

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1990

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## ENROLLED

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LEGISLATIVE SERVICES  
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HOUSE BILL No. 4843

(By ~~Mr.~~ Del. Pitrolo + Ferrell )

— ● —

Passed March 9, 1990

In Effect 90 Days From Passage

**ENROLLED**  
**H. B. 4843**  
(By DELEGATES PITROLO AND FERRELL)

[Passed March 9, 1990; in effect ninety days from passage.]

AN ACT to amend article eight, chapter seventeen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section thirteen, relating to special anti-theft laws; defining the felony offense of theft of a motor vehicle offered for sale which had been obtained for temporary use for demonstration purposes; and establishing the penalty therefor.

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

That article eight, chapter seventeen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section thirteen, to read as follows:

**ARTICLE 8. SPECIAL ANTITHEFT LAWS.**

**§17A-8-13. Theft of a motor vehicle offered for sale which had been obtained for temporary use for demonstration purposes; penalty.**

- 1       (a) A person is guilty of theft of a motor vehicle when:
- 2       (1) Such person, under the terms of an oral agree-
- 3       ment, obtains, for demonstration purposes, the tempor-
- 4       ary use of a motor vehicle offered for sale and, in so
- 5       doing, makes a false or fraudulent representation or
- 6       utilizes a false pretense or personation, trick, artifice or
- 7       device; and

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

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

18      (c) For purposes of this section, the making of a false  
19      or fraudulent representation or the utilization of a false  
20      pretense or personation, trick, artifice or device shall  
21      include, but not be limited to, a false representation as  
22      to name, residence, employment, or operator's license.

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

*Frederick L. Parker*  
Chairman Senate Committee

*Bernard V. Kelly*  
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

*Harold E. Palmer*  
Clerk of the Senate

*Donald L. Kopp*  
Clerk of the House of Delegates

*Keith Huntlett*  
President of the Senate

*Robert C. Quinn*  
Speaker of the House of Delegates

The within is approved this the 3<sup>rd</sup>  
day of March 1990.

*Robert C. Quinn*  
Governor

PRESENTED TO THE

GOVERNOR

Date 3/20/90

Time 3:16 pm