

# 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)

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

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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-**

**tion.**—(a) A nonresident owner, except as otherwise provided in this section, owning any vehicle registered in a foreign state or country of a type otherwise subject to registration hereunder may operate or permit the operation of such vehicle within this state for a period of thirty days without registering such vehicle in, or paying any fees to, this state subject to the condition that such vehicle at all times when operated in this state is duly registered in and displays upon it a valid registration card and registration plate or plates issued for such vehicle in the place of residence of such owner.

(b) Every nonresident, including any foreign corporation, carrying on business within this state and owning and regularly operating in such business any motor vehicle, trailer, or semitrailer within this state, shall be 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

Edw. 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 W. Carson  
President of the Senate

Julius W. Singlebury  
Speaker House of Delegates

The within approved this the 14<sup>th</sup>  
day of March, 1963.

W. W. Burton  
Governor

