

# **WEST VIRGINIA LEGISLATURE**

**2024 REGULAR SESSION**

**ENROLLED**

**Committee Substitute**

**for**

**House Bill 5317**

BY DELEGATE LINVILLE

(BY THE REQUEST OF THE DEPARTMENT OF HOMELAND

SECURITY AND WEST VIRGINIA STATE POLICE)

[Passed March 9, 2024; in effect from passage.]



1 AN ACT to amend and reenact §17C-16-4 of the Code of West Virginia, 1931, as amended,  
2 revising the statute to make it permissive for commercial motor vehicles registered in this  
3 state subject to the federal motor carrier safety administration rules and regulations to  
4 pass an annual inspection of all safety equipment to be consistent with the federal motor  
5 carrier safety regulations; providing for a schedule of and payment of appropriate fees;  
6 and adding a definition for the term "Commercial motor vehicle."

*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 periodic 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 require that every motor  
2 vehicle, trailer, semitrailer, and pole trailer registered in this state be inspected once every two  
3 years; and that an official certificate of inspection and approval be obtained for each  
4 vehicle: *Provided*, That commercial motor vehicles which are subject to the federal motor carrier  
5 safety administration rules and regulations should be inspected at least once annually to meet  
6 the requirements of federal motor carrier safety regulations which require a commercial motor  
7 vehicle registered in this state to pass an annual inspection of all safety equipment. The  
8 inspections shall be made and the certificates obtained with respect to the mechanism, brakes,  
9 and equipment of every vehicle designated by the superintendent.

10 The superintendent may make necessary rules for the administration and enforcement of  
11 this section and may designate any period or periods during which owners of any vehicles, subject  
12 to this section, shall display upon the vehicles certificates of inspection and approval or shall  
13 produce the certificates upon demand of any officer or employee of the State Police designated  
14 by the superintendent or any police or peace officer when authorized by the superintendent.

15 (b) The superintendent may authorize the acceptance in this state of a certificate of  
16 inspection and approval issued in another state having an inspection law similar to this chapter  
17 and may extend the time within which the resident owner of a vehicle which was not in this state  
18 during the time an inspection was required must obtain a certificate.

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

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

28 (e) (1) If requested by the owner of the vehicle, the superintendent shall also cause to be  
29 inspected on an annual basis any commercial motor vehicle which is subject to the federal motor  
30 carrier safety administration rules and regulations. If the commercial motor vehicle passes the  
31 inspection, the superintendent shall cause a certificate of inspection to be issued for that vehicle  
32 and the validity period of that inspection will be for one year, expiring at the end of the month one  
33 year after the inspection: *Provided*, That, notwithstanding the provisions of §17C-16-5, a charge  
34 of \$3 per sticker shall be charged to the inspection station, and the funds received shall be  
35 deposited in the State Treasury and credited to the account of the State Police for application in  
36 the administration and enforcement of the provisions of this article and for the purchase of  
37 vehicles, equipment for vehicles, and maintenance of vehicles. For inspections provided pursuant  
38 to this subsection, the total charge, including the cost of the sticker, shall not exceed \$14.

39 (2) For purposes of this section, "Commercial motor vehicle" is defined as any vehicle  
40 registered in this state used on a highway, in interstate commerce, that: (1) has a gross vehicle

41 weight rating (GVWR) or gross combination weight rating (GCWR), or gross vehicle weight (GVW)  
42 or gross combination weight (GCW) of 10,001 pounds or more, whichever is greater; (2) is  
43 designed to transport more than eight (8) passengers (including the driver) for compensation; (3)  
44 is designed to transport 16 or more people, including the driver, and is not used to transport  
45 passengers for compensation; or, (4) is transporting hazardous materials in quantities requiring  
46 the vehicle to be placarded.



The Clerk of the House of Delegates and the Clerk of the Senate hereby certify that the foregoing bill is correctly enrolled.

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*Clerk of the House of Delegates*

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*Clerk of the Senate*

Originated in the House of Delegates.

In effect from passage.

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*Speaker of the House of Delegates*

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*President of the Senate*

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The within is ..... this the.....  
Day of ....., 2024.

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*Governor*