WEST VIRGINIA LEGISLATURE
FIRST REGULAR SESSION, 1993

ENROLLED
Con. Sub. For
HOUSE BILL No. 2228

(By Delegates Williams, Carper, Phillips,
H. White, Rutledge and Harrison)

Passed ________________ 1993

In Effect Ninety Days From Passage
AN ACT to amend and reenact section four, article four-a, chapter seventeen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the perfection of deferred purchase money liens or encumbrances upon motor vehicles; applications for certificates of title reflecting lien; time for filing; effective date of lien; duty of motor vehicle dealer to collect and transmit title registration tax and record lien; and providing fees for services.

Be it enacted by the Legislature of West Virginia:

That section four, article four-a, 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:

§17A-4A-4. Deferred purchase money lien or encumbrance may be filed within sixty days after purchase; effective date of lien; dealer to record lien; fees.

1  (a) A deferred purchase money lien or encumbrance upon any motor vehicle may be perfected by recording the name and address of the lienholder upon the face of the certificate of title for such motor vehicle. If an application for such a certificate of title is filed with the
division of motor vehicles within sixty days after the date of purchase of the motor vehicle, the effective date of the lien or encumbrance shall be the date the lien or encumbrance was created. If an application for such a certificate of title is not filed within such sixty-day period, the lien shall be perfected from the date it was filed with the division of motor vehicles.

(b) In all transactions involving a deferred purchase money lien or encumbrance upon a motor vehicle, the motor vehicle dealer shall collect and remit to the division of motor vehicles the title, tax and registration fees required under section four, article three of this chapter and file and record with the division of motor vehicles any lien created as a result of such transaction: Provided, That a motor vehicle dealer may remit the title, tax and registration fees through any license service that is licensed by the division of motor vehicles.

(c) No fee may be charged by a motor vehicle dealer for its services required under this section except that fee authorized by subdivision (6), subsection (a), section one hundred nine, article three, chapter forty-six-a of this code.
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 26th day of April, 1993.

Governor
PRESENTED TO THE
GOVERNOR
Date 4/30/93
Time 10:37 AM