

# WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Enrolled

**Senate Bill 834**

BY SENATORS CLEMENTS AND PLYMALE

[Passed March 8, 2024; in effect 90 days from  
passage (June 6, 2024)]

FILED

2024 MAR 21 P 3:03

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

SB 834



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1 AN ACT to amend and reenact §17A-6-18a of the Code of West Virginia, 1931, as amended,  
2 relating to adding a member to the Motor Vehicle Advisory Board; and specifying that one  
3 of the members shall be a representative of automobile auctions of primarily salvage  
4 vehicles.

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

**ARTICLE 6. LICENSING OF DEALERS AND WRECKERS OR DISMANTLERS;  
SPECIAL PLATES; TEMPORARY PLATES OR MARKERS.**

**§17A-6-18a. Motor Vehicle Dealers Advisory Board.**

1 (a) There is continued a Motor Vehicle Dealers Advisory Board to assist and to advise the  
2 commissioner on the administration of laws regulating the motor vehicle industry; to work with the  
3 commissioner in developing new laws, rules, or policies regarding the motor vehicle industry; to  
4 advise the commissioner on setting documentary charges or similar charges motor vehicle  
5 dealers may charge consumers for documentary services in relation to securing a title, which such  
6 charges the commissioner is hereby granted authority to set; and to give the commissioner any  
7 further advice and assistance as he or she may, from time to time, require.

8 The board shall consist of 10 members and the Commissioner of Motor Vehicles, or his  
9 or her representative, who shall be an ex officio member. Two members shall represent new  
10 motor vehicle dealers, with one of these two members representing dealers that sell less than  
11 100 new vehicles per year; one member shall represent used motor vehicle dealers; one member  
12 shall represent wrecker/dismantler/rebuilders; two members shall represent automobile auctions,  
13 with one of these two members representing automobile auctions of primarily salvage vehicles;  
14 one member shall represent recreational dealers; one member shall represent the West Virginia  
15 Attorney General's office; and two members shall represent consumers. All of the representatives,  
16 except the Attorney General representative who shall be designated by the Attorney General,

17 shall be appointed by the Governor with the advice and consent of the Senate, with no more than  
18 five representatives being from the same political party.

19 The terms of the board members shall be for three years. The Attorney General  
20 representative shall serve continuously.

21 The board shall meet at least four times annually and at the call of the commissioner.

22 (b) The commissioner shall consult with the board before he or she takes any disciplinary  
23 action against a dealer, an automobile auction, or a license service to revoke or suspend a license,  
24 place the licensee on probation or levy a civil penalty, unless the commissioner determines that  
25 the consultation would endanger a criminal investigation.

26 (c) The commissioner may consult with the board by mail, by facsimile, by telephone or at  
27 a meeting of the board, but the commissioner is not bound by the recommendations of the board.  
28 The commissioner shall give members seven days from the date of a mailing or other notification  
29 to respond to proposed actions, except in those instances when the commissioner determines  
30 that the delay in acting creates a serious danger to the public's health or safety or would unduly  
31 compromise the effectiveness of the action.

32 (d) No action taken by the commissioner is subject to challenge or rendered invalid on  
33 account of his or her failure to consult with the board.

34 (e) The appointed members shall serve without compensation; however, members are  
35 entitled to reimbursement of travel and other necessary expenses actually incurred while engaged  
36 in legitimate board activities in accordance with the guidelines of the Travel Management Office  
37 of the Department of Administration or its successor agency.

The Clerk of the Senate and the Clerk of the House of Delegates hereby certify that the foregoing bill is correctly enrolled.

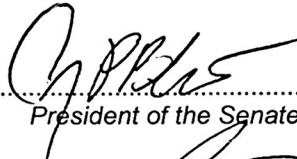
  
.....  
Clerk of the Senate

  
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Clerk of the House of Delegates

FILED  
2024 MAR 27 P 3:03  
OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

Originated in the Senate.

In effect 90 days from passage.

  
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President of the Senate

  
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Speaker of the House of Delegates

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The within is approved this the 27<sup>th</sup>  
Day of March ..... 2024.

  
.....  
Governor





PRESENTED TO THE GOVERNOR

MAR 12 2024

Time 2:52pm