takes effect *Ninety days from* passage.

Howard Myers
Clerk of the Senate

J. Camp
Clerk of the House of Delegates

W. B. Harrison
President of the Senate

W. E. Sawyer
Speaker House of Delegates

The within *Approved* this the *4th*
day of *MARCH*, 1949.

Okey L. Patton
Governor.



Filed in the Office of the Secretary of State
of West Virginia **MAR 8 1949**

D. PITT O'BRIEN,
SECRETARY OF STATE