

**WEST VIRGINIA  
SECRETARY OF STATE  
NATALIE E. TENNANT  
ADMINISTRATIVE LAW DIVISION**

Form #2

Do Not Mark In This Box

FILED

2011 JUN 14 AM 11:03

OFFICE / WEST VIRGINIA  
SECRETARY OF STATE

**NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE**

AGENCY: Division of Motor Vehicles TITLE NUMBER: 91

RULE TYPE: Legislative CITE AUTHORITY: WV Code §§17D-2A-8, 17A-2-9

AMENDMENT TO AN EXISTING RULE: YES  NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 13

TITLE OF RULE BEING AMENDED: Compulsory Motor Vehicle Liability Insurance

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: \_\_\_\_\_

TITLE OF RULE BEING PROPOSED: \_\_\_\_\_

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON July 19, 2011 AT 12:00 Noon ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

Division of Motor Vehicles  
Office of the Commissioner  
Reference 2011 91 CSR 13  
Attention Steven O. Dale  
5707 MacCorkle Ave. SE  
Post Office Box 17300  
Charleston, WV 25317

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

  
Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL



**WEST VIRGINIA**  
**DEPARTMENT OF TRANSPORTATION**  
1900 Kanawha Boulevard East • Building Five • Room 109  
Charleston, West Virginia 25305-0440 • 304/558-0444

June 6, 2011

The Honorable Natalie E. Tennant  
Secretary of State  
Building 1, Suite 157-K  
1900 Kanawha Boulevard, East  
Charleston, WV 25305

Dear Madam Secretary:

The Commissioner of Motor Vehicles is hereby authorized to promulgate proposed changes to 91 CSR 13 Motor Vehicle Inspection Manual. These changes constitute a complete re-write of the rule consequently strike-thru and underscoring punctuation is not used.

Comments and concerns about the contents of this rule should be directed to the Commissioner of Motor Vehicles. Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Paul A. Mattox, Jr.".

Paul A. Mattox, Jr., P.E.  
Secretary of Transportation\  
Commissioner of Highways

/em  
Enclosure



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION  
**Division of Motor Vehicles**

5707 MacCorkle Avenue, Southeast  
Post Office Box 17300  
Charleston, West Virginia 25317-0010 • (304) 558-3900  
TDD (800) 742-6991 • (800) 642-9066

91 CSR 13

Compulsory Motor Vehicle Liability Insurance

Summary of Content

The following changes to the compulsory insurance enforcement are proposed:

1. Enforcement of the requirement of motor vehicle liability insurance will be verified with the indicated insurance company electronically with 3 tracks of enforcement:
  - a. at the time of a vehicle transaction including but not limited to initial registration, renewal of registration or transfer of registration,
  - b. scheduled complete verification of entire active vehicle registration data base to identify vehicles that are no longer covered by an insurance policy, and
  - c. by law enforcement at the time of a traffic stop or crash investigation.
2. Less detailed specifications for the display of data on the insurance certificate and notice of cancellation to provide insurance companies greater flexibility in determining the style and format these forms.
3. Addition of the NAIC number (National Association of Insurance Commissioners) assigned code as an identifier for the insurance company on DMV forms and on the Certificate of Insurance and Notice of Cancellation.
4. Allow Insurance companies the option of providing cancellation notices either by paper or electronically.
5. Reference to the IICMVA (Insurance Industry Committee on Motor Vehicle Administration) model standards and practices for electronic insurance verification.
6. Updating of provisions relating to administrative appeals of driver's license suspensions and motor vehicle registration revocations to reflect the establishment of the Office of Administrative Hearings.

A handwritten signature in black ink, appearing to read "Joe E. Miller", written over a horizontal line.

Joe E. Miller  
Commissioner



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

**Division of Motor Vehicles**

5707 MacCorkle Avenue, Southeast  
Post Office Box 17300  
Charleston, West Virginia 25317-0010 • (304) 558-3900  
TDD (800) 742-6991 • (800) 642-9066

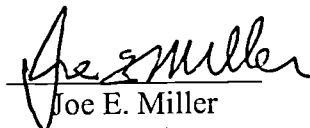
91 CSR 13

**Compulsory Motor Vehicle Liability Insurance**

**Statement of Circumstances Requiring Filing**

Senate Bill 394 [2010 Regular Session] authorizes the Division of Motor Vehicles to establish an electronic insurance verification program to identify motorists who are operating motor vehicles without insurance.

