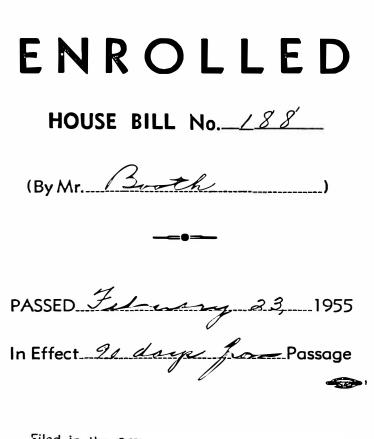
# WEST VIRGINIA LEGISLATURE

**REGULAR SESSION, 1955** 



Filed in the Office of the Secretary of State of West Virginia MAR 3 1955 D. PITT O'BRIEN SECRETARY OF STATE

# ENROLLED House Bill No. 188

(By Mr. Booth)

[Passed February 23, 1955; in effect ninety days from passage.]

AN ACT to amend and reenact section five, article six, chapter seventeen-a, of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to temporary registration plates or markers.

Be it enacted by the Legislature of West Virginia:

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

Section 5. Temporary Registration Plates or Markers.— 2 The commissioner may, subject to the limitations and 3 conditions hereinafter set forth, deliver temporary vehicle 4 registration plates or markers to dealers when the appli-5 cation therefor is accompanied by the fee prescribed in 6 this chapter. Such application shall be made upon a form 7 prescribed and furnished by the department. Dealers sub-

## Enr. H. B. No. 188]

8 ject to the limitations and conditions hereinafter set forth,
9 may issue such temporary registration plates or markers
10 to owners of vehicles, provided that such owners shall
11 comply with the pertinent provisions of this section.

12 Every dealer who has made application for temporary 13 registration plates or markers shall maintain in perma-14 nent form a record of all temporary registration plates 15 or markers delivered to him, and shall also maintain in 16 permanent form a record of all temporary registration 17 plates or markers issued by him, and in addition thereto, 18 shall maintain in permanent form a record of any other 19 information pertaining to the receipt or the issuance of temporary registration plates or markers that the com-20 21 missioner may require. Each record shall be kept for a 22 period of at least three years from the date of entry of 23 such record. Every dealer shall allow full and free access 24 to such records during regular business hours, to duly 25 authorized representatives of the department and to peace 26 officers. Every dealer who issues temporary registration 27 plates or markers shall, on the day that he issued such 28 plates or markers, send to the department a copy of the

29 temporary registration plate or marker application, prop-30 erly executed by such dealer and the owner.

31 A dealer shall not issue, assign, transfer or deliver tem-32 porary registration plates or markers to anyone other than the bona fide purchaser or owner of the vehicle to be 33 34 registered; nor shall a dealer issue temporary registration 35 plates or markers to anyone possessed of annual registra-36 tion plates for a vehicle that has been sold or exchanged, 37 except a dealer may issue a temporary registration plate 38 or marker to the bona fide purchaser or owner of a vehicle 39 to be registered who possesses annual registration plates 40 of a different class and makes application to the depart-41 ment to exchange such annual registration plates of a 42 different class in accordance with the provisions of sec-43 tion one, article four, of this chapter; nor shall a dealer 44 lend to anyone or use on any vehicle that he may own, temporary registration plates or markers. It shall be un-45 46 lawful for any dealer to issue any temporary registration 47 plate or marker, or plates or markers, containing any mis-48 statement of fact, or knowingly to insert any false infor-49 mation upon the face thereof.

### Enr. H. B. No. 188]

50 Every dealer who issues temporary plates or markers 51 shall affix or insert clearly and indelibly on the face of 52 each temporary registration plate or marker the date of 53 issuance and expiration, and the make and motor or serial 54 number of the vehicle for which issued.

If the commissioner finds that the provisions of this section or the directions of the commissioner are not being complied with by the dealer, he may suspend, after notice and hearing, the right of a dealer to issue temporary registration plates or markers.

Every person who makes application for temporary registration plates or markers shall execute the temporary registration plate or marker application and shall return such application to the dealer from whom the vehicle to be registered has been or will be purchased.

Every person who makes application for temporary registration plates or markers shall execute and send an application for annual registration plates to the department, previous to or not later than fifteen days from the day that the dealer sends to the department a copy of the executed temporary registration certificate, but in no

[Enr. H. B. No. 188

event shall such application for annual registration plates
be made later than fifteen days from the day on which
the temporary registration plates or markers are issued
to such owner.

75 Every person to whom temporary registration plates or 76 markers have been issued shall permanently destroy such 77 temporary registration plates or markers immediately 78 upon receiving the annual registration plates from the 79 department: Provided, That if the annual registration 80 plates are not received within twenty days of the issuance of the temporary registration plates or markers, the 81 82 owner shall, notwithstanding immediately upon the ex-83 piration of such twenty day period, permanently destroy 84 the temporary registration plates or markers: Provided 85 further, That not more than one temporary registration plate or marker shall be issued to the same bona fide pur-86 chaser or owner for the same vehicle. 87

Temporary registration plates or markers shall expire and become void upon the receipt of the annual registration plates from the department, or upon the rescission of a contract to purchase a motor vehicle, or upon the ex-

#### Enr. H. B. No. 188]

92 piration of twenty days from the date of issuance, depending upon whichever event shall first occur. No re-93 94 fund or credit of fees paid by dealers to the department 95 for temporary registration plates or markers shall be 96 allowed, except in the event that the commissioner dis-97 continues the issuance of temporary registration plates or markers, dealers returning temporary registration plates 98 99 or markers to the department may petition for refund or 100 a credit thereof.

101 The commissioner shall have the power to make such 102 rules and regulations, not inconsistent herewith, as he 103 shall deem necessary for the purpose of carrying out the 104 provisions of this section.

105 Any person who violates any of the provisions of this106 section is guilty of a misdemeanor.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly eprolled. Chairmon Senate Committee Chairman House Committee Originated in the House of Delegates passage. Takes effect 90 Clerk of the Senate Clerk of the House of Delegates President of the peaker House of Delegates The within approved this the \_\_\_\_\_ day of March \_\_\_\_\_, 1955. eliam C. Mar Governor Filed In the Office of the Secretary of State MAR 1055 of West Virginia... D. PITT O'BRIEN SECRETARY OF STATE