

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Introduced

Senate Bill 647

FISCAL
NOTE

BY SENATOR BALDWIN

[Introduced February 18, 2019; Referred
to the Committee on Finance]

1 A BILL to amend and reenact §17A-16-4 and §17C-16-6 of the Code of West Virginia, 1931, as
2 amended, relating to motor vehicle inspections.

Be it enacted by the Legislature of West Virginia:

ARTICLE 16. INSPECTION OF VEHICLES.

§17C-16-4. Superintendent of the West Virginia State Police to require periodical inspection; acceptance of certificate of inspection from another state; suspension of registration of unsafe vehicles.

1 (a) The Superintendent of the West Virginia State Police shall ~~once each year~~ require that
2 every motor vehicle, trailer, semitrailer and pole trailer registered in this state be inspected every
3 two years and that an official certificate of inspection and approval be obtained for each vehicle.

4 The inspections shall be made and the certificates obtained with respect to the
5 mechanism, brakes, and equipment of every vehicle designated by the superintendent.

6 The superintendent may make necessary rules for the administration and enforcement of
7 this section and may designate any period or periods during which owners of any vehicles, subject
8 to this section, shall display upon the vehicles certificates of inspection and approval or shall
9 produce the certificates upon demand of any officer or employee of the State Police designated
10 by the superintendent or any police or peace officer when authorized by the superintendent.

11 (b) The superintendent may authorize the acceptance in this state of a certificate of
12 inspection and approval issued in another state having an inspection law similar to this chapter
13 and may extend the time within which the resident owner of a vehicle which was not in this state
14 during the time an inspection was required must obtain a certificate.

15 (c) At the request of the superintendent, the Commissioner of the Division of Motor
16 Vehicles may suspend the registration of any vehicle which the superintendent determines is in
17 such an unsafe condition that it constitutes a menace to safety or which after notice and demand
18 is not equipped as required in this chapter or for which the vehicle's owner has not obtained the
19 required certificate.

20 (d) If requested by the owner of the vehicle, the superintendent shall also cause to be
 21 inspected a Class A farm use motor vehicle exempt from annual registration certificate and
 22 licensing as provided in §17A-3-2 of this code. If the Class A farm use motor vehicle passes the
 23 inspection, the superintendent shall cause a certificate of inspection to be issued for that vehicle.

**§17C-16-6. Assignment, transfer and posting of official inspection station permit; issuance
 and record of certificate of inspection; inspection fee.**

1 (a) No permit for an official inspection station shall be assigned or transferred or used at
 2 any location other than designated in the permit and every permit shall be posted in a conspicuous
 3 place at the station location designated in the permit.

4 (b) The person operating the station shall issue a certificate of inspection and approval,
 5 upon an official form, to the owner of a vehicle upon inspecting the vehicle and determining that
 6 its equipment required under this article is in good condition and proper adjustment, but otherwise
 7 no certificate shall be issued, except one issued pursuant to section two of this article. When
 8 required by the superintendent, a record and report shall be made of every inspection and every
 9 certificate issued.

10 (c) A fee of not more than ~~\$14~~ \$28 may be charged for an inspection and any necessary
 11 headlight adjustment to proper focus, not including any replacement parts required, and the
 12 issuance of the certificate, but the imposition of the charge is not mandatory.

NOTE: The purpose of this bill is to require vehicle inspection every two years.

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