WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1973

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ENROLLED

HOUSE BILL No. 1043

(By Mr. [Signature])

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PASSED April 14, 1973

In Effect Thirty days from Passage

FILED IN THE OFFICE
EDGAR F. HANCE III
SECRETARY OF STATE
THIS DATE 5/3/73
ENROLLED

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 purchaser by a dealer to be operated on the streets and highways pending receipt of the annual registration plate from the department for such vehicle, the commissioner may, subject to the limitations and conditions hereinafter set forth, deliver temporary vehicle registration plates or markers to dealers who in turn may, subject to the limitations and conditions hereinafter set forth, issue the same to purchasers of vehicles, but such purchasers must comply with the pertinent provisions of this section.

(b) Application by a dealer to the commissioner for such temporary registration plates or markers shall be made on the
form prescribed and furnished by the commissioner for such
purpose and shall be accompanied by a fee of one dollar for
each such temporary registration plate or marker. No refund
or credit of fees paid by dealers to the commissioner for
temporary registration plates or markers shall be allowed,
except that in the event the commissioner discontinues the
issuance of such temporary plates or markers, dealers returning
temporary registration plates or markers to the commissioner
may petition for and be entitled to a refund or a credit
thereof. No temporary registration plates or markers shall
be delivered by the commissioner to any dealer in house trailers
only, and no such temporary plates or markers shall be issued
for or used on any house trailer for any purpose.

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

(d) A dealer shall not issue, assign, transfer or deliver a
temporary registration plate or marker to anyone other than
the bona fide purchaser of the vehicle to be registered; nor
shall a dealer issue a temporary registration plate or marker
to anyone possessed of an annual registration plate for a
vehicle which has been sold or exchanged, except a dealer
may issue a temporary registration plate or marker to the bona
fide purchaser of a vehicle to be registered who possesses
an annual registration plate of a different class and makes
application to the department to exchange such annual
registration plate of a different class in accordance with the
provisions of section one, article four of this chapter; nor
shall a dealer lend to anyone, or use on any vehicle which
he may own, a temporary registration plate or marker. It
shall be unlawful for any dealer to issue any temporary registra-
tion plate or marker knowingly containing any misstatement
of fact, or knowingly to insert any false information upon the
face thereof.
(e) Every dealer who issues temporary registration plates
or markers shall affix or insert clearly and indelibly on the face
of each temporary registration plate or marker the date of
issuance and expiration thereof, and the make and motor
or serial number of the vehicle for which issued.
(f) If the commissioner finds that the provisions of this
section or his directions are not being complied with by a
dealer, he may suspend the right of such dealer to issue tem-
porary registration plates or markers.
(g) Every person who is issued a temporary registration
plate or marker shall execute and send an application for an
annual registration plate to the department, previous to or not
later than fifteen days from the day on which the temporary
registration plate or marker is issued to such purchaser.
(h) Every person to whom a temporary registration plate
or marker has been issued shall permanently destroy such
temporary registration plate or marker immediately upon re-
ceiving the annual registration plate for such vehicle from the
department: Provided, That if the annual registration plate is
not received within forty days of the issuance of the tem-
porary registration plate or marker, the owner shall, not-
withstanding the fact that the annual registration plate has not
been received, immediately and permanently destroy the tem-
porary registration plate or marker: Provided, however, That
not more than one temporary registration plate or marker shall
be issued to the same bona fide purchaser for the same vehicle.
(i) A temporary registration plate or marker shall expire
and become void upon the receipt of the annual registration
plate from the department or upon the rescission of the con-
tract to purchase the vehicle in question, or upon the expiration
of forty days from the date of issuance, depending upon which-
ever event shall first occur.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

H. Darrel Darby  
Chairman Senate Committee

Clarence C. Christiansen  
Chairman House Committee

Originated in the House.
Takes effect ninety days from passage.

Howard McFarren  
Clerk of the Senate

C. H. Boxleitner  
Clerk of the House of Delegates

William M. Berry  
President of the Senate

Lawrence J. Nally  
Speaker House of Delegates

The within _______ approved _______ this the 24th April, 1973.

Annis Dunce  
Governor