

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1963

ENROLLED

SENATE BILL NO. 341

(By Mr. Martin)

PASSED March 8, 1963

In Effect from Passage



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

JOE F. BURDETT
SECRETARY OF STATE

341

ENROLLED

Senate Bill No. 341

(By MR. MARTIN)

[Passed March 8, 1963; in effect from passage.]

AN ACT to amend and reenact section one, article five, chapter seventeen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to exemption from registration vehicles owned by nonresidents who accept or engage in temporary and recurrent or seasonal employment, business, profession or occupation in this state and maintain temporary and recurrent or seasonal residence in this state in connection with such employment, business, profession or occupation, and authorizing the issuance of special permits for such vehicles in lieu of registration.

Be it enacted by the Legislature of West Virginia:

That section one, article five, 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:

Article 5. Permits to Nonresident Owners.

Section 1. Nonresident Owners Exempt from Registra-

2 **tion.**—(a) A nonresident owner, except as otherwise pro-
3 vided in this section, owning any vehicle registered in a
4 foreign state or country of a type otherwise subject to
5 registration hereunder may operate or permit the opera-
6 tion of such vehicle within this state for a period of thirty
7 days without registering such vehicle in, or paying any
8 fees to, this state subject to the condition that such vehicle
9 at all times when operated in this state is duly registered
10 in and displays upon it a valid registration card and reg-
11 istration plate or plates issued for such vehicle in the
12 place of residence of such owner.

13 (b) Every nonresident, including any foreign corpora-
14 tion, carrying on business within this state and owning
15 and regularly operating in such business any motor ve-
16 hicle, trailer, or semitrailer within this state, shall be
17 required to register each such vehicle and pay the same

18 fee therefor as is required with reference to like ve-
19 hicles owned by residents of this state, except as other-
20 wise provided by reciprocal agreements with other states
21 accomplished pursuant to section ten, article two of this
22 chapter.

23 (c) Any nonresident who accepts or engages in tempo-
24 rary and recurrent or seasonal employment, business, pro-
25 fession or occupation in this state and maintains tempo-
26 rary and recurrent or seasonal residence in this state in
27 connection with such employment, business, profession,
28 or occupation, and any nonresident, including any corpo-
29 ration carrying on business of a temporary and recurrent
30 or seasonal nature in this state and owning and tempo-
31 rarily and recurrently or seasonally operating in such
32 business any motor vehicle, trailer or semitrailer within
33 this state, may operate or permit the operation of such
34 vehicle within this state without causing said vehicle to
35 be registered as otherwise required by article three of
36 this chapter: *Provided*, That such nonresident, in lieu
37 of registration of such vehicle, shall make application to
38 the department and receive a special permit for such

39 vehicle which shall be evidenced by a metal identification
40 plate and certificate in writing, which special permit plate
41 and certificate shall together identify the vehicle for
42 which such special permit and plate shall issue and such
43 certificate shall bear the name and address of the owner
44 of such vehicle. Such special permit shall be issued without
45 previous certification of title to such vehicle as otherwise
46 required by article three of this chapter.

47 Every owner of a vehicle for which such special permit
48 is desired shall make a verified application to the depart-
49 ment for such special permit upon the appropriate form
50 or forms furnished by the department and shall bear the
51 signature of the owner written with pen and ink and shall
52 contain the character of information called for by section
53 three, article three of this chapter, a description of the
54 employment, residence, business and location of such
55 business set forth in such manner as to show the tempo-
56 rary and recurrent or seasonal nature of such residence,
57 employment, business, profession or occupation, and that
58 such vehicle is duly registered in the state of residence
59 of such owner. There shall be an application for each

60 vehicle for which a special permit is desired.

61 Any special permit or plate issued by the department
62 under this section shall be effective and valid for a period
63 of sixty consecutive days from and including the date of
64 issuance and, upon similar application by the owner, the
65 commissioner may renew any such special permit for im-
66 mediately ensuing similar period or periods of sixty days
67 in any fiscal year. The department shall charge a fee of
68 ten dollars for each special permit issued under this sec-
69 tion. A special permit shall be issued for one vehicle only
70 and no combination of two or more vehicles shall be
71 operated under fewer special permits than the number of
72 vehicles in such combination. A special permit shall not
73 be issued for any vehicle which is not duly registered in
74 the state of residence of the owner thereof. The regis-
75 tration plate issued for such vehicle by the state of resi-
76 dence of the owner shall not be displayed on such vehicle
77 while being operated over any highway during any period
78 for which a special permit shall have been issued for such
79 vehicle under this section, but there shall be carried in
80 such vehicle the certificate of registration issued for such

81 vehicle by the state of residence of such owner.

82 The commissioner shall prescribe the substance, form,
83 color and context of the certificate of special permit and
84 the special permit plate, each of which shall be visually
85 distinguishable from the certificates of registration and
86 registration plates issued under article three of this chap-
87 ter.

88 It is a misdemeanor for any person to drive or move or
89 knowingly to permit to be moved or driven upon any high-
90 way any vehicle for which a special permit shall have
91 been issued under this section unless such vehicle shall
92 bear the special plate called for by the certificate evi-
93 dencing such special permit.

94 When the employment, business, profession, occupation
95 or residence of the owner of a vehicle for which such spe-
96 cial permit shall have been issued shall cease to be tem-
97 porary and recurrent or seasonal, any special permit issued
98 for such vehicle pursuant to this section shall immediately
99 terminate and become void and such vehicle shall there-
100 upon become subject to registration under article three
101 of this chapter.

102 Any special permit issued pursuant to this section shall
103 be valid and effective on and after the first day of a month;
104 that is, such special permit issued between the first and
105 fifteenth days of a month shall be effective during sixty
106 consecutive days from and including the first day of the
107 month in which the permit shall issue; and a special
108 permit issued after the fifteenth day of any month shall
109 be effective during sixty consecutive days commencing
110 with and including the first day of the month next fol-
111 lowing the month in which such special permit shall be
112 issued.

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

O. Ray Parker
Chairman Senate Committee

Philip L. Randall
Chairman House Committee

Originated in the Senate.

Takes effect FROM passage.

Howard Meyer
Clerk of the Senate

C. Blankenship
Clerk of the House of Delegates

Howard Carson
President of the Senate

Julius W. Singleton
Speaker House of Delegates

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

W. W. Barron
Governor

