

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1963



ENROLLED

HOUSE BILL No. 221

(By Mr. Nyles and Mr. Anderson)



PASSED March 9, 1963

In Effect ninety days from Passage



Filed in Office of the Secretary of State
of West Virginia 3-15-63

JOE F. BURDETT
SECRETARY OF STATE

221

ENROLLED

House Bill No. 221

(By MR. MYLES and MR. ANDERSON)

[Passed March 9, 1963; in effect ninety days from passage.]

AN ACT to amend article eight, chapter seventeen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto two new sections, designated sections nine and ten, all relating to unlawfully obtaining or retaining possession of a motor vehicle with intent to defraud the owner or possessor thereof; to unlawfully retaining possession of a rented or leased motor vehicle after failure to return said vehicle as agreed and after failure to return same within seventy-two hours following a written or oral demand therefor; and providing penalties.

Be it enacted by the Legislature of West Virginia:

That article eight, chapter seventeen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto two new sections, designated sections nine and ten, all to read as follows:

Article 8. Special Antitheft Laws.

Section 9. Unlawfully Obtaining Possession of a Motor

2 Vehicle; Penalty.—Any person who in renting or leasing
3 a motor vehicle obtains possession or retains possession
4 of the same by means of any false or fraudulent repre-
5 sentation, fraudulent concealment, false pretense or per-
6 sonation, trick, artifice or device, including, but not
7 limited to, a false representation as to his name, resi-
8 dence, employment, or operator's license, shall be guilty
9 of a misdemeanor and upon conviction may be confined
10 in jail for a period of not more than one year or be fined
11 not more than five hundred dollars or both.

Sec. 10. Unlawfully Retaining Motor Vehicle; Notice;

2 Penalty.—Any person who, after renting or leasing a
3 motor vehicle under an agreement in writing which pro-
4 vides for the return of said vehicle to a particular place

5 at a particular time, shall fail to return the vehicle
6 to said place within the time specified, and is thereafter
7 served with a written notice, or upon whom oral demand
8 is thereafter personally made, to return said vehicle to
9 the place specified in the written agreement within
10 seventy-two hours from the time of the service of notice
11 or personal communication of such demand, and who
12 fails to return said vehicle to the lessor within said per-
13 iod, shall be guilty of a misdemeanor and upon con-
14 viction may be confined in jail for a period of not more
15 than one year or be fined not more than five hundred
16 dollars or both. The notice hereinabove provided for
17 may be served in the same manner that any other notice
18 may now be served under existing statutes.

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

O Ray Parker
Chairman Senate Committee

Etzel L. Randall
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Howard Thayer
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Howard W. Carson
President of the Senate

Julius W. Singleton Jr.
Speaker House of Delegates

The within approved this the 14th
day of March, 1963.

W. W. Borman
Governor

