WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Enrolled

Committee Substitute for

Senate Bill 657

Senator Sypolt, original sponsor

[Passed March 7, 2019; in effect 90 days from passage]
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Senate Bill 657

SENATOR SYPOLT, original sponsor

[Passed March 7, 2019; in effect 90 days from
passage]
AN ACT to amend and reenact §46A-6A-2 of the Code of West Virginia, 1931, as amended, relating to including certain new self-propelled agricultural vehicles in the definition of motor vehicle for the purpose of consumer protections related to express warranties by manufacturers of agricultural vehicles.

Be it enacted by the Legislature of West Virginia:

ARTICLE 6A. CONSUMER PROTECTION—NEW MOTOR VEHICLE WARRANTIES.


When used in this article, the following words, terms, and phrases shall have the meaning ascribed to them, except where the context indicates a different meaning:

(1) "Consumer" means:

(A) The purchaser, other than for purposes of resale, of a new motor vehicle used primarily for personal, family, or household purposes, a person to whom the new motor vehicle is transferred for the same purposes during the duration of an express warranty applicable to the motor vehicle, and any other person entitled by the terms of the warranty to enforce the obligations of the warranty; or

(B) The purchaser, other than for purposes of resale, of a new vehicle described in paragraph (B), subdivision (4) of this section a person to whom the new vehicle is transferred during the duration of an express warranty applicable to the vehicle, and any other person entitled by the terms of the warranty to enforce the obligations of the warranty;

(2) "Manufacturer" means a person engaged in the business of manufacturing, assembling, or distributing motor vehicles, who will, under normal business conditions during the year, manufacture, assemble, or distribute to dealers at least 10 new motor vehicles;

(3) "Manufacturer's express warranty" and "warranty" mean the written warranty of the manufacturer of a new motor vehicle of its condition and fitness for use, including any terms or conditions precedent to the enforcement of obligations under that warranty; and

(4) "Motor vehicle" means:
(A) Any passenger automobile purchased in this state or registered and titled in this state, including any pickup truck or van registered as a Class A motor vehicle under the provisions of §17A-10-1 *et seq.* of this code, and any self-propelled motor vehicle chassis of a motor home registered as a Class A or Class B motor vehicle under the provisions of §17A-10-1 *et seq.* of this code; or

(B) Any self-propelled vehicle designed primarily for, and used in, the occupation or business of farming, with a horsepower unit of 35 or greater.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Mark D. Maynard
Chairman, Senate Committee

Mary Capito
Chairman, House Committee

Originated in the Senate.

In effect 90 days from passage.

Joe Corin
Clerk of the Senate

Steve Butcher
Clerk of the House of Delegates

Nathan B. Corum
President of the Senate

Lena Harker
Speaker of the House of Delegates

The within is approved this the 25th Day of March, 2019.

J. Stat PORTS
Governor
PRESENTED TO THE GOVERNOR

MAR 19 2019

Time 3:33 PM