ENROLLED

Com. S. J. For
HOUSE BILL No. 2159

(By Mr. Del. River)

Passed March 10, 1990

In Effect Ninety Days From Passage
AN ACT to amend and reenact section nine, article eight, chapter seventeen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to special antitheft laws; defining the felony offense of theft of a rented or leased vehicle and establishing the penalty therefor.

Be it enacted by the Legislature of West Virginia:

That section nine, 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-8-9. Theft of a rental vehicle; penalty.

1 (a) A person is guilty of theft of a rental vehicle when:

2 (1) Such person, under the terms of a written rental agreement, obtains a motor vehicle and, in so doing, makes a false or fraudulent representation or utilizes a false pretense or personation, trick, artifice or device; and

7 (2) Such person thereafter possesses such motor vehicle with the intent to permanently deprive the
owner of such motor vehicle of his property.

(b) Any person who violates the provisions of this section is guilty of a felony, and, upon conviction thereof, shall be imprisoned in the penitentiary not less than one nor more than two years, or, in the discretion of the court, be confined in the county jail not more than one year and shall be fined not more than five hundred dollars.

(c) For purposes of this section, the making of a false or fraudulent representation or the utilization of a false pretense or personation, trick, artifice or device shall include, but not be limited to, a false representation as to name, residence, employment, or operator's license.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within is approved this the 6th day of March, 1990.

Governor
PRESENTED TO THE
GOVERNOR
Date 3/30/90
Time 3:10 pm