WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1949

ENROLLED

SENATE BILL No. 169

(By Mr. Bean)

PASSED March 11, 1949

In Effect 90 days from Passage
AN ACT to amend and reenact sections one, two and twenty-two, article six, chapter seventeen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the licensing of motor vehicles.

Be it enacted by the Legislature of West Virginia:

That sections one, two and twenty-one, article six, 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 1. License for Motor Vehicle Required; Application.—No motor vehicle shall be driven upon the public roads, or upon any road or street within any incorporated city, town or village within the state, until the owner
shall first have obtained from the department of motor vehicles, as herein provided, a license or certificate of registration therefor. An applicant desiring such license or certificate may obtain the same by filing with the department, by mail or otherwise, a statement setting forth the character of the motor vehicle to be licensed, including the name of the manufacturer, the style, color of body, motor number, type and factory number of such vehicle, the character of the motive power, the name, age, residence and business address of the owner of such vehicle, and the name of the county in which he resides, and shall state whether such vehicle is or is not to be used in the public transportation of passengers or property, or both, for compensation, and, if so used or to be used, the applicants shall so certify, and shall, as a condition precedent to the securing of such license or certificate of registration, obtain a certificate of convenience, or permit from the public service commission.

Sec. 2. Form of Application; Certificate of Registration; Plates; Offenses; Scope of Section.—Every owner of one or more vehicles, not expressly exempted by this
article, shall make a separate application in writing, properly verified for each vehicle, on a form provided by the commissioner of motor vehicles, for permission to operate the same on the public roads of this state. In the application for registration the applicant shall furnish such information as the commissioner shall require. Upon receipt of such application, together with the fees hereafter provided for, the commissioner shall file the application and give to the same a distinguishing mark and number, and shall issue to the owner of the vehicle a certificate of registration, which shall contain the number or mark assigned such vehicle, the name and place of residence of the owner and his post office address, if the same shall be different from his place of residence. Such certificate shall be of convenient size and form, and shall be at all times carried upon such vehicle, and shall be subject to examination upon demand by any proper officer, as herein provided. In addition to the certificate of registration, the commissioner shall, without additional charge, deliver to the owner metal plates bearing the abbreviation of the name of this state, the year for which issued, and the
distinguishing mark or number assigned to such vehicle. Such plates shall be known as registration plates. Each year there shall be chosen a color, or combination of colors, for such registration plates, which shall be as different as practical from the color, or colors, used on the plates of the preceding year, and the colors used for the current year of the bordering states, and the numerals and letters on such plates shall be of such color as to be shown in marked contrast to the remainder of the plate. The plates shall be of such size and character as the commissioner of motor vehicles may prescribe so as to properly accommodate the numerals and other marks. An automobile shall be required to carry two, and any other licensed motor vehicle one, of such plates.

Notwithstanding the provisions of this section, the commissioner may, in his discretion, issue a type of license plate suitable for permanent use on motor vehicles, trailers, semi-trailers and motorcycles, together with appropriate devices to be attached thereto to indicate the year for which such vehicles have been properly licensed. The
design of such license plates shall be determined by the Commissioner.

No motor vehicle shall be driven upon any of the highways of this state without the proper registration plate fastened thereon. Registration plates issued prior to the first of the licensing year for which they are to be effective may be placed on the vehicle for which issued, not more than ten days prior to the first day of such licensing year, and used without additional registration fee: Provided, That the commissioner of motor vehicles may extend the period during which said registration plates may be used as aforesaid for such time as in his judgment may seem best.

Any person, firm or corporation failing to carry the certificate of registration, or who drives a motor vehicle without the proper registration plates affixed thereto, or who changes the name, number or other identification information on the certificate of registration, or registration plates, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined not less than ten nor more than one hundred dollars: Provided, That in the case of a per-
66 son to whom a certificate has been issued, but who at the
67 time of arrest has not the same with him, the minimum
68 fine shall be one dollar.
69 The provisions of this section shall apply both to the
70 operator, or chauffeur, and to the owner who causes or
71 knowingly permits his vehicle to be operated without a
72 certificate of registration as herein provided.

Sec. 22. Government Exemption from Registration

2 Fee; Exemption of Ambulances and Incorporated Volunteer
3 Fire Departments.—The United States government,
4 the state, or any political subdivision thereof, shall be ex-
5empted from the payment of any fee on account of reg-
6 istration of any vehicle owned or operated by the United
7 States government, the state, or any political subdivision
8 thereof, as the case may be: Provided, That the proper
9 representative of the federal government, the state, or
10 any such political subdivision thereof, shall make, or cause
11 to be made, on the form provided for that purpose, an
12 application for registration of such vehicle so owned and
13 operated, and that the registration plate or plates issued
14 for such vehicle shall be displayed or caused to be dis-
played as provided in this article: Provided further, That fire apparatus owned by the United States government, the state, or any political subdivision thereof, and by an incorporated volunteer fire department organized for protection of community property shall be exempt from all the provisions of this article except such provisions as relates to the qualification and licensing of drivers: Provided further, That any ambulance used exclusively for charitable purposes, for which use there is no charge, shall be exempt from all the provisions of this article, except such provisions as relates to the qualifications and licensing of drivers.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

Takes effect 90 days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 17th day of March, 1949.

Governor.

Filed in the Office of the Secretary of State of West Virginia, MAR 12, 1949.

D. Pitt O'Brien, Secretary of State