

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 Arnold
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Todd C. Wicks
Clerk of the Senate

Donald L. Vogg
Clerk of the House of Delegates
Waverly P. Morgan
President of the Senate

Wm. H. See, Jr.
Speaker House of Delegates

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

John D. Dyer
Governor

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