

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Committee Substitute

for

House Bill 4494

BY DELEGATES BYRD, COWLES, MILEY, SHOTT, PUSHKIN,

HARSHBARGER, ROWE, MCGEEHAN, ROBINSON AND

WARD

[Reported February 23, 2018.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §17A-6A-10a, relating to authorizing certain motor vehicle manufacturers to
3 operate as new car dealers; and providing conditions necessary for that authorization to
4 be granted.

Be it enacted by the Legislature of West Virginia:

§17A-6A-10a. Authorizing manufacturer direct sales of motor vehicles.

1 Notwithstanding any other code provision to the contrary, a manufacturer may be licensed
2 and operate as a new motor vehicle dealer in this state if the manufacturer:

3 (a) Has been manufacturing zero emissions motor vehicles since at least 2008;

4 (b) Manufactures or assembles zero emissions motor vehicles exclusively and has never
5 sold its line make of motor vehicles in this state through a franchised new motor vehicle dealer;
6 and

7 (c) Has not acquired a controlling interest either in a franchisor or in a subsidiary or other
8 entity controlled by a franchisor; nor, may that manufacturer have sold or transferred a controlling
9 interest in such manufacturer to a franchisor, or a subsidiary or other entity controlled by such
10 franchisor.

NOTE: The purpose of this bill is to authorize certain zero emission motor vehicle manufacturers to operate as new car dealers in West Virginia.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.