

H. B. 2859

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[Introduced March 7, 2013; referred to the
Committee on Roads and Transportation then Finance.]

A BILL to amend and reenact §17A-6-10c of the Code of West Virginia, 1931, as amended, relating to authorizing the Commissioner to issue no more than ten additional special demonstration plates to a new motor vehicle dealer or used motor vehicle dealer engaged in the business of selling trailers, truck-tractors, road-tractors or trucks, who demonstrates the motor vehicles under actual work conditions to potential purchasers upon a showing of need.

Be it enacted by the Legislature of West Virginia:

That §17A-6-10c of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

**ARTICLE 6. LICENSING OF DEALERS AND WRECKERS OR DIS-
MANTLERS; SPECIAL PLATES; TEMPORARY PLATES OR
MARKERS.**

**§17A-6-10c. Special demonstration plates for dealers in trailers,
truck-tractors, road-tractors and trucks; application;
fee.**

1 (a) Notwithstanding any other provisions of this code, any
2 new motor vehicle dealer or used motor vehicle dealer engaged
3 in the business of selling trailers, truck-tractors, road-tractors or
4 trucks who demonstrates the motor vehicles under actual work
5 conditions to potential purchasers shall obtain a special
6 demonstration plate from the Division of Motor Vehicles. The
7 motor vehicle dealer may obtain special demonstration plates
8 without first titling or registering each vehicle.

9 (b) The commissioner shall prescribe the application form
10 for these special demonstration plates and shall require the
11 applicant to submit proof of the applicant's status as a bona fide
12 dealer in motor vehicles and to certify that the applicant needs
13 special demonstration plates in the ordinary course of business.

14 The commissioner, upon approving any application, shall
15 issue to the new motor vehicle dealer or used motor vehicle
16 dealer up to four special demonstration plates which shall
17 display the term "demonstration" or "demo" and a distinguishing

18 number assigned to the motor vehicle dealer. The Commissioner
19 may issue no more than ten additional special demonstration
20 plates at the fee of \$50 for each additional plate upon a showing
21 that the licensee has sales or potential sales justifying additional
22 plates. The showing may include, but is not limited to, the
23 dealer's on-site inventory of the applicable type of vehicles,
24 previous sales to residents and nonresidents of applicable
25 vehicles or the geographical divergence of the dealer's customer
26 base.

27 (c) The annual fee for special demonstration plates is \$100
28 for the first plate and \$50 for each additional plate, not to exceed
29 a total of ~~four~~ fourteen plates per dealer.

30 (d) Each motor vehicle dealer who is issued special
31 demonstration plates shall keep a written record, on a form
32 approved by the commissioner, containing the following
33 information: Identification of the motor vehicles upon which the
34 special demonstration plates are used; the times and dates during
35 which each special demonstration plate is used; the name and
36 address of the company or individual using a motor vehicle on
37 which a special demonstration plate is used; and any other

38 information considered necessary by the commissioner. This
39 record shall be open to inspection by any police officer or
40 employee of the division.

41 (e) Each motor vehicle operated under the provisions of this
42 section is considered to be registered at the maximum vehicle
43 weights allowable under article seventeen, chapter seventeen-c
44 of this code.

45 (f) A motor vehicle dealer ~~shall~~ may not: (1) Use any special
46 demonstration plates issued under the provisions of this section
47 on any motor vehicle which is not being demonstrated; (2) use
48 any special demonstration plates to demonstrate any single
49 motor vehicle for more than seven calendar days in any calendar
50 year for any single customer; (3) use any special demonstration
51 plates on any motor vehicle leased or rented to any customer; or
52 (4) use any special demonstration plates in any way other than
53 to demonstrate the on-the-job capabilities of a motor vehicle to
54 a potential purchaser.

55 (g) The motor vehicle dealer is required to furnish a
56 certificate of insurance in the amount required by regulations of
57 the West Virginia Public Service Commission or the United

58 States Department of Transportation for the class of motor
59 carrier for which the motor vehicle is to be demonstrated.

NOTE: The purpose of the bill is to increase the cap on the number of dealer plates that may be used by new and used dealers of larger commercial type vehicles.

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