As a result of the changes in the process to monitor uninsured motorists contemplated by SB 394, the agency has revised the legislative rule that governs enforcement of compulsory insurance. The rule was last changed in 1997.

  
Joe E. Miller  
Commissioner

**QUESTIONNAIRE**

*(Please include a copy of this form with each filing of your rule: Notice of Public Hearing or Comment Period; Proposed Rule, and if needed, Emergency and Modified Rule.)*

DATE: June 14, 2011

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: (Agency Name, Address & Phone No.) Division of Motor Vehicles  
5707 MacCorkle Ave SE  
P.O. Box 17300  
Charleston, WV 25317

LEGISLATIVE RULE TITLE: Compulsory Motor Vehicle Liability Insurance

1. Authorizing statute(s) citation WV Code §17A-2-9 and WV Code §17D-2A-8

2. a. Date filed in State Register with Notice of Hearing or Public Comment Period:  
June 14, 2011

b. What other notice, including advertising, did you give of the hearing?  
Mailed notice to insurance industry representatives, Insurance Commissioner, State Police

c. Date of Public Hearing(s) *or* Public Comment Period ended:  
July 19, 2011

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.

Attached \_\_\_\_\_ No comments received \_\_\_\_\_

- e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing: (be exact)

---

- f. **Name, title, address and phone/fax/e-mail numbers** of agency person(s) to receive all *written correspondence* regarding this rule: (Please type)

Steven O. Dale, Deputy Commissioner

WV Division of Motor Vehicles

5707 MacCorkle Ave SE

PO Box 17300

Charleston, WV 25317

304 926-3871

fax 304 926-3884

steven.o.dale@wv.gov

- g. **IF DIFFERENT FROM ITEM 'f'**, please give **Name, title, address and phone number(s)** of agency person(s) who wrote and/or has responsibility for the contents of this rule: (Please type)

David Bolyard, Director of Driver Services- 304 926-0728

Debbie Fields, Manager of Driver Improvement Programs 304 926-3844

WV Division of Motor Vehicles

5707 MacCorkle Ave SE

PO Box 17300

Charleston, WV 25317

debbie.l.fields@wv.gov

david.h.bolyard@wv.gov

3. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

- a. Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.

---

---

---

---

b. Date of hearing or comment period:

---

c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

---

d. Attach findings and determinations and reasons:

Attached 

---

APPENDIX B

**FISCAL NOTE FOR PROPOSED RULES**

91 CSR 13 Compulsory Motor Vehicle Insurance

Rule Title: \_\_\_\_\_

Type of Rule:  Legislative  Interpretive  Procedural

Agency: Division of Motor Vehicles

Address: 5707 MacCorkle Ave South East  
P.O. Box 17300  
Charleston, WV 25317

Phone Number: 304 926-3871 Email: steven.o.dale@wv.gov

**Fiscal Note Summary**

Summarize in a clear and concise manner what impact this measure will have on costs and revenues of state government.

The Electronic Insurance Verification program is designed to be self supporting. First time offenders will be given the opportunity to pay a \$200 penalty in lieu of a 30 day driver's license suspension.

The Program will be operated by a third party vendor awarded a contract under competitive bid. The cost of the vendor will be paid out of the Road Fund, and the penalty fees will be deposited into the Road Fund.

It is anticipated that the Program will cost \$2,014,617 annually to operate, while estimated revenue from collection of the penalty fees will be \$4,625,000.

**Fiscal Note Detail**

Show over-all effect in Item 1 and 2 and, in Item 3, give an explanation of Breakdown by fiscal year, including long-range effect.

