WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1989

ENROLLED

HOUSE BILL No. 257
(By Del. Reid & Petrola)

Passed April 7, 1989
In Effect Ninety Days from Passage
AN ACT to amend and reenact sections seven and eight, article eight, chapter seventeen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to motor vehicle administration; special antitheft laws; defining certain felony offenses with regard to buying, receiving, disposing of, selling, offering for sale, concealing, transporting, causing to be transported, or possessing a motor vehicle, or a motor or engine removed from a motor vehicle, from which the manufacturer's serial number, motor or engine number or other distinguishing number or identifying mark has been removed, defaced, covered, altered or destroyed, which offenses are subject to criminal penalties; and defining certain felony offenses with regard to removing, defacing, covering, altering or destroying a manufacturer's serial number, motor or engine number or other distinguishing number or identifying mark, which offenses are subject to criminal penalties.

Be it enacted by the Legislature of West Virginia:

That sections seven and eight, article eight, 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 8. SPECIAL ANTITHEFT LAWS.

§17A-8-7. Motor vehicle or special mobile equipment
Enr. H. B. 2257]

without manufacturer's serial number, motor or engine number or other distinguishing number or identification mark; offenses.

(a) A person who knowingly buys, receives, disposes of, sells, offers for sale, conceals, transports, causes to be transported, or possesses a motor vehicle, or a motor or engine removed from a motor vehicle, from which the manufacturer's serial number, motor or engine number or other distinguishing number or identification mark has been removed, defaced, covered, altered or destroyed for the purpose of concealing or misrepresenting the identity of the motor vehicle or part thereof, is guilty of a felony.

(b) A person who knowingly buys, receives, disposes of, sells, offers for sale, conceals, transports, causes to be transported, or possesses special mobile equipment or special mobile equipment tires from which the manufacturer's serial number, motor or engine number or other distinguishing number or identification mark has been removed, defaced, covered, altered or destroyed, is guilty of a felony.

§17A-8-8. Altering or changing a manufacturer's serial number, motor or engine number or other distinguishing number or identification mark; offenses.

(a) A person who, with fraudulent intent, removes, defaces, covers, alters or destroys the manufacturer's serial number, motor or engine number or other distinguishing number or identification mark of a motor vehicle or who places or stamps an actual or facsimile manufacturer's serial number, motor or engine number or other distinguishing number or identification mark upon a motor vehicle, except one assigned thereto by the department, is guilty of a felony.

This section shall not prohibit the restoration by an owner of an original manufacturer's serial number, motor or engine number or other distinguishing number or identification mark when such restoration is made under permit issued by the department, nor prevent any
man,ufacturer from placing numbers or marks upon
motor vehicles or parts thereof in the ordinary course
of business.

(b) A person who removes, defaces, covers, alters or
destroys, or causes to be removed, defaced, covered,
altered or destroyed, the manufacturer's serial number,
motor or engine number or other distinguishing number
or identification mark on special mobile equipment or
special mobile equipment tires, the property of another,
for any reason, is guilty of a felony.

(c) The term "manufacturer's serial number, motor or
depend number or other distinguishing number or
identification mark", as used in this section and section
seven of this article, means a unique number or mark
placed on a vehicle or part thereof by the manufacturer
so as to identify it particularly and distinguish the
vehicle or part from all other such vehicles or parts.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Frederick B. Brom
Chairman Senate Committee

J. L. Satter
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Josef B. Nichols
Clerk of the Senate

Donald F. Vansyckle
Clerk of the House of Delegates

Peck Bosley
President of the Senate

Bob Eack
Speaker of the House of Delegates

The within is approved this the 24th day of April, 1989.

Mason Caperton
Governor