

# **WEST VIRGINIA LEGISLATURE**

## **2021 REGULAR SESSION**

**Introduced**

### **House Bill 3042**

BY DELEGATES REED, MALLOW, WORRELL, WESTFALL,  
LONGANACRE, RILEY, ROWAN, B. WARD, HARDY, CLARK  
AND NESTOR

[Introduced March 10, 2021; Referred to the  
Committee on Technology and Infrastructure then the  
Judiciary]

1 A BILL to amend and reenact §17C-16-4 of the Code of West Virginia, 1931, as amended, relating  
 2 to require the Superintendent of the West Virginia State Police to accept a certificate of  
 3 inspection and approval issued in another state having an inspection law similar to West  
 4 Virginia requirements; and providing that upon expiration of the certificate of inspection of  
 5 the vehicle, it shall be inspected in this state.

*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 and  
 3 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~~ shall 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~~ shall obtain a certificate: Provided, That the  
 15 inspection may not be required before the expiration date of the certificate of inspection and  
 16 approval issued in another state.

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

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

NOTE: The purpose of this bill is to require the Superintendent of the West Virginia State Police to accept a certificate of inspection and approval issued in another state having an inspection law similar to West Virginia requirements.

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