

HB # 4193

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SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1994



# ENROLLED

*Com. Sub. for*  
HOUSE BILL No. *4193*

(By Delegate *Love*.....)



Passed *March 11,*..... 1994

In Effect *90 Days from*..... Passage

**ENROLLED**  
COMMITTEE SUBSTITUTE  
FOR  
**H. B. 4193**

(By DELEGATE LOVE)

[Passed March 11, 1994; in effect ninety days from passage.]

AN ACT to amend and reenact section four, article two-a, chapter seventeen-d of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to security upon motor vehicles; certificates of insurance; and including a copy of a motor carrier's registration issued by the public service commission as proof of insurance.

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

That section four, article two-a, chapter seventeen-d of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

**ARTICLE 2A. SECURITY UPON MOTOR VEHICLES.**

**§17D-2A-4. Certificate of insurance.**

1       (a) All insurance carriers transacting insurance in  
2 this state shall supply a certificate to the insured or to  
3 any person subject to the registration provisions of  
4 article three, chapter seventeen-a of this code, certifying  
5 that there is in effect a motor vehicle liability policy  
6 upon such motor vehicle in accordance with the provi-  
7 sions of article three, chapter seventeen-a of this code.  
8 The certificate shall give its effective date and the  
9 effective date of the policy and, unless the policy is

10 issued to a person who is not the owner of a motor  
11 vehicle, must designate by explicit description, in such  
12 detail as the commissioner of the department of motor  
13 vehicles shall by rule require, all motor vehicles covered  
14 and all replacement vehicles of similar classification:  
15 *Provided*, That on and after the first day of July, one  
16 thousand nine hundred eighty-four, insurance compan-  
17 ies shall supply a certificate of insurance in duplicate  
18 for each policy term and for each vehicle included in a  
19 policy, except for those listed in a fleet policy. Each such  
20 certificate of insurance shall list the name of the  
21 policyholder and the name of the vehicle owner if  
22 different from the policyholder.

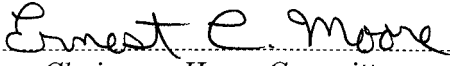
23 The certificate must specify for each vehicle listed  
24 therein, that there is a minimum liability insurance  
25 coverage not less than the requirements of section two,  
26 article four, chapter seventeen-d of this code.

27 (b) The certificate provided pursuant to the provisions  
28 of this section or other proof of insurance shall be  
29 carried by the insured in the appropriate vehicle for use  
30 as proof of security, and must be presented at the time  
31 of vehicle inspection as required by article sixteen,  
32 chapter seventeen-c of this code: *Provided*, That an  
33 insured shall not be guilty of a violation of this  
34 subsection (b) if he furnishes proof that such insurance  
35 was in effect within seven days of being cited for not  
36 carrying such certificate or other proof in such vehicle.  
37 As used in this section, proof of insurance means a  
38 certificate of insurance, an insurance policy, a mechan-  
39 ically reproduced copy of an insurance policy, a  
40 certificate of self-insurance, or a copy of the current  
41 registration issued to a motor carrier by the public  
42 service commission (1) through the single state registra-  
43 tion system established pursuant to section fourteen,  
44 article six-a, chapter twenty-four-a of this code; or (2)  
45 pursuant to the provisions of section four, article six,  
46 chapter twenty-four-a of this code.

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



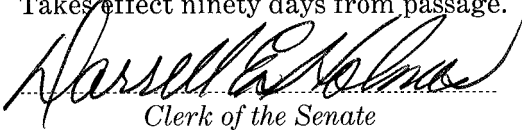
*Chairman Senate Committee*



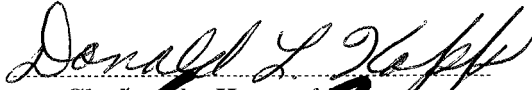
*Chairman House Committee*

Originating in the House.

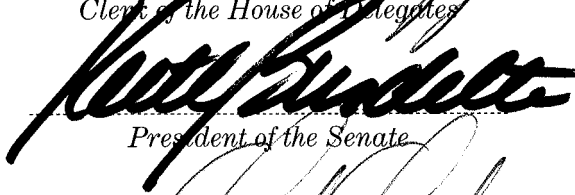
Takes effect ninety days from passage.



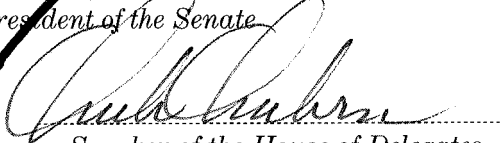
*Clerk of the Senate*



*Clerk of the House of Delegates*

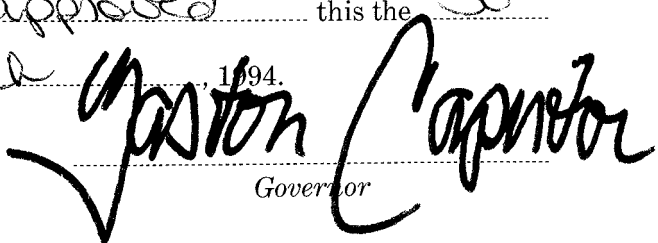


*President of the Senate*



*Speaker of the House of Delegates*

The within is approved this the 30th day of March 1994.



*Governor*

PRESENTED TO THE

GOVERNOR

Date 3/28/94

Time 4:12 pm