RECEIVED

99 FE3 28 PT 3: 29

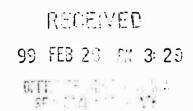
GTT 1... TAPGINGS

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1999

ENROLLED

SENATE BILL NO	_
(By Senator Wootow, ET AL)
PASSEDFEBRUARY 16,1999	9
In Effect Feon Passage	



ENROLLED

Senate Bill No. 150

(By Senators Wooton, Ball, Dittmar, Fanning, Hunter, Kessler, McCabe, Mitchell, Oliverio, Redd, Ross, Snyder and McKenzie)

[Passed February 18, 1999; in effect from passage.]

AN ACT to amend and reenact section six, article two-a, chapter seventeen-d of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to investigation by duly authorized law-enforcement officer to include inquiry regarding required security; duty of courts to notify division of motor vehicles of person found not to have security; and time limits.

Be it enacted by the Legislature of West Virginia:

That section six, 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-6. Investigation by duly authorized law-enforcement officer to include inquiry regarding required security; notice by officer or court to division of motor vehicles.

1 At the time of investigation of a motor vehicle offense or 2 accident in this state by the department of public safety or other law-enforcement agency or when a vehicle is stopped by a law-enforcement officer for reasonable cause, the officer of such agency making such investigation shall 5 inquire of the operator of any motor vehicle involved as to 7 the existence upon such vehicle or vehicles of the proof of 8 insurance or other security required by the provisions of this code and upon a finding by such law-enforcement 10 agency, officer or agent thereof that the security required 11 by the provisions of this article is not in effect, as to any 12 vehicle, he or she shall notify the department of motor 13 vehicles of such finding within five days if no citation 14 requiring a court appearance is issued: Provided, That 15 such law-enforcement officer or agent shall not stop 16 vehicles solely to inquire as to the certificate of insurance. 17 A defendant, who is charged with a traffic offense that 18 requires an appearance in court, shall present the court at 19 the time of his or her appearance or subsequent appear-20 ance with proof that the defendant had security at the time 21 of the traffic offenses as required by this article. If, as a 22 result of the defendant's failure to show proof, the court 23 determines that the defendant has violated this article, it 24 shall notify the department of motor vehicles within five 25 days. For purposes of this section, presentation of a 26 certificate of insurance reflecting insurance to be in effect 27 on the date in question shall constitute proof of surety.

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

Chairman Senate Committee

Chairman House Committee

Originating in the Senate.

In effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

Governor

⊕ GCU 320-C

PRESENTED TO THE

GOVERNO

Time