

WEST VIRGINIA LEGISLATURE
EIGHTY-SECOND LEGISLATURE
REGULAR SESSION, 2015



E N R O L L E D

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 373

(SENATORS NOHE, GAUNCH, D. HALL, KARNES AND
BLAIR, *ORIGINAL SPONSORS*)

[PASSED MARCH 13, 2015; IN EFFECT NINETY DAYS FROM PASSAGE.]

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[Passed March 13, 2015; in effect ninety days from passage.]

AN ACT to amend and reenact §17D-2A-4 of the Code of West Virginia, 1931, as amended, relating to allowing image displayed on a wireless communication device to serve as proof of insurance on a motor vehicle.

Be it enacted by the Legislature of West Virginia:

That §17D-2A-4 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 2A. SECURITY UPON MOTOR VEHICLES.

§17D-2A-4. Certificate of insurance.

- 1 (a) All insurance carriers transacting insurance in this
- 2 state shall supply a certificate to the insured or to any person
- 3 subject to the registration provisions of article three, chapter

4 seventeen-a of this code certifying that there is in effect a
5 motor vehicle liability policy upon such motor vehicle in
6 accordance with the provisions of article three, chapter
7 seventeen-a of this code. The certificate shall give its
8 effective date and the effective date of the policy and, unless
9 the policy is issued to a person who is not the owner of a
10 motor vehicle, must designate by explicit description, in such
11 detail as the Commissioner of the Division of Motor Vehicles
12 shall by rule require, all motor vehicles covered and all
13 replacement vehicles of similar classification: *Provided*, That
14 on and after July 1, 1984, insurance companies shall supply
15 a certificate of insurance in duplicate for each policy term and
16 for each vehicle included in a policy, except for those listed
17 in a fleet policy. Each such certificate of insurance shall list
18 the name of the policyholder and the name of the vehicle
19 owner if different from the policyholder.

20 The certificate must specify for each vehicle listed therein
21 that there is a minimum liability insurance coverage not less
22 than the requirements of section two, article four, chapter
23 seventeen-d of this code.

24 (b) The certificate provided pursuant to the provisions of
25 this section or other proof of insurance shall be carried by the
26 insured in the appropriate vehicle for use as proof of security,
27 and must be presented at the time of vehicle inspection as
28 required by article sixteen, chapter seventeen-c of this code.
29 Any person violating the provisions of this subsection is
30 guilty of a misdemeanor and, upon conviction thereof, shall
31 be fined not less than \$200 nor more than \$5,000; and upon
32 a second or subsequent conviction, shall be fined not less
33 than \$200 nor more than \$5,000, or confined in the county or
34 regional jail for not less than fifteen days nor more than one
35 year, or both: *Provided*, That an insured shall not be guilty
36 of a violation of this subsection (b) if he or she furnishes
37 proof that such insurance was in effect within seven days of

38 being cited for not carrying such certificate or other proof in
39 such vehicle.

40 (c) As used in this section, proof of insurance means a
41 certificate of insurance, an insurance policy, a mechanically
42 reproduced copy of an insurance policy, a certificate of
43 self-insurance, an image displayed on a wireless
44 communication device, as defined in section one, article one,
45 chapter seventeen-b of this code, that includes the
46 information required by this section as provided by a liability
47 insurer or a copy of the current registration issued to a motor
48 carrier by the Public Service Commission: (1) Through the
49 single state registration system established pursuant to section
50 fourteen, article six-a, chapter twenty-four-a of this code; or
51 (2) pursuant to the provisions of section four, article six,
52 chapter twenty-four-a of this code.

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

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Chairman Senate Committee

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Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

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Clerk of the Senate

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Clerk of the House of Delegates

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President of the Senate

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Speaker of the House of Delegates

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Day of, 2015.

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Governor