

No: 1965

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OFFICE OF THE GOVERNOR

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1984



ENROLLED

HOUSE BILL No. 1965

(By Mr. Del. Davis + Del. Chambers)



Passed March 6, 1984

In Effect Ninety Days From Passage



ENROLLED

H. B. 1965

(By DELEGATE DAVIS and DELEGATE CHAMBERS)

(Originating in the House Committee on the Judiciary)

[Passed March 6, 1984; in effect ninety days from passage.]

AN ACT to amend article four-a, chapter seventeen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section sixteen, relating to motor vehicles; providing priority security interest for a security agreement on a new motor vehicle.

Be it enacted by the Legislature of West Virginia:

That article four-a, chapter seventeen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section sixteen, to read as follows:

ARTICLE 4A. LIENS AND ENCUMBRANCES ON VEHICLES TO BE SHOWN ON CERTIFICATE OF TITLE; NOTICE TO CREDITORS AND PURCHASERS.

§17A-4A-16. Priority security interest on new motor vehicles.

1 Any security agreement covering a security interest in a
2 motor vehicle, if such instrument is accompanied by delivery
3 of a manufacturer's or importer's certificate of origin, and
4 followed by actual and continued possession of such cer-
5 tificate by the holder of said instrument, shall be valid as
6 against the creditors of the debtor, whether armed with
7 process or not, and against secured parties, and other lien-
8 holders or claimants. The interest of the holder of said

9 instrument shall be valid against subsequent purchasers only
10 if there is no consent by the holder of said instrument to
11 expose the covered motor vehicle for sale: *Provided*, That
12 such protected interest shall be void as to any bona fide
13 purchaser for value without notice.

14 Nothing herein shall be deemed to affect the provisions of
15 section one of this article.

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

James L. Davis

Chairman Senate Committee

Arnold Ansell

Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Todd C. Hicks

Clerk of the Senate

Donald L. Dugg

Clerk of the House of Delegates

Waverly P. Morgan

President of the Senate

W. H. Lee, Jr.

Speaker House of Delegates

The within is approved this the 30
day of March, 1984.

John D. Dyer

Governor

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