

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1949



ENROLLED

HOUSE BILL No. 218

(By Mr. Trent)



PASSED February 24 1949

In Effect Ninety days from Passage



218

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House Bill No. 218

(By MR. TRENT)

[Passed February 24, 1949; in effect ninety days from passage.]

AN ACT to amend and reenact section one, article four, chapter thirty-three of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the scope of fire insurance.

Be it enacted by the Legislature of West Virginia:

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

Section 1. *Scope of Fire Insurance.*—Insurance companies authorized under the laws of this state having power to insure against loss by fire may make insurance (a) against loss or damage to dwelling houses, stores and all kinds of buildings and household furniture, goods, merchandise and chattels of every description, and all other property by fire, lightning, windstorm, tornado, cyclone, earthquake, hail, frost or snow, weather or climatic con-

9 ditions, including excess or deficiency of moisture, flood,
10 rain or drought, rising of the waters of the ocean or its
11 tributaries and rivers, bombardment, invasion, insurrec-
12 tion, riot, strike, civil war or commotion, military or
13 usurped power, and by explosion whether fire ensues or
14 not;

15 (b) Against loss or damage by insects or disease to farm
16 crops or products and loss of rental value of land used
17 in producing such crops or products;

18 (c) Against loss or damage by water or other fluid to
19 any goods or premises arising from the breakage or leak-
20 age of sprinklers, pumps or other apparatus erected for
21 extinguishing fires, or of other conduits or containers, or
22 by water entering through leaks or openings in buildings
23 and of water pipes, and against accidental injury to such
24 sprinklers, pumps, apparatus, conduits, containers or
25 water pipes;

26 (d) Against loss or damage upon vessels, boats, car-
27 goes, goods, merchandise, freight and other property by all
28 or any of the risks of lake, river, canal and inland naviga-
29 tion and transportation;

30 (e) Against loss or damage upon automobiles and all
31 types of motor vehicles (including any other vehicles such
32 as trailers used in connection with motor vehicles), and
33 airplanes, seaplanes, dirigibles, or other aircraft, whether
34 stationary or being operated under their own power, which
35 shall include all or any of the hazards of fire, explosion,
36 transportation, collision, loss by legal liability for damage
37 to property or to person, loss of use, as well as include
38 comprehensive coverage of risks of all types, resulting
39 from the ownership, maintenance, or use of automobiles
40 and all types of motor vehicles (including any other ve-
41 hicles such as trailers used in connection with motor ve-
42 hicles), airplanes, seaplanes, dirigibles, or other aircraft;

43 (f) Against loss by burglary or theft, vandalism or ma-
44 licious mischief, or the wrongful conversion, disposal or
45 concealment of automobiles and all types of motor ve-
46 hicles (including any other vehicles such as trailers used
47 in connection with motor vehicles), whether held under
48 conditional sale contract or subject to chattel mortgages.

49 Such companies may insure against any one or more
50 of such hazards, and shall have the right to effect reinsur-

51 ance of any risks taken by them in companies authorized
52 and admitted to do business in this state or approved by
53 the insurance commissioner, but the subject of the insur-
54 ance and the risks, hazard or peril insured against shall
55 be expressly set forth in the policy of insurance. This
56 section shall not apply to insurance against loss caused by
57 breach of trust. The insurance commissioner may, for
58 good cause shown or on application of the company, limit
59 the license of a company to make insurance to any one or
60 more of the perils or coverages, including reinsurance,
61 authorized herein.

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

Frank L. Mcner
Chairman Senate Committee

R. M. ...
Chairman House Committee

Originated in the House of Delegates

Takes effect *Ninety days from* passage.

Howard Byers
Clerk of the Senate

J. ...
Clerk of the House of Delegates

...
President of the Senate

...
Speaker House of Delegates

The within *APPROVED* this the *7th* day of *March*, 1949.

Okey L. Pattison
Governor.



Filed in the Office of the Secretary of State of West Virginia **MAR 7 1949**
D. PITT O'BRIEN, SECRETARY OF STATE