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SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE  
REGULAR SESSION, 1987



ENROLLED

SENATE BILL NO. 541

(By Senators Holmes and Manchin)



PASSED March 11 1987

In Effect ninety days from Passage



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**Senate Bill No. 541**

(BY SENATORS HOLMES AND MANCHIN)

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[Passed March 11, 1987; in effect ninety days from passage.]

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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 the department of motor vehicles; to temporary registration plates issued by dealers; and increasing from three calendar days to five working days the time period after issuance in which dealers must submit notification of issuance to the department.

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

11     (b) Application by a dealer to the commissioner for such  
12 temporary registration plates or markers shall be made on

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

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

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

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

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

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

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

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

93 (i) A temporary registration plate or marker shall expire  
94 and become void upon the receipt of the annual registration  
95 plate from the department or upon the rescission of the  
96 contract to purchase the vehicle in question, or upon the  
97 expiration of forty days from the date of issuance,  
98 depending upon whichever event shall first occur.


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

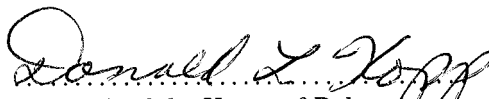
  
Chairman Senate Committee


  
Chairman House Committee

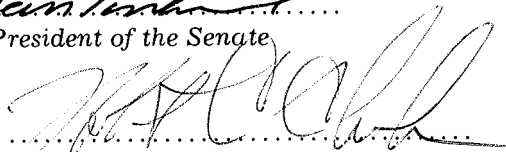
Originated in the Senate.

In effect ninety days from passage.

  
Clerk of the Senate

  
Clerk of the House of Delegates

  
President of the Senate

  
Speaker House of Delegates

The within  this the   
day of  1987.

  
Governor

PRESENTED TO THE

GOVERNOR

Date 3/14/87

Time 3:19 p.m.