

FILED

2015 MAR 24 P 5: 10

WEST VIRGINIA LEGISLATURE
EIGHTY-SECOND LEGISLATURE
REGULAR SESSION, 2015

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

SB 403



ENROLLED
Senate Bill No. 403

(BY SENATORS WALTERS AND NOHE)

[PASSED MARCH 12, 2015; IN EFFECT NINETY DAYS FROM PASSAGE.]

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Senate Bill No. 403

(BY SENATORS WALTERS AND NOHE)

[Passed March 12, 2015; in effect ninety days from passage.]

AN ACT to amend and reenact §17A-4A-15 of the Code of West Virginia, 1931, as amended, relating to liens on vehicles; expanding period of time during which a recorded lien on a vehicle is valid; expanding period of time during which a refiled lien on a vehicle is valid; and clarifying that the lienholder may refile a lien or encumbrance without obtaining the owner's consent.

Be it enacted by the Legislature of West Virginia:

That §17A-4A-15 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 4A. LIENS AND ENCUMBRANCES ON VEHICLES TO BE SHOWN ON CERTIFICATE OF TITLE; NOTICE TO CREDITORS AND PURCHASERS.

§17A-4A-15. Expiration of lien or encumbrance; refiling.

- 1 The filing of any lien or encumbrance and its recordation
- 2 upon the face of a certificate of title to any vehicle as
- 3 provided in this article is valid for fifteen years only from the

4 date of filing, unless the lienholder refiles the lien or
5 encumbrance in the manner provided in this article for filing
6 and recordation in the first instance, in which event the lien
7 or encumbrance is valid for successive additional periods of
8 five years from the date of each refiling: *Provided*, That this
9 article does not require the lienholder to obtain the consent of
10 the owner to refile the lien or encumbrance: *Provided*,
11 *however*, That in the case of a mobile home or manufactured
12 home, the filing of any lien or encumbrance and its
13 recordation upon the face of a certificate of title to the mobile
14 home or manufactured home is valid for a period of thirty-
15 three years from the date of filing.

16 When the last lien or encumbrance shown on a certificate
17 of title becomes invalid by the passage of time as provided in
18 this section, the Commissioner of Motor Vehicles is not
19 required to maintain a lien index as to the certificate of title.

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

[Signature]
.....
Chairman Senate Committee

[Signature]
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

[Signature]
.....
Clerk of the Senate

[Signature]
.....
Clerk of the House of Delegates

[Signature]
.....
President of the Senate

[Signature]
.....
Speaker of the House of Delegates

The within *is approved* this the *24th*
March
Day of, 2015.

[Signature]
.....
Governor

PRESENTED TO THE GOVERNOR

MAR 18 2015

Time 10:30 AM