WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1987

ENROLLED
SENATE BILL NO. 541

(By Senators [Names] and [Names])

PASSED March 11, 1987
In Effect [Date 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 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 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.

11 (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 three
dollars 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
received 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 registration plates or markers issued by him,
and a record of any other information pertaining to the
receipt or the issuance of temporary 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 five
working 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
registration 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 registration 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
temporary 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 receiving 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 temporary registration plate or marker, the
owner shall, notwithstanding the fact that the annual
registration plate has not been received, immediately and
permanently destroy the temporary 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
contract to purchase the vehicle in question, or upon the
expiration of forty days from the date of issuance,
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 is approved this the 18th day of March, 1987.

Governor
PRESENTED TO THE
GOVERNOR
Date 3/14/07
Time 3:14 p.m.