

RECEIVED  
1993 APR 27 AM 10:14  
OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 1993

— ● —

# ENROLLED

*Com. Sub. For*  
HOUSE BILL No. 2228

(By Delegates *Williams, Carper, Phillips,*  
*H. White, Rutledge and Harrison*)

— ● —

Passed ..... *April 9,* ..... 1993

In Effect *Ninty Days From* ..... Passage

**ENROLLED**  
**COMMITTEE SUBSTITUTE**  
**FOR**  
**H. B. 2228**

(By DELEGATES WILLIAMS, CARPER, PHILLIPS, H. WHITE,  
RUTLEDGE AND HARRISON)

---

[Passed April 9, 1993; in effect ninety days from passage.]

---

AN ACT to amend and reenact section four, article four-a, chapter seventeen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the perfection of deferred purchase money liens or encumbrances upon motor vehicles; applications for certificates of title reflecting lien; time for filing; effective date of lien; duty of motor vehicle dealer to collect and transmit title registration tax and record lien; and providing fees for services.

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

That section four, article four-a, chapter seventeen-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

**§17A-4A-4. Deferred purchase money lien or encumbrance may be filed within sixty days after purchase; effective date of lien; dealer to record lien; fees.**

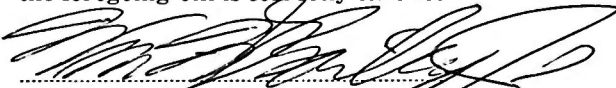
- 1 (a) A deferred purchase money lien or encumbrance
- 2 upon any motor vehicle may be perfected by recording
- 3 the name and address of the lienholder upon the face
- 4 of the certificate of title for such motor vehicle. If an
- 5 application for such a certificate of title is filed with the

6 division of motor vehicles within sixty days after the  
7 date of purchase of the motor vehicle, the effective date  
8 of the lien or encumbrance shall be the date the lien or  
9 encumbrance was created. If an application for such a  
10 certificate of title is not filed within such sixty-day  
11 period, the lien shall be perfected from the date it was  
12 filed with the division of motor vehicles.

13 (b) In all transactions involving a deferred purchase  
14 money lien or encumbrance upon a motor vehicle, the  
15 motor vehicle dealer shall collect and remit to the  
16 division of motor vehicles the title, tax and registration  
17 fees required under section four, article three of this  
18 chapter and file and record with the division of motor  
19 vehicles any lien created as a result of such transaction:  
20 *Provided*, That a motor vehicle dealer may remit the  
21 title, tax and registration fees through any license  
22 service that is licensed by the division of motor vehicles.

23 (c) No fee may be charged by a motor vehicle dealer  
24 for its services required under this section except that  
25 fee authorized by subdivision (6), subsection (a), section  
26 one hundred nine, article three, chapter forty-six-a of  
27 this code.

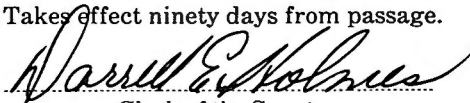
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

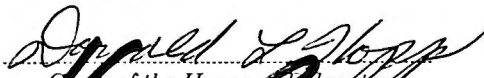
  
.....  
Chairman Senate Committee

  
.....  
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

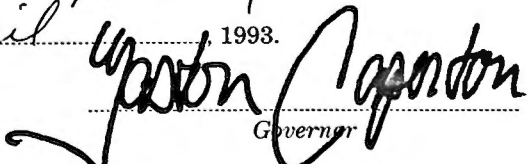
  
.....  
Clerk of the Senate

  
.....  
Clerk of the House of Delegates

  
.....  
President of the Senate

  
.....  
Speaker of the House of Delegates

The within is approved this the 26<sup>th</sup>  
day of April 1993.

  
.....  
Governor

PRESENTED TO THE

GOVERNOR

Date

4/20/43

Time

10:27 am  
gsc