

# **WEST VIRGINIA LEGISLATURE**

**2022 REGULAR SESSION**

**ENROLLED**

**Committee Substitute**

**for**

**House Bill 4563**

BY DELEGATES ELLINGTON, HOWELL, HAMRICK, STATLER,  
HOUSEHOLDER, SMITH, GEARHEART, TONEY, ROHRBACH,  
STEELE, AND FOSTER

[Passed March 12, 2022; in effect ninety days from passage.]



1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §17A-6-15a, relating to authorizing auto mechanics to make application for  
3 access to the Division of Motor Vehicles' electronic temporary plate issuance system in  
4 order to access temporary plates to be used to operate or move a vehicle upon the  
5 highways and streets of this state solely for the purposes of diagnosing mechanical or  
6 functional problems of a vehicle or testing a vehicle being repaired or serviced; setting  
7 forth application, renewal, and plate fees; requiring the Commissioner of the Division of  
8 Motor Vehicles to determine whether applicants are qualified; requiring the display of proof  
9 of insurance upon any vehicles bearing a temporary registration plate; setting forth  
10 definitions; and authorizing the Commissioner of the Division of Motor Vehicles to  
11 terminate an auto mechanic's access to the electronic temporary plate issuance system  
12 upon a finding that an auto mechanic's use of that system is in violation of law.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 6. LICENSING OF DEALERS AND WRECKERS OR DISMANTLERS;  
SPECIAL PLATES; TEMPORARY PLATES OR MARKERS.**

**§17A-6-15a. Temporary registration plates for auto mechanics; fees.**

1 (a) Notwithstanding any of the other provisions of this article, an auto mechanic may make  
2 application for access to the division's electronic temporary plate issuance system established in  
3 §17A-6-15 for an auto mechanic temporary registration plate or plates as developed by the  
4 Division of Motor Vehicles. The auto mechanic temporary registration plate may be used to  
5 operate or move a vehicle upon the highways and streets of this state solely for the purposes of  
6 diagnosing mechanical or functional problems of a vehicle or testing a vehicle being repaired or  
7 serviced that is in the possession or bailment of the mechanic or his or her employer for repairs  
8 or diagnosis of a malfunction, conducted in the ordinary course of the business of the auto

9 mechanic, if such vehicle does not have a valid registration plate physically displayed or available  
10 for display.

11 (b) An auto mechanic may make application upon a form prescribed by the commissioner  
12 for access to the electronic temporary plate issuance system. The application fee is \$100. The  
13 applicant shall submit all necessary information required by the commissioner. The commissioner  
14 shall determine whether the applicant is a bona fide person or business eligible to access the  
15 electronic temporary registration plate system and does, as a regular incident to, or in the regular  
16 course of its business perform repairs, services, tests or diagnoses malfunctions of motor  
17 vehicles, and has need to operate motor vehicles which may not be properly registered, upon the  
18 highways and streets of this state in the performance of such activities.

19 (c) Upon the commissioner's approval, the qualified auto mechanic will be given access  
20 to the electronic temporary plate issuance system for one year which access may be renewed  
21 annually upon proper application and payment of a \$100 renewal fee. The auto mechanic  
22 temporary registration plate fees shall be the same amount and format as those fees required of  
23 dealers participating in the electronic temporary plate issuance system. Each auto mechanic  
24 temporary registration plate shall expire at 11:59 pm on the date of issuance.

25 (d) The mechanic must furnish a certificate of insurance to the commissioner showing  
26 coverage as required in §17D-1-1 *et seq.* of this code on vehicles displaying the auto mechanic  
27 temporary registration plates while being operated.

28 (e) For purposes of this section, "auto mechanic" or "mechanic" means a person, including  
29 an individual or an entity that is registered to do business in this state that performs repairs,  
30 services, diagnoses malfunctions of, or performs mechanical services to motor vehicles.

31 (f) If any auto mechanic using the electronic temporary plate issuance system violates the  
32 provisions of this section, the commissioner shall have the authority to immediately terminate said  
33 auto mechanic's access to the electronic temporary plate issuance system.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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*Chairman, House Committee*

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*Chairman, Senate Committee*

Originating in the House.

In effect ninety days from passage.

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*Clerk of the House of Delegates*

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*Clerk of the Senate*

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*Speaker of the House of Delegates*

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*President of the Senate*

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The within ..... this the.....  
day of ....., 2022.

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*Governor*