

No. 2257

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1989

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ENROLLED

HOUSE BILL No. 2257

(By ~~HB~~ Del. Reid + Petrolo)

— ● —

Passed April 7, 1989

In Effect Ninety Days from Passage

ENROLLED
H. B. 2257

(By DELEGATES REID AND PITROLO)

[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

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

1 (a) A person who knowingly buys, receives, disposes
2 of, sells, offers for sale, conceals, transports, causes to
3 be transported, or possesses a motor vehicle, or a motor
4 or engine removed from a motor vehicle, from which the
5 manufacturer's serial number, motor or engine number
6 or other distinguishing number or identification mark
7 has been removed, defaced, covered, altered or des-
8 troyed for the purpose of concealing or misrepresenting
9 the identity of the motor vehicle or part thereof, is guilty
10 of a felony.

11 (b) A person who knowingly buys, receives, disposes
12 of, sells, offers for sale, conceals, transports, causes to
13 be transported, or possesses special mobile equipment or
14 special mobile equipment tires from which the manu-
15 facturer's serial number, motor or engine number or
16 other distinguishing number or identification mark has
17 been removed, defaced, covered, altered or destroyed, is
18 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.

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

10 This section shall not prohibit the restoration by an
11 owner of an original manufacturer's serial number,
12 motor or engine number or other distinguishing number
13 or identification mark when such restoration is made
14 under permit issued by the department, nor prevent any

15 manufacturer from placing numbers or marks upon
16 motor vehicles or parts thereof in the ordinary course
17 of business.

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

25 (c) The term "manufacturer's serial number, motor or
26 engine number or other distinguishing number or
27 identification mark", as used in this section and section
28 seven of this article, means a unique number or mark
29 placed on a vehicle or part thereof by the manufacturer
30 so as to identify it particularly and distinguish the
31 vehicle or part from all other such vehicles or parts.

Robert A. Smith

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

Frederick L. Barnum
Chairman Senate Committee

J. L. Sattes
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Judd C. Nichols
Clerk of the Senate

Donald G. Hoyle
Clerk of the House of Delegates

Sam D. Tucker
President of the Senate

Robert M. Bell
Speaker of the House of Delegates

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

Gaston Caperton
Governor

PRESENTED TO THE
GOVERNOR
Date 2/19/89
Time 10:35