

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

House Bill 4662

BY DELEGATE WALTERS

[Introduced February 22, 2016; Referred
to the Committee on Finance.]

1 A BILL to amend and reenact §17C-16-5; of the Code of West Virginia, 1931, as amended,
2 relating to permitting the Superintendent of the State Police to collect \$3 dollars from the
3 sale of motor vehicle inspection stickers to purchase, equip and maintain vehicles.

Be it enacted by the Legislature of West Virginia:

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

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 ~~\$4~~ \$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. ~~Any balance~~
12 ~~remaining in the fund on the last day of June of each fiscal year, not required for the administration~~
13 ~~and enforcement of the provisions of this article, shall be transferred to the state road fund.~~ The
14 superintendent may exchange stickers or make refunds to official inspection stations for stickers
15 on hand when permits are revoked or when, for any reason, the stickers become obsolete.

16 (b) A person shall apply for a permit upon an official form prescribed by the superintendent
17 and the superintendent shall grant permits only when the superintendent is satisfied that the
18 station is properly equipped and has competent personnel to make the inspections and

19 adjustments and that the inspections and adjustments will be properly conducted. The
20 superintendent, before issuing a permit, may require the applicant to file a bond with surety
21 approved by the superintendent, conditioned that such applicant, as a station operator, will make
22 compensation for any damage to a vehicle during an inspection or adjustment due to negligence
23 on the part of the station operator or employees thereof.

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

NOTE: The purpose of this bill is to allow the Superintendent of the State Police to collect \$3 from the sale of a motor vehicle inspection station to purchase, equip and maintain vehicles.

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