WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1990

ENROLLED

HOUSE BILL No. 4843

(By Mr. Del. Patriots & Ferrell)

Passed March 9, 1990

In Effect 90 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.

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

(1) Such person, under the terms of an oral agreement, obtains, for demonstration purposes, the temporary use of a motor vehicle offered for sale and, in so doing, makes a false or fraudulent representation or utilizes a false pretense or personation, trick, artifice or device; and
(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 ten 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.

The within is approved this the 3rd day of March, 1990.

Governor
PRESENTED TO THE
GOVERNOR
Date 3/30/40
Time 5:16 pm