

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1990



# ENROLLED

*Com. Sub. For*  
**HOUSE BILL No. 2159**

(By Mr. *D. L. Given* )



Passed *March 10,* 1990

In Effect *Ninety Days From* Passage

**ENROLLED**  
COMMITTEE SUBSTITUTE  
FOR  
**H. B. 2159**  
(By DELEGATE GIVEN)

[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
- 3 or lease agreement, obtains a motor vehicle and, in so
- 4 doing, makes a false or fraudulent representation or
- 5 utilizes a false pretense or personation, trick, artifice or
- 6 device; and
- 7 (2) Such person thereafter possesses such motor
- 8 vehicle with the intent to permanently deprive the

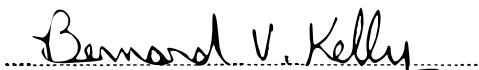
9 owner of such motor vehicle of his property.

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

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

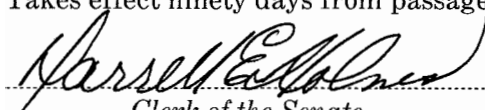
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

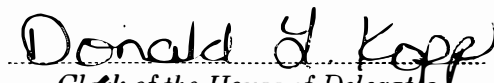
  
Chairman Senate Committee


  
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

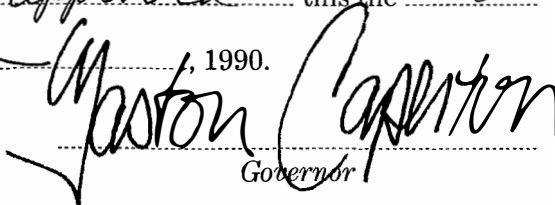
  
Clerk of the Senate

  
Clerk of the House of Delegates

  
President of the Senate

  
Speaker of the House of Delegates

The within is approved this the 27th  
day of March, 1990.

  
Governor

GOVERNOR

Date 3/20/90

Time 3:10 pm

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OFFICE OF THE ATTORNEY GENERAL  
SECRETARY OF DEFENSE