

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1961

117

ENROLLED

SENATE BILL NO. 117

(By Mr. Nuckols)

PASSED March 10th 1961

In Effect unitedly approved Passage

Filed in Office of the Secretary of State
of West Virginia MAR 17 1961
JOE F. BURDETT
SECRETARY OF STATE

ENROLLED
Senate Bill No. 117
(By MR. NUCKOLS)

[Passed March 10, 1961; in effect ninety days from passage.]

AN ACT to amend and reenact sections five and eleven, article three, chapter seventeen-d of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to security following accident and the duration of suspension of licenses, registrations and operating privileges under the motor vehicles safety responsibility law.

Be it enacted by the Legislature of West Virginia:

That sections five and eleven, article three, chapter seventeen-d of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Article 3. Security Following Accident.

Section 5. *Requirements as to Policy or Bond.*— (a) No
2 policy or bond shall be effective under section four of
3 this article unless issued by an insurance company or
4 surety company authorized to do business in this state,
5 except as provided in subdivision (b) of this section, nor
6 unless such policy or bond is subject, if the accident has
7 resulted in bodily injury or death, to a limit, exclusive
8 of interest and costs, of not less than ten thousand dollars
9 because of bodily injury to or death of one person in any
10 one accident, and, subject to said limit for one person, to
11 a limit of not less than twenty thousand dollars because
12 of bodily injury to or death of two or more persons in any
13 one accident, and, if the accident has resulted in injury to,
14 or destruction of property, to a limit of not less than five
15 thousand dollars because of injury to or destruction of
16 property of others in any one accident.

17 (b) No policy or bond shall be effective under section
18 four of this article with respect to any vehicle which was
19 not registered in this state or was a vehicle which was
20 registered elsewhere than in this state at the effective

21 date of the policy or bond or the most recent renewal
22 thereof, unless the insurance company or surety company
23 issuing such policy or bond is authorized to do business in
24 this state, or if said company is not authorized to do busi-
25 ness in this state, unless it shall execute a power of attor-
26 ney authorizing the commissioner to accept service on
27 its behalf of notice or process in any action upon such
28 policy or bond arising out of such accident.

29 (c) Upon receipt of notice of such accident from the
30 commissioner, the insurance company or surety company
31 named in such notice shall notify the commissioner in
32 such manner as he may require in case such a policy or
33 bond was not in effect at the time of such accident.

Sec. 11. *Duration of Suspension.*—Unless a suspension
2 is terminated under other provisions of this article, any
3 order of suspension by the commissioner under this arti-
4 cle shall remain in effect and no license shall be renewed
5 for or issued to any person whose license is so suspended
6 and no registration shall be renewed for or issued to any
7 person whose vehicle registration is so suspended until:

8 (1) Such person shall deposit or there shall be de-

9 posited on his behalf the security required under this
10 article, or

11 (2) One year shall have elapsed following the date
12 of such suspension and evidence satisfactory to the com-
13 missioner has been filed with him that during such period
14 no action for damages arising out of the accident resulting
15 in such suspension has been instituted.

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

James Davis, Jr.
Chairman Senate Committee

Max H. Withers
Chairman House Committee

Originated in the Senate.

Takes effect ninety days from passage.

John H. Meyer
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Howard W. Carson
President of the Senate

Julius W. Singletary, Jr.
Speaker House of Delegates

The within approved this the 17th
day of March, 1961.

Wm. Barr
Governor



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of West Virginia

MAR 17 1961

JOE F. BURDETT
SECRETARY OF STATE