

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Committee Substitute

for

House Bill 4563

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

[Originating in the Committee on Government
Organization on February 24, 2022]

1 A BILL 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 the application fee for such services; 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; authorizing the Commissioner of the Division of Motor Vehicles to terminate
11 an auto mechanic's access to the electronic temporary plate issuance system upon a
12 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.

NOTE: The purpose of this bill is to allow auto mechanics to make application for access to the Division of Motor Vehicles' electronic temporary plate issuance system for purposes of repairing, servicing, testing, or diagnosing malfunctions of a motor vehicle.

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