

SB 150

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WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1999



ENROLLED

SENATE BILL NO. 150

(By Senator WOOTON, ET AL)



PASSED FEBRUARY 16, 1999

In Effect FROM Passage

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OFFICE OF THE CLERK
SENATE OF WEST VIRGINIA

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
3 other law-enforcement agency or when a vehicle is stopped
4 by a law-enforcement officer for reasonable cause, the
5 officer of such agency making such investigation shall
6 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
9 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.

[Handwritten Signature]

.....
Chairman Senate Committee

[Handwritten Signature]

.....
Chairman House Committee

Originating in the Senate.

In effect from passage.

[Handwritten Signature]

.....
Clerk of the Senate

[Handwritten Signature]

.....
Clerk of the House of Delegates

[Handwritten Signature]

.....
President of the Senate

[Handwritten Signature]

.....
Speaker House of Delegates

The within *[Handwritten Signature]* this the *26th*.....

Day of *February*....., 1999

[Handwritten Signature]

.....
Governor

PRESENTED TO THE

GOVERNOR

Date 2/24/99

Time 3:45 pm