

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1959

ENROLLED

HOUSE BILL No. 264

(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

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House Bill No. 264

(By MR. SEIBERT)

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

AN ACT to amend and reenact section one, article seven, chapter seventeen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to licensing of motor vehicle dealers and persons engaging in the business of wrecking or dismantling motor vehicles.

Be it enacted by the Legislature of West Virginia:

That section one, article seven, 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 1. *Dealers and Wreckers Must be Licensed.*—

- 2 No person unless licensed so to do by the department,
3 under the provisions of this chapter, shall carry on or
4 conduct the business of:
- 5 (1) A dealer in motor vehicles, trailers, or semi-trailers,
6 of a type subject to registration;

7 (2) A dealer in used parts or used accessories of ve-
8 hicles;

9 (3) Wrecking or dismantling any such vehicle for resale
10 of the parts thereof.

11 Application for a dealer's or wrecker's license shall be
12 made upon the form prescribed by the department and
13 shall contain the name and address of the applicant; and
14 when the applicant is a partnership, the name and address
15 of each partner; or when the applicant is a corporation, the
16 names of the principal officers of the corporation and the
17 state in which incorporated. Said application shall state
18 the exact location of the place or places where the busi-
19 ness is to be conducted and further state whether such is
20 owned or leased by the applicant. Said applicant shall fur-
21 ther state that the location is a permanent business loca-
22 tion and not a temporary stand, or other temporary quar-
23 ters, and affords sufficient space upon which to offer
24 and display vehicles for sale, and is a suitable place
25 where applicant can in good faith carry on as a primary
26 function said business and keep and maintain books,
27 records and files necessary to conduct the said business

28 which will be available at all reasonable hours to in-
29 spection by the motor vehicle commissioner or his duly
30 authorized representative. Said application shall state
31 the nature of such business and contain other informa-
32 tion as may be required by the department. Every such
33 application shall be verified by the oath or affirmation
34 of the applicant, if an individual, or in the event an
35 applicant is a partnership or corporation, then by a
36 partner or officer thereof. Every such application shall
37 be accompanied by the fee required by law. The com-
38 missioner shall if he deems it necessary cause an investi-
39 gation to be made to ascertain if the facts set forth in said
40 application are true and shall not issue license to said
41 applicant until the requirements set forth in said ap-
42 plication are met.

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

W. Jasper Jr
Chairman Senate Committee

J. F. Deem
Chairman House Committee

Originated in the House of Delegates.

Takes effect *July 1, 1959.* passage.

J. Power Meyer
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Ralph Bean
President of the Senate

N. P. Parley
Speaker House of Delegates

The within *approved* this the *12th*

day of *March*, 1959.

W. H. Underwood
Governor