FISCAL YEAR			
Effect of Proposal	Current Increase/Decrease (use "-")	Next Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost	2,138,097.00	2,138,097.00	2,138,097.00
Personal Services	110,280.00	110,280.00	110,280.00
Current Expenses	2,014,617.00	2,014,617.00	2,014,617.00
Repairs & Alterations			
Assets	900.00	13,200.00	900.00
Other			
2. Estimated Total Revenues	4,625,000.00	4,625,000.00	4,625,000.00

91 CSR 13 Compulsory Motor Vehicle Insurance

Rule Title: \_\_\_\_\_



Rule Title: \_\_\_\_\_

**3. Explanation of above estimates (including long-range effect):**

Please include any increase or decrease in fees in your estimated total revenues.

not applicable

**MEMORANDUM**

Please identify any areas of vagueness, technical defects, reasons the proposed rule **would not** have a fiscal impact, and/or any special issues **not** captured elsewhere on this form.

Program costs are primarily the cost of paying a third party vendor to administer the program. This cost will be impacted by the competitive bidding of the contract to a third party vendor. Vendors are already operating similiar programs in other states and have established electronic links with most of the same insurance companies that do business in West Virginia. It is anticipated since there are at least three vendors on the national level interested in gaining contracts in all states, that competion will provide West Virginia with the lowest possible cost to run the program.

Date: June 9, 2011

Signature of Agency Head or Authorized Representative

*R. E. Miller*, COMMISSIONER

FILED

2011 JUN 14 AM 11:03

CYRIL W. WELLS  
SECRETARY OF STATE

**TITLE 91  
LEGISLATIVE RULE  
DIVISION OF MOTOR VEHICLE**

**PROPOSED**

**SERIES 13  
COMPULSORY MOTOR VEHICLE LIABILITY INSURANCE**

**§91-13-1. General.**

1.1. Scope. -- This rule establishes guidelines and forms for insurers and insureds with respect to motor vehicle liability insurance required under the provisions of W. Va. Code §17A-3-3 and §17D-1 et seq.

1.2. Authority. -- W. Va. Code §17A-2-9 and §17D-2A-8.

1.3. Filing Date. --

1.4. Effective Date. --

1.5. Repeal of Former Rule. -- This legislative rule repeals and replaces Compulsory Motor Vehicle Liability Insurance 91CSR13 filed May 12, 1997 and effective May 13, 1997.

1.6. Application and Enforcement- This legislative rule applies to all owners and operators of motor vehicles subject to registration and subject to the mandatory security upon motor vehicles provisions of W. Va. Code 17D-1et seq. This legislative rule also applies to insurance companies and their agents authorized to issue motor vehicle liability insurance in this state. Enforcement of this rule is vested with the Commissioner of Motor Vehicles and the Insurance Commissioner or their lawful designees.

**§91-13-2. Definitions.**

2.1. Abstract of Conviction- Means the report of conviction or findings required to be submitted to the Division pursuant to the provisions of W. Va. Code §17B-3-4 and §17D-2A-6.

2.2. Certificate of Insurance - Means a form issued in duplicate by an insurer to an insured which meets the requirements of W.Va. Code §17D-2A-4 and as specified in Appendix A, which has been approved by the Commissioner.

2.3. Commercial Auto Coverage – Means motor vehicle liability coverage extended to a vehicle owner under a fleet policy.

2.4. Commissioner- Means the chief executive officer of the Division of Motor Vehicles appointed in accordance with the provisions of W. Va. Code §17A-2-2.

2.5. Crash Report- Means the crash report completed by the investigating officer in accordance with W.Va. Code §17C-4-7.

2.6. Division- Means the Division of Motor Vehicles.

2.7. Firmed Up - Means when the thirty day notice required by W. Va. Code §33-6A-1 and any additional notice period provided by the insurer to the insured has expired and the policy will not be continued or reinstated to maintain coverage continuously in force.

2.8. Fleet Owner - Means a motor vehicle owner with more than twenty-five vehicles registered in this state.

2.9. Hearing - Means the administrative procedures conducted by the Office of Administrative hearings pursuant to W. Va. Code §17C-5C-1 et seq. and this rule arising out of the enforcement of administrative driver's license suspensions and motor vehicles registration revocations provided for in W. Va. Code §17A- 3-3 and §17D-1 et seq.

2.10. Insurance Company Notice of Cancellation – Means the notice submitted to the Division either on paper or electronically when an insurance company issues a cancellation of coverage

pursuant to the requirements of W. Va. Code §17D-2A-5 and W. Va. Code §33-6A-1 as specified in Appendix B which has been approved by the Commissioner.

2.11. Liability Insurance- Means an insurance policy or contract as provided in W. Va. Code §17D-2A-3 and W. Va. Code §33-1 et seq. providing liability coverage for a motor vehicle.

2.12. NAIC Number – Means the number issued by the National Association of Insurance Commissioners to identify insurance companies.

2.13. OAH – Means the Office of Administrative Hearings a separate agency within the Department of Transportation responsible for hearing and determining statutorily authorized appeals from decisions or orders issued by the Commissioner of the Division of Motor Vehicles.

2.14. On-line Insurance Verification Program or Electronic Insurance Verification Program – Means the electronic insurance verification of continuous insurance coverage while a vehicle has an a valid registration. This program may be used by law enforcement at the time of a traffic stop or crash investigation, by the Division for registration events and continued coverage and by the judicial system.

2.15. Owner - Means the person or persons who hold the legal title of a motor vehicle as reflected in the records of the division.

2.16. Owner's Notice of Insurance Cancellation - Means the form, designated as WV-4C, used by the vehicle owner to provide notice to the Division that the required liability insurance upon a registered vehicle as required by W. Va. Code §17D-2A-1 et.seq., has been dropped and that the vehicle will not be operated upon the roads and highways of West Virginia until liability insurance has been obtained. The owner's notice of insurance cancellation must include the surrender of the registration plate.

2.17. Owner's Notice of Non-Plate Surrender – means the form, designated as WV-4S, used by

the vehicle owner or owners to provide notice to the Division that a registration plate has been lost or destroyed and therefore could not be surrendered as required by W. Va. Code §17D-2A-1 et.seq.

2.18. Owner's Statement of Insurance - Means the form prescribed by the Commissioner pursuant to W. Va. Code §17A-3-3 which includes the insurance company name, insurance agent, the NAIC number, policy number and the policy effective date.

2.19. Owner's Statement of Seasonal Insurance - Means the form, designated as WV-4B, used to provide notice to the Division that the vehicle is used seasonally as required by W. Va. §17D-2A-1 et seq. In addition, the owner or owner shall certify that the liability insurance is in effect during the portion of the year in which the vehicle is in actual use on the road. An owner is not required to surrender the registration plate under seasonal or periodic use circumstances.

2.20. Proof of Insurance- Means a certificate of insurance, an insurance policy or a certificate of self insurance.

2.21. Self-Insurer - Means a motor vehicle owner meeting the requirements of W. Va. Code §17D-6-2.

2.22. Verification of Insurance- Means the process by which the Division or an agent of the Division verifies insurance information on-line electronically or by any other means available, with an insurance company to determine whether or not the vehicle is or was covered by a policy at a certain time.

### **§91-13-3. Verification of Insurance.**

3.1. Electronic Insurance Verification Program - In accordance with the provisions of W. Va. Code §17D-2A-6a, the Division will develop and implement an electronic insurance verification program for motor vehicles. Pursuant to W. Va. Code §17D-2A-2, motor vehicles covered under a commercial fleet policy are excluded from the electronic insurance verification program.

3.2. Insurance Verification - The Division will verify insurance coverage by any means available including electronic access. The electronic verification will be conducted by using various criteria or established key elements that meet the standards and specifications of the Insurance Industry Committee on Motor Vehicle Administration (IICMVA) model.

3.3. Vehicle owner and driver Resolution - The Division or its agent shall provide an opportunity for any motor vehicle registrant or driver to correct any false reports of no insurance.

**§91-13-4. Owner Cancellation of Insurance.**

4.1. Notice Required - When the owner of a motor vehicle with a valid registration cancels insurance for any reason other than for reasons of seasonal or periodic use, the owner must surrender to the Division the registration plate and registration card assigned to the vehicle. The owner shall also complete the prescribed form, WV-4C, or provide a written statement concerning the cancellation to accompany the surrendered registration plate and registration card. The Owner's notice of cancellation must include a statement that the liability insurance on the motor vehicle in question was canceled and that the motor vehicle will not be operated upon the roads or highways of this state.

4.2. Plate Lost or Destroyed - The notice of owner's cancellation of insurance shall not be considered complete unless the actual registration plate is surrendered. However in the event that the registration plate is lost or destroyed, the owner must complete a WV-4S form and indicate the disposition of the registration plate to accompany the notice of owner's cancellation of insurance. The Division shall only consider the fact that the registration plate was lost or destroyed as valid reasons for failure to surrender the registration plate at the time of the owner's notice of insurance cancellation.

**§91-13-5. Traffic Crash Reports.**

5.1. Upon receipt of a West Virginia Uniform Traffic Crash Report, the Division shall review the report to determine if the law enforcement officer investigating the crash was able to determine if the motor vehicle or motor vehicles involved in the traffic crash were covered by an insurance policy.

5.2. If the Commissioner determines there was no insurance at the time of the crash, the Division shall issue notices of suspension by certified mail to the driver and owner or owners of the vehicle in question. The notice shall allow a 30-day notice period before the suspension effective date. Proof of insurance must be provided to the Division and confirmed for the date and time of the crash.

5.3. If insurance coverage cannot be confirmed for the date and time of the crash, the Division shall suspend the driver's license of the driver and the owner or owners of the motor vehicle for a period of thirty (30) days. The Division shall also suspend the registration of the motor vehicle until current proof of insurance is received.

5.4. If the Division determines that the owner or driver of the vehicle has been previously suspended for an offense described in W. Va. Code §17D-2A -1 et seq, the period of the driver's license suspension is ninety (90) days.

5.5. Reinstatements of driver's licenses or driving privileges and vehicle registration are contingent upon payment of all fees assessed by the Division of Motor Vehicles.

5.6. The provisions of section seven of this rule applies to first time offenders.

#### **§91-13-6. Traffic Citations.**

6.1. Upon receipt of a citation for no insurance, the Division shall issue notices of suspension by certified mail to the driver and owner or owners of the vehicle in question. The notice shall allow a 30-day notice period before the suspension effective date. Proof of insurance must be provided to the Division and confirmed for the date and time of the citation.

6.2. If the Commissioner determines there was no insurance, the Division shall suspend the driver's license of the driver and owner or owners of the motor vehicle for a period of thirty (30) days and shall revoke the registration of the motor vehicle until current proof of insurance is received.

6.3. If the Division determines that the owners or driver of the vehicle has been previously suspended for failing to maintain insurance on a motor vehicle or knowingly operating a vehicle without insurance, the period of the driver's license suspension is ninety (90) days.

6.4. Reinstatements of driver's licenses or driving privileges and vehicle registration are contingent upon payment of all fees assessed by the Division of Motor Vehicles.

6.5. The provisions of section seven of this rule applies to first time offenders.

#### **§91-13-7. Driver's License Suspension.**

7.1. Pursuant to the provisions of W.Va. Code §17D-2A-7, the driver and owner may choose to pay a penalty fee in lieu of the driver's license suspension requirement for a first (1<sup>st</sup>) offense of no insurance for an offense committed on or after June 11, 2010. The offender must pay a \$200.00 penalty fee and provide current proof of insurance for any registered vehicles before the suspension effective date. This option applies to any suspension action pursuant to W. Va. Code §17A-3-3- or §17D-2A-1 et seq.

7.2. A second (2<sup>nd</sup>) offense for no insurance within five (5) years requires a 30 day driver's license suspension if the first (1<sup>st</sup>) offense waiver was taken.

7.3. A third (3<sup>rd</sup>) offense for no insurance within (5) years requires a 90 day driver's license suspension if the first (1<sup>st</sup>) offense waiver was taken. Any subsequent offenses require a 90 day suspension of the driving privileges.

7.4. In the case of multiple owners, the Division shall suspend the driver's license of only one owner unless the offense involves false or fraudulent documents.



### **§91-13-8. Company Forms and Procedures.**

8.1. Certificate of Insurance- The form designated by the Commissioner as WV-1B when printed as specified and completed in full, or such other form approved by the Commissioner, meets the requirements of W. Va. Code §17D-2A-4 for issuance by the insurer to the insured. The certificate shall be accepted by the Commissioner and all law enforcement agencies as proof of insurance however, all forms of insurance information are subject to the electronic insurance verification program. The insurance company shall provide the certificate of insurance to the insured in duplicate for each policy term or upon request by the insured for each motor vehicle covered by a liability insurance policy. In cases of motor vehicle owners qualifying as fleet owners, the word fleet may be used on each certificate in lieu of a motor vehicle description. The insurance company shall list the effective dates of the policy term by including the commencement date and the expiration date of the policy term, the certificate issue date and the NAIC number. In cases where the vehicle owner is different from the policy holder, the company shall list both the policy holder and the vehicle owner. Motor vehicles bearing dealer registration, financial institution registration, or commercial vehicles registered through the Public Service Commission are not required to carry a certificate of insurance.

8.2. Notice of Cancellation- The form designated by the Commissioner as WV-2B when printed as specified and completed in full, meets the requirements of W. Va. Code §17D-2A-5 for issuance by the insurance company to notify the Division of company cancellations which are issued under the provisions of W. Va. Code §33-6A-1(b), (c), (d), or (e) when the cancellation has been firmed up by the insurance company. The insurance company shall list the notice date, cancellation date, company name, the NAIC number, the year, make, model and vehicle identification number of vehicle, type of cancellation and all drivers' license numbers listed on the policy. In cases where the vehicle owner is different from the policy holder, the company shall list both the policy holder and the vehicle

owner. An insurance company may submit notification through an electronic format to the division or its agent.

#### **§91-13-9. Company Cancellation Of Insurance.**

9.1. Notice of Cancellation of Policy- An insurance company shall provide the form designated by the Commissioner as WV-2B in accordance with the provisions of W.Va. Code §33-6A-1 (b-e).

9.2 The Division shall notify the owner or owners of the notice of insurance cancellation, by certified mail. The notice shall provide the owner(s) with a 30 day notice period to:

9.2a. Surrender the registration plate or provide current insurance and a copy of registration transfer if applicable.

9.3. Failure to comply will result in the Division suspending the owner(s) driver's license for a thirty (30) day period and the registration plate until current insurance is provided.

9.4. If the Division determines the downer has been previously suspended for no insurance, the period of the driver's license suspension will be ninety (90) days.

9.5. All reinstatements of driving privileges and registration plates are contingent upon payment of all fees assessed by the Division of Motor Vehicles.

#### **§91-13-10. Administrative Due Process.**

10.1. Any person adversely affected by an order made and entered by the Commissioner in accordance with the provisions of W.Va. Code §17A-3-3 or W. Va. Code §17D-1 et seq. and this legislative rule, may request a hearing if specifically allowed by W. Va. Code §17D-1 et seq., by filing a written notice with the Office of Administrative Hearings (OAH) in person, or by certified mail, return receipt requested. The person must request a hearing within ten (10) days from the date on which the registered or certified mail receipt for the order of revocation was signed. However, in cases when the registered or certified mail is not signed for, the provisions of W. Va. Code §17A-2-19 apply which provide that the giving of notice is complete upon expiration of four (4) days after

deposit of the notice in the United States mail.

10.2. The notice requesting a hearing shall contain a description of the order upon which a hearing is requested, and the grounds upon which it is asserted that the order should be vacated or modified. The scope of the hearing is limited to whether there was the required liability insurance upon the vehicle on the date in question.

10.3. The motor vehicle owner has the burden of showing that insurance coverage was in effect at the time in question and therefore, shall make the initial presentation of evidence. At the conclusion of the vehicle owner's presentation, the Division shall have an opportunity to present evidence. All parties have the right to cross-examine witnesses.

# West Virginia Certificate of Insurance

CERTIFICATE OF INSURANCE - WEST VIRGINIA

Name of Insurance Company

~~Contact Number~~

VEHICLE OWNER ENTER PLATE NO.

NAIC #

An authorized West Virginia Insurer certifies that there is in effect a motor vehicle liability policy upon the described vehicle in accordance with the provisions of the West Virginia Motor Vehicle Code.

Name and Address of Insured

Name and Address of Owner

Policy Number

Date Certificate Issued

Effective Dates of Policy Term

From:

To:

Year

Make

VIN

THIS CERTIFICATE MUST BE CARRIED IN THE VEHICLE DESCRIBED ABOVE FOR USE AS PROOF OF INSURANCE. A COPY OF THIS CERTIFICATE MAY BE REQUESTED BY THE COMMISSIONER OF MOTOR VEHICLES.

Signature  
of Owner

Date

WV-1B ~~10~~ 6/2011

## Specifications

The above specimen form shows the items to be included and the location on the certificate. Print size may vary. If other wording or arrangement of wording is used, prior approval of the Commissioner of Motor Vehicles is required. A certificate printed in accordance with the specimen form, including the addition of the Company logo, if desired, has the prior approval of the Commissioner.

~~1.) One part form on white paper stock. Paper stock is to be no less than 20 lb.~~

~~2.) Size may vary from 3 1/4" x 1" to 3 1/4" x 7".~~

- 1.) On certificates issued on renewal policies, the word "renewal" may be shown along with the policy effective dates to facilitate acceptance of the certificate prior to date shown.
- 2.) Vehicle Description:
  - The year may be shown as 2 digits.
  - The make may be abbreviated.
  - Model may be shown in lieu of make.
  - The full VIN shall be shown.
  - The plate number shall be entered by the owner.
- 3.) Certificates shall be provided in duplicate for each vehicle insured at each policy term or upon request by the insured.
- 4.) When the insurer does not have a description of the vehicle insured under fleet policy, the word "fleet" may be entered in lieu of vehicle description.
- 5.) A facsimile signature of an authorized representative of the insurer may be preprinted on the certificate if the certificate is field issued, the insurer; provided, however, that where a certificate is field issued, the original signature and the agent's license number of a resident agent appointed by the insurer shall appear on the certificate.
- 6.) The name of the vehicle owner shall be included if different from the insured.
- 7.) The date that the certificate was issued shall be indicated on the certificate.
- 8.) The certificate shall indicate the commencement date and the expiration date of the policy term.
- 9.) NAIC Number shall appear on certificate in or near upper right hand corner.**

# Notice of Cancellation or Termination of Policy

NOTICE OF CANCELLATION OR TERMINATION OF POLICY NAIC #		Canceled Under Provisions Of West Virginia Code 33-6A-1 marked (b) ___ (c) ___ (d) ___ (e) ___
Name of Company		TO BE FILED WITH:
Policy Number		
Date of Notice	Cancellation Date	Division of Motor Vehicles PO Box 17020 Charleston, WV 25317
Name and Address of Insured		All Driver's License Numbers Listed on Policy must Be Listed
Name and Address of Vehicle Owner if Different		
Year - Make or Model	Vehicle Identification Number	1. 2. 3. 4.
WV-2B <del>4/8</del> <u>6/2011</u>		

## Specifications for West Virginia Notice of Termination (WV-2B 6/2011)

~~ONLY ONE VEHICLE MAY BE REPORTED PER FORM~~

### Descriptive information required on WV-2B

- 1.) Insurance Company Name
- 2.) Policy Number
- 3.) Date of Notice
- 4.) Cancellation Date
- 5.) Name of Insured
- 6.) Name of Vehicle owner, if different from insured.
- 7.) Year, make and complete VIN of vehicle.
- 8.) All driver's license numbers on policy must be listed.
- 9.) Type of cancellation must be indicated. (Only those outlined in West Virginia Code 33-6A-1, subsections (b) through (e) will be accepted.

10.) NAIC Number

### ~~Size~~

~~7 1/8" wide x 3 1/2" high~~

### ~~Paper~~

~~Not less than 20 lb. white sulphite bond or equivalent~~

### ~~Type~~

~~One Part Form~~