WEST VIRGINIA CODE: §17c-16-4

§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.

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

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

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

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

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

(e) (1) If requested by the owner of the vehicle, the superintendent shall also cause to be inspected on an annual basis any commercial motor vehicle which is subject to the federal motor carrier safety administration rules and regulations. If the commercial motor vehicle passes the inspection, the superintendent shall cause a certificate of inspection to be issued

WV Legislature

for that vehicle and the validity period of that inspection will be for one year, expiring at the end of the month one year after the inspection: *Provided*, That, notwithstanding the provisions of §17C-16-5, a charge of $3 per sticker shall be charged to the inspection station, and the funds received shall be deposited in the State Treasury and credited to the account of the State Police for application in the administration and enforcement of the provisions of this article and for the purchase of vehicles, equipment for vehicles, and maintenance of vehicles. For inspections provided pursuant to this subsection, the total charge, including the cost of the sticker, shall not exceed $14.

(2) For purposes