

No: 735

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1987

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ENROLLED

SENATE BILL NO. 735

*(Originating in the Committee on  
[REDACTED] Government Appropriation)*

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PASSED March 13, 1987

In Effect

July 1, 1987 [REDACTED]



**ENROLLED**  
**Senate Bill No. 735**

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(Originating in the Committee on Government Organization)

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[Passed March 13, 1987; to take effect July 1, 1987.]

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AN ACT to amend and reenact sections ten and ten-a, article six, chapter seventeen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to initial application fees for issuance of a dealer license certificate or a manufacturer or transporter license certificate; renewal fees for such certificates; and increasing the amounts of insurance required of manufacturers and transporters.

*Be it enacted by the Legislature of West Virginia:*

That sections ten and ten-a, 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.**

**PART III. FEES AND DEALER SPECIAL PLATES GENERALLY.**

**§17A-6-10. Fee required for license certificate; dealer special plates.**

- 1     (a) The initial application fee for a license certificate to
- 2     engage in the business of a new motor vehicle dealer, used

3 motor vehicle dealer, house trailer dealer, trailer dealer,  
4 motorcycle dealer, or used parts dealer, or wrecker, or  
5 dismantler, shall be two hundred and fifty dollars:  
6 *Provided*, That if an application for a license certificate is  
7 denied or refused in accordance with section six of this  
8 article, one hundred twenty-five dollars shall be refunded  
9 to the applicant. The initial application fee shall entitle the  
10 licensee to dealer special plates as prescribed by  
11 subsections (b), (c), (d) and (e) of this section.

12 (b) The annual renewal fee required for a license  
13 certificate to engage in the business of new motor vehicle  
14 dealer shall be one hundred dollars. This fee shall also  
15 entitle such licensee to one dealer's special plate which shall  
16 be known as a Class D special plate. Up to nine additional  
17 Class D special plates shall be issued to any such licensee  
18 upon application therefor on a form prescribed by the  
19 commissioner for such purpose and the payment of a fee of  
20 five dollars for each additional Class D special plate. Any  
21 such licensee who obtains a total of ten Class D special  
22 plates as aforesaid shall be entitled to receive additional  
23 Class D special plates on a formula basis, that is, one  
24 additional Class D special plate per twenty new motor  
25 vehicles sold at retail in this state by such licensee or his  
26 predecessor during the preceding fiscal year, upon  
27 application therefor on a form prescribed by the  
28 commissioner for such purpose and the payment of a fee of  
29 five dollars for each such additional Class D special plate:  
30 *Provided*, That in the case of a licensee who did not own or  
31 operate such business during such preceding fiscal year and  
32 who has no predecessor who owned or operated such  
33 business during the preceding fiscal year, additional Class  
34 D special plates shall be issued, for the ensuing fiscal year  
35 only, on a formula basis of one additional Class D special  
36 plate per twenty new motor vehicles which such licensee  
37 estimates on his application for his license certificate he  
38 will sell at retail in this state during said ensuing fiscal year.  
39 Any such licensee may obtain Class D special plates in  
40 addition to the ten plates authorized above and any  
41 authorized on a formula basis, but the cost of each such  
42 Class D special plate shall be thirty dollars.

43 (c) The annual renewal fee required for a license  
44 certificate to engage in the business of used motor vehicle  
45 dealer shall be one hundred dollars. This fee shall also

46 entitle such licensee to one dealer's special plate which shall  
47 be known as a Class D-U/C special plate. Up to four  
48 additional Class D-U/C special plates shall be issued to any  
49 such licensee upon application therefor on a form  
50 prescribed by the commissioner for such purpose and the  
51 payment of a fee of five dollars for each additional Class  
52 D-U/C special plate. Any such licensee who obtains a total  
53 of five Class D-U/C special plates as aforesaid shall be  
54 entitled to receive additional Class D-U/C special plates on  
55 a formula basis, that is, one additional Class D-U/C special  
56 plate per thirty used motor vehicles sold at retail in this  
57 state by such licensee or his predecessor during the  
58 preceding fiscal year, upon application therefor on a form  
59 prescribed by the commissioner for such purpose and the  
60 payment of a fee of five dollars for each such additional  
61 Class D-U/C special plate: *Provided*, That in the case of a  
62 licensee who did not own or operate such business during  
63 such preceding fiscal year and who has no predecessor who  
64 owned or operated such business during the preceding  
65 fiscal year, additional Class D-U/C special plates shall be  
66 issued, for the ensuing fiscal year only, on a formula basis of  
67 one additional Class D-U/C special plate per thirty used  
68 motor vehicles which such licensee estimates on his  
69 application for his license certificate he will sell at retail in  
70 this state during said ensuing fiscal year. Any such licensee  
71 may obtain Class D-U/C special plates, in addition, to the  
72 five plates authorized above and any authorized on a  
73 formula basis, but the cost of each such Class D-U/C special  
74 plate shall be thirty dollars.

75 (d) The annual renewal fee required for a license  
76 certificate to engage in the business of house trailer dealer  
77 or trailer dealer, as the case may be, shall be twenty-five  
78 dollars. This fee shall also entitle such licensee to four  
79 dealer's special plates which shall be known as Class D-T/R  
80 special plates. Additional Class D-T/R special plates shall  
81 be issued to any such licensee upon application therefor on  
82 a form prescribed by the commissioner for such purpose  
83 and the payment of a fee of five dollars for each such  
84 additional Class D-T/R special plate.

85 (e) The annual renewal fee required for a license  
86 certificate to engage in the business of motorcycle dealer  
87 shall be ten dollars. This fee shall also entitle such licensee  
88 to two dealer's special plates which shall be known as Class

89 F special plates. Additional Class F special plates shall be  
90 issued to any such dealer upon application therefor on a  
91 form prescribed by the commissioner for such purpose and  
92 the payment of a fee of five dollars for each such additional  
93 Class F special plate.

94 (f) The annual renewal fee required for a license  
95 certificate to engage in the business of used parts dealer, or  
96 wrecker, or dismantler, as the case may be, shall be fifteen  
97 dollars. Upon payment of the fee for said license certificate,  
98 a licensee shall be entitled to up to four special license  
99 plates which shall be known as Class WD special plates.  
100 Such plates shall be issued to any such licensee upon  
101 application therefor on a form prescribed by the  
102 commissioner for such purpose and the payment of a fee of  
103 twenty-five dollars for each such plate. Such plate issued  
104 under the provisions of this subsection shall have the words  
105 "Towing Only" affixed thereon.

106 (g) All of the special plates provided for in this section  
107 shall be of such form and design and contain such other  
108 distinguishing marks or characteristics as the  
109 commissioner may prescribe.

**§17A-6-10a. Special plates for manufacturers and  
transporters; fee.**

1 (1) The initial application fee for a license certificate to  
2 engage in the business of a manufacturer or transporter  
3 shall be two hundred and fifty dollars: *Provided*, That if an  
4 application for a license certificate is denied or refused in  
5 accordance with section six of this article, one hundred  
6 twenty-five dollars shall be refunded to the applicant. The  
7 initial application shall entitle the licensee to manufacturer  
8 or transporter plates as prescribed in subsection five of this  
9 section.

10 (2) Notwithstanding any of the other provisions of this  
11 article, a manufacturer or transporter may operate or move  
12 a vehicle upon the highways of this state solely for purposes  
13 of transporting and/or testing the same without first  
14 registering each such vehicle upon condition that any such  
15 vehicle display thereon, in a manner prescribed by the  
16 commissioner, a special plate or plates issued to such  
17 manufacturer or transporter as provided in this section.

18 (3) Any manufacturer or transporter may make  
19 application to the commissioner upon a form prescribed by

20 him for a certificate containing a general distinguishing  
21 number and for a special plate or plates. The applicant shall  
22 also submit proof of his status as a bona fide manufacturer  
23 or transporter as may be required by the commissioner.

24 (4) The commissioner, upon approving any such  
25 application, shall issue to the applicant a certificate  
26 containing the applicant's name and address and the  
27 general distinguishing number assigned to the applicant.  
28 The commissioner shall also issue a special plate, or special  
29 plates, as applied for, which shall have displayed thereon  
30 the general distinguishing number assigned to the  
31 applicant. Each plate shall also contain a number or symbol  
32 identifying the same from every other plate or plates  
33 bearing the same general distinguishing number.

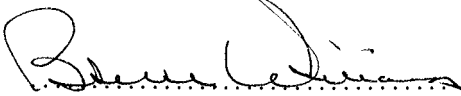
34 (5) The annual renewal fee for a license certificate for a  
35 manufacturer or transporter and one special plate shall be  
36 one hundred dollars. Additional special plates shall be  
37 twenty-five dollars each.

38 (6) Every manufacturer or transporter shall keep a  
39 written record of the vehicle upon which such special plates  
40 are used, the time during which each is used on a particular  
41 vehicle, and the location to which the vehicle was delivered,  
42 which record shall be open to inspection by any police  
43 officer or employee of the department.

44 (7) The provisions of this section shall not apply to work  
45 or service vehicles owned by a manufacturer or transporter.

46 (8) Said manufacturer or transporter shall be required  
47 to furnish a certificate of insurance in amounts which shall  
48 be no less than the requirements of section two, article four,  
49 chapter seventeen-d of this code.


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

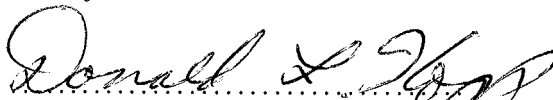
  
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Chairman Senate Committee

  
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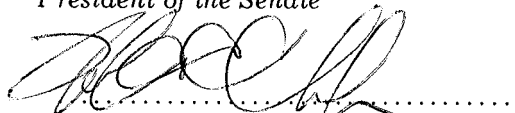
Originated in the Senate.

To take effect July 1, 1987.

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Clerk of the Senate

  
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Clerk of the House of Delegates

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President of the Senate

  
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Speaker House of Delegates

The within  this the   
 day of ....., 1987.

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Governor

PRESENTED TO THE

GOVERNOR

Date 3/19/87

Time 1:46 p.m.



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