

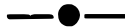
WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1973



ENROLLED

HOUSE BILL No. 1043

(By Mr. Kopp)



PASSED April 14, 1973

In Effect ninety days from Passage



C 641

FILED IN THE OFFICE
EDWARD F. ROSSFELL III
SECRETARY OF STATE
THIS DATE 5/3/73

1043

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House Bill No. 1043

(By MR. KOPP)

[Passed April 14, 1973; in effect ninety days from passage.]

AN ACT to amend and reenact section fifteen, article six, chapter seventeen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to motor vehicles; temporary license plates by extending the time such plates are valid.

Be it enacted by the Legislature of West Virginia:

That section fifteen, article six, 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 6. LICENSING OF DEALERS AND WRECKERS OR DISMANTLERS; SPECIAL PLATES; TEMPORARY PLATES OR MARKERS, ETC.

§17A-6-15. Temporary registration plates or markers.

- 1 (a) In order to permit a vehicle which is sold to a pur-
- 2 chaser by a dealer to be operated on the streets and highways
- 3 pending receipt of the annual registration plate from the
- 4 department for such vehicle, the commissioner may, subject to
- 5 the limitations and conditions hereinafter set forth, deliver
- 6 temporary vehicle registration plates or markers to dealers
- 7 who in turn may, subject to the limitations and conditions here-
- 8 inafter set forth, issue the same to purchasers of vehicles, but
- 9 such purchasers must comply with the pertinent provisions
- 10 of this section.
- 11 (b) Application by a dealer to the commissioner for such
- 12 temporary registration plates or markers shall be made on the

13 form prescribed and furnished by the commissioner for such
14 purpose and shall be accompanied by a fee of one dollar for
15 each such temporary registration plate or marker. No refund
16 or credit of fees paid by dealers to the commissioner for
17 temporary registration plates or markers shall be allowed,
18 except that in the event the commissioner discontinues the
19 issuance of such temporary plates or markers, dealers returning
20 temporary registration plates or markers to the commissioner
21 may petition for and be entitled to a refund or a credit
22 thereof. No temporary registration plates or markers shall
23 be delivered by the commissioner to any dealer in house trailers
24 only, and no such temporary plates or markers shall be issued
25 for or used on any house trailer for any purpose.

26 (c) Every dealer who has made application for and re-
27 ceived temporary registration plates or markers shall maintain
28 in permanent form a record of all temporary registration plates
29 or markers delivered to him, a record of all temporary registra-
30 tion plates or markers issued by him, and a record of any other
31 information pertaining to the receipt or the issuance of tem-
32 porary registration plates or markers which the commissioner
33 may require. Each such record shall be kept for a period of
34 at least three years from the date of the making thereof. Every
35 dealer who issues a temporary registration plate or marker
36 shall, within three days after he issues such plate or marker,
37 send to the department a copy of the temporary registration
38 plate or marker certificate properly executed by such dealer
39 and the purchaser. No temporary registration plates or
40 markers may be delivered to any dealer until such dealer has
41 fully accounted to the commissioner for the temporary registra-
42 tion plates or markers last delivered to such dealer, by showing
43 the number issued to purchasers by such dealer and any on
44 hand.

45 (d) A dealer shall not issue, assign, transfer or deliver a
46 temporary registration plate or marker to anyone other than
47 the bona fide purchaser of the vehicle to be registered; nor
48 shall a dealer issue a temporary registration plate or marker
49 to anyone possessed of an annual registration plate for a
50 vehicle which has been sold or exchanged, except a dealer
51 may issue a temporary registration plate or marker to the bona
52 fide purchaser of a vehicle to be registered who possesses
53 an annual registration plate of a different class and makes

54 application to the department to exchange such annual
55 registration plate of a different class in accordance with the
56 provisions of section one, article four of this chapter; nor
57 shall a dealer lend to anyone, or use on any vehicle which
58 he may own, a temporary registration plate or marker. It
59 shall be unlawful for any dealer to issue any temporary registra-
60 tion plate or marker knowingly containing any misstatement
61 of fact, or knowingly to insert any false information upon the
62 face thereof.

63 (e) Every dealer who issues temporary registration plates
64 or markers shall affix or insert clearly and indelibly on the face
65 of each temporary registration plate or marker the date of
66 issuance and expiration thereof, and the make and motor
67 or serial number of the vehicle for which issued.

68 (f) If the commissioner finds that the provisions of this
69 section or his directions are not being complied with by a
70 dealer, he may suspend the right of such dealer to issue tem-
71 porary registration plates or markers.

72 (g) Every person who is issued a temporary registration
73 plate or marker shall execute and send an application for an
74 annual registration plate to the department, previous to or not
75 later than fifteen days from the day on which the temporary
76 registration plate or marker is issued to such purchaser.

77 (h) Every person to whom a temporary registration plate
78 or marker has been issued shall permanently destroy such
79 temporary registration plate or marker immediately upon re-
80 ceiving the annual registration plate for such vehicle from the
81 department: *Provided*, That if the annual registration plate is
82 not received within forty days of the issuance of the tem-
83 porary registration plate or marker, the owner shall, not-
84 withstanding the fact that the annual registration plate has not
85 been received, immediately and permanently destroy the tem-
86 porary registration plate or marker: *Provided, however*, That
87 not more than one temporary registration plate or marker shall
88 be issued to the same bona fide purchaser for the same vehicle.

89 (i) A temporary registration plate or marker shall expire
90 and become void upon the receipt of the annual registration
91 plate from the department or upon the rescission of the con-
92 tract to purchase the vehicle in question, or upon the expiration
93 of forty days from the date of issuance, depending upon which-
94 ever event shall first occur.

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

W. Darrel Darby
Chairman Senate Committee

Clarence C. Christian Jr.
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Howard McCaig
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

J. I. Brotherton Jr.
President of the Senate

Lewis J. McManus
Speaker House of Delegates

The within Approved this the 24th
April day of _____, 1973.

Arha Shaefer Jr.
Governor



PRESENTED TO THE
GOVERNOR

Date 4/24/73
Time 2:34 p.m.

RECEIVED

MAY 2 9 35 AM '73

OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA