

Senate Bill No. 353

(By Senators Walters and Nohe)

[Introduced January 28, 2015; referred to the Committee on Transportation and Infrastructure;

and then to the Committee on the Judiciary.]

A BILL to amend and reenact §17C-16-4 of the Code of West Virginia, 1931, as amended, relating to authorizing the Superintendent of the West Virginia State Police to make necessary rules as the current administrator and enforcer of the motor vehicle inspection program.

Be it enacted by the Legislature of West Virginia:

That §17C-16-4 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

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.

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

1 each ~~such~~ vehicle.

2 ~~Such~~ The inspections shall be made and ~~such~~ the certificates obtained with respect to the
3 mechanism, brakes, and equipment of every ~~such~~ vehicle as ~~shall be~~ designated by the ~~commissioner~~
4 superintendent.

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

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

15 (c) At the request of the superintendent, the ~~commissioner~~ of the Division of Motor Vehicles
16 may suspend the registration of any vehicle which ~~he~~ the superintendent determines is in such unsafe
17 condition as to constitute a menace to safety or which after notice and demand is not equipped as
18 required in this chapter or for which a required certificate has not been obtained.

19 (d) If requested by the owner thereof, the ~~commissioner~~ superintendent shall also cause to
20 be inspected a Class A, farm use, motor vehicle exempt from annual registration certificate and
21 licensing as provided in section two, article three, chapter seventeen-a of this code. If the Class A
22 farm use motor vehicle passes the inspection, the ~~commissioner~~ superintendent shall cause to be

1 issued a certificate of inspection for that vehicle.

NOTE: The purpose of this bill is to authorize the Superintendent of the West Virginia State Police to make necessary rules as the current administrator and enforcer of the motor vehicle inspection program.

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