

RECEIVED

1992 MAR 17 PM 5:15

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1992



ENROLLED

Committee Substitute for
SENATE BILL NO. 122

(By Senator Blatnik)



PASSED March 3, 1992

In Effect from Passage

ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 122

(BY SENATOR BLATNIK, *original sponsor*)

[Passed March 3, 1992; in effect from passage.]

AN ACT to amend article six, 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 ten-c, relating to special demonstration plates for motor vehicle dealers which sell trailers, truck-tractors, road-tractors or trucks; application requirements; fees; recordkeeping; prohibitions; and certificates of insurance.

Be it enacted by the Legislature of West Virginia:

That article six, 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 ten-c, to read as follows:

ARTICLE 6. LICENSING OF DEALERS AND WRECKERS OR DISMANTLERS; SPECIAL PLATES; TEMPORARY PLATES OR MARKERS, ETC.

PART III. FEES AND DEALER SPECIAL PLATES GENERALLY.

§17A-6-10c. Special demonstration plates for dealers in trailers, truck-tractors, road-tractors and trucks; application; fee.

1 (a) Notwithstanding any other provisions of this

2 code, any new motor vehicle dealer or used motor
3 vehicle dealer engaged in the business of selling
4 trailers, truck-tractors, road-tractors or trucks who
5 demonstrates the motor vehicles under actual work
6 conditions to potential purchasers shall obtain a special
7 demonstration plate from the division of motor vehi-
8 cles. The motor vehicle dealer may obtain special
9 demonstration plates without first titling or registering
10 each vehicle.

11 (b) The commissioner shall prescribe the application
12 form for these special demonstration plates and shall
13 require the applicant to submit proof of the applicant's
14 status as a bona fide dealer in motor vehicles and to
15 certify that the applicant needs special demonstration
16 plates in the ordinary course of business.

17 The commissioner, upon approving any application,
18 shall issue to the new motor vehicle dealer or used
19 motor vehicle dealer up to four special demonstration
20 plates which shall display the term "demonstration"
21 or "demo" and a distinguishing number assigned to
22 the motor vehicle dealer.

23 (c) The annual fee for special demonstration plates is
24 one hundred dollars for the first plate and fifty dollars
25 for each additional plate, not to exceed a total of four
26 plates per dealer.

27 (d) Each motor vehicle dealer who is issued special
28 demonstration plates shall keep a written record, on a
29 form approved by the commissioner, containing the
30 following information: Identification of the motor
31 vehicles upon which the special demonstration plates
32 are used; the times and dates during which each
33 special demonstration plate is used; the name and
34 address of the company or individual using a motor
35 vehicle on which a special demonstration plate is used;
36 and any other information considered necessary by
37 the commissioner. This record shall be open to inspec-
38 tion by any police officer or employee of the division.

39 (e) Each motor vehicle operated under the provi-
40 sions of this section is considered to be registered at
41 the maximum vehicle weights allowable under article

42 seventeen, chapter seventeen-c of this code.

43 (f) A motor vehicle dealer shall not: (1) Use any
44 special demonstration plates issued under the provi-
45 sions of this section on any motor vehicle which is not
46 being demonstrated; (2) use any special demonstration
47 plates to demonstrate any single motor vehicle for
48 more than seven calendar days in any calendar year
49 for any single customer; (3) use any special demonstra-
50 tion plates on any motor vehicle leased or rented to
51 any customer; or (4) use any special demonstration
52 plates in any way other than to demonstrate the on-
53 the-job capabilities of a motor vehicle to a potential
54 purchaser.

55 (g) The motor vehicle dealer is required to furnish
56 a certificate of insurance in the amount required by
57 regulations of the West Virginia public service com-
58 mission or the United States department of transpor-
59 tation for the class of motor carrier for which the
60 motor vehicle is to be demonstrated.

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

Homer Heck
.....
Chairman Senate Committee

Ernest C. Moore
.....
Chairman House Committee

Originated in the Senate.

In effect from passage.

Parrell R. Linn
.....
Clerk of the Senate

Donald J. Kopf
.....
Clerk of the House of Delegates

Bill Buntette
.....
President of the Senate

Bob Stoll
.....
Speaker House of Delegates

The within *is approved* this the *17th*
.....
day of *March*, 1992.

Gaston Caperton
.....
Governor

PRESENTED TO THE

GOVERNOR

Date 3/11/92

Time 3:37pm