

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Introduced

House Bill 4132

BY DELEGATE BYRD

[Introduced January 13, 2020; Referred to the
Committee on Small Business, Entrepreneurship and
Economic Development then the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §17A-6-1c, relating to authorizing certain motor vehicle manufacturers to
 3 operate as new car dealers.

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-6-1c. 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 (1) Has been manufacturing zero emissions motor vehicles since at least 2008;

4 (2) 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 (3) Has not acquired a controlling interest in a franchisor or a subsidiary or other entity
 8 controlled by a franchisor, or sold or transferred a controlling interest in such manufacturer to a
 9 franchisor or subsidiary or other entity controlled by such 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.