

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 4662

BY DELEGATE WALTERS

[Passed March 12, 2016; in effect July 1, 2016.]

1 AN ACT to amend and reenact §17C-16-5 and §17C-16-6 of the Code of West Virginia, 1931,
2 as amended, all relating to permitting the Superintendent of the State Police to collect \$3
3 from the sale of motor vehicle inspection stickers to purchase, equip and maintain
4 vehicles; and increasing the allowable fee from \$12 to \$14 for vehicle inspection and any
5 necessary headlight adjustment.

Be it enacted by the Legislature of West Virginia:

1 That §17C-16-5 and §17C-16-6 of the Code of West Virginia, 1931, as amended, be
2 amended and reenacted, all to read as follows:

CHAPTER 17C. TRAFFIC REGULATIONS AND LAWS OF THE ROAD.

ARTICLE 16. INSPECTION OF VEHICLES.

§17C-16-5. Permit for official inspection stations; fees for and certificate of inspection.

1 (a) The Superintendent of the State Police is responsible for the inspection as provided in
2 this article and shall prescribe requirements and qualifications for official inspection stations. He
3 or she shall select and designate the stations and shall issue permits for official inspection stations
4 and furnish instructions and all necessary forms for the inspection of vehicles as required in this
5 article and the issuance of official certificates of inspection and approval. The certificate of
6 inspection shall be a paper sticker or decal to be affixed to the windshield of a motor vehicle, shall
7 be serially numbered and shall properly identify the official inspection station which issued it. A
8 charge of \$3 per sticker shall be charged by the State Police to the inspection station, and the
9 funds received shall be deposited into the State Treasury and credited to the account of the State
10 Police for application in the administration and enforcement of the provisions of this article and
11 for the purchase of vehicles, equipment for vehicles, and maintenance of vehicles. The
12 superintendent may exchange stickers or make refunds to official inspection stations for stickers
13 on hand when permits are revoked or when, for any reason, the stickers become obsolete.

14 (b) A person shall apply for a permit upon an official form prescribed by the superintendent

15 and the superintendent shall grant permits only when the superintendent is satisfied that the
16 station is properly equipped and has competent personnel to make the inspections and
17 adjustments and that the inspections and adjustments will be properly conducted. The
18 superintendent, before issuing a permit, may require the applicant to file a bond with surety
19 approved by the superintendent, conditioned that such applicant, as a station operator, will make
20 compensation for any damage to a vehicle during an inspection or adjustment due to negligence
21 on the part of the station operator or employees thereof.

22 (c) The superintendent shall properly supervise and cause inspections to be made of the
23 stations. Upon finding that a station is not properly equipped or conducted, the superintendent
24 may, upon a first violation, suspend the permit for a period of up to one year. Upon a second or
25 subsequent finding that a station is not properly equipped or conducted, the superintendent shall
26 permanently revoke and require the surrender of the permit. The superintendent may reinstate
27 the permit of any person whose permit was permanently revoked prior to the effective date of this
28 section upon a first finding that a station was not properly equipped or conducted, upon
29 application, at any time after the expiration of six months from the time of revocation and shall
30 reinstate the permit, upon application, after the expiration of one year. He or she shall maintain
31 and post at his or her office and at any other places as he or she may select lists of all stations
32 holding permits and of those whose permits have been suspended or revoked.

**§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 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.