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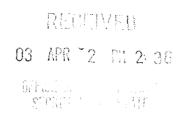
WEST VIRGINIA LEGISLATURE

Regular Session, 2003

ENROLLED

SENATE BILL NO		388	· · · · · · · · · · · · · · · · · · ·
(By Senator	Ross)
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PASSED	March	8, 2003	

In Effect ninety days from Passage



ENROLLED

Senate Bill No. 388

(By SENATOR ROSS)

[Passed March 8, 2003; in effect ninety days from passage.]

AN ACT to repeal section one, article three-a, chapter seventeena of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to amend and reenact sections two and three of said article, all relating to imported vehicles; compliance with federal safety and emission standards; and changing the requirements which must be met to obtain a title and registration.

Be it enacted by the Legislature of West Virginia:

That section one, article three-a, chapter seventeen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be repealed; and that sections two and three of said article be amended and reenacted, all to read as follows:

ARTICLE 3A. VEHICLE COMPLIANCE WITH FEDERAL CLEAN AIR STANDARDS AND VEHICLE SAFETY.

§17A-3A-2. Consumer disclosure.

- 1 Before a motor vehicle not originally manufactured in
- 2 accordance with the laws and regulations of the United
- 3 States Clean Air Act and the Motor Vehicle Safety Act, can
- 4 be sold to a consumer in this state, the seller must provide
- 5 the purchaser with full written disclosure of all modifica-
- 6 tions performed to the vehicle. This disclosure consists of
- 7 a description phrased in terms reasonably understandable
- 8 to a consumer with no specialized technical training,
- 9 accompanied by a copy the technical submissions made to
- 10 the environmental protection agency and department of
- 11 transportation in order to obtain certification of compli-
- 12 ance. Failure to make this disclosure renders the sale
- 13 voidable.

§17A-3A-3. Certificate of title.

- 1 (a) Before any imported vehicle which has not previously
- 2 been titled or registered in the United States may be titled
- 3 in this state, the applicant must submit: (1) A manufac-
- 4 turer's certificate of origin issued by the actual vehicle
- 5 manufacturer together with a notarized translation
- 6 thereof; or (2) the documents constituting valid proof of
- 7 ownership by an individual owner or exporter and evi-
- 8 dencing a change of such ownership to the applicant,
- 9 together with a notarized translation of any document; or
- 10 (3) with regard to vehicles imported from countries which
- 11 cancel the vehicle registration and title for export, the
- 12 documents assigned to such vehicle after the registration
- 13 and title have been cancelled, together with a notarized
- 14 translation thereof, and proof satisfactory to the division
- 15 that the motor vehicle complies with the United States
- 16 Clean Air Act and the Motor Vehicle Safety Act.
- 17 (b) In the event that the documents submitted as re-
- 18 quired by subsection (a) of this section do not name as
- 19 owner the current applicant for a certificate of title, the
- 20 applicant must also submit reliable proof of a chain of
- 21 title. For those countries which utilize documents of
- 22 registration rather than a certificate of title, proof of a
- 23 chain of title for purposes of this subsection shall be

- 24 accomplished by presenting the change of ownership
- 25 certificate referred to in subsection (a) of this section.

® GCI (1818) 326-C

The Joint Committee on En the foregoing bill is correctly en	rolled Bills hereby certifies that nrolled.
Muy / A Chairman Senate Commi	ttee
	Shaw Speror
	Chairman House Committee
Originated in the Senate.	
In effect ninety days from p	assage.
Clerk of the Senate	
Sagy In Say Clerk of the House	of Delegates
Carl	Roy Tomble '
	Thurt Skiss
	Speaker House of Delegates
The within 10 100	0040 this the 3, 2003.

Governor

PRESENTED TO THE GOVERNOR Pata 3/27/03