WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1961

ENROLLED

SENATE BILL NO. 117

(By Mr. Nichols)

PASSED March 10th, 1961

In Effect ninety days after 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:

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

(b) No policy or bond shall be effective under section four of this article with respect to any vehicle which was not registered in this state or was a vehicle which was registered elsewhere than in this state at the effective
date of the policy or bond or the most recent renewal thereof, unless the insurance company or surety company issuing such policy or bond is authorized to do business in this state, or if said company is not authorized to do business in this state, unless it shall execute a power of attorney authorizing the commissioner to accept service on its behalf of notice or process in any action upon such policy or bond arising out of such accident.

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

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

(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.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

Takes effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

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

Governor

Filed in Office of the Secretary of State of West Virginia

MAR 17 1961

SECRETARY OF STATE