

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1959



ENROLLED

HOUSE BILL No. 229

(By Mr. SEIBERT)



PASSED March 4, 1959

In Effect July 1, 1959. Passage



Filed in Office of the Secretary of State
of West Virginia

MAR 12 1959

JOE F. BURDETT
SECRETARY OF STATE

229

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House Bill No. 229
(By MR. SEIBERT)

[Passed March 4, 1959; in effect July 1, 1959.]

AN ACT to amend and reenact section twelve, article three, chapter seventeen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to issuance and delivery of certificates of title to motor vehicles.

Be it enacted by the Legislature of West Virginia:

That section twelve, article three, 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 12. *Commissioner to Issue Certificate of Title;*
2 *Certificate of Title to Be Delivered to Owner or Lienor.—*
3 The commissioner, if satisfied that the applicant for a
4 certificate of title is the owner of such vehicle, or other-
5 wise entitled to have the same registered in his name,
6 shall issue an appropriate certificate of title.

7 The certificate of title shall contain upon the face there-
8 of the date issued, the name and address of the owner,
9 such description of the vehicle as determined by the com-
10 missioner, and a statement of the owner's title and of all
11 liens and encumbrances upon the vehicle therein de-
12 scribed and whether possession is held by the owner un-
13 der a lease, contract of conditional sale, or other like
14 agreement, and shall bear thereon the seal of the depart-
15 ment.

16 The certificate of title shall contain upon the reverse
17 side a space for the signature of the owner and the owner
18 shall write his name with pen and ink in such space upon
19 receipt of the certificate. Such certificate shall also con-
20 tain upon the reverse side forms for assignment of title
21 or interest and warranty thereof by the owner with space
22 for notation of liens and encumbrances upon the vehicle
23 at the time of a transfer.

24 The commissioner, upon issuing a certificate of title,
25 shall deliver same to the person who holds legal title to
26 the vehicle described on the face of said certificate: *Pro-*
27 *vided*, That when a certificate of title is issued showing

28 upon the face thereof a lien or encumbrance or liens or
29 encumbrances, such certificate of title shall be delivered
30 to the lien holder in order of priority. It shall be unlawful
31 and constitute a misdemeanor for a lienor who holds a
32 certificate of title as hereinabove in this section provided,
33 to refuse or fail to surrender such certificate of title to
34 the person legally entitled thereto within ten days after
35 the lien or encumbrance or liens or encumbrances shown
36 on the face thereof shall have been paid and satisfied.

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

W. J. Jasper
Chairman Senate Committee

J. F. Deem
Chairman House Committee

Originated in the House of Delegates

Takes effect *July 1, 1959.* passage.

Howard Meyer
Clerk of the Senate

C. Blankenship
Clerk of the House of Delegates

Ralph Bean
President of the Senate

W. R. Pauley
Speaker, House of Delegates

The within *approved* this the *12th*

day of *March*, 1959.

Jeff H. Underwood
Governor

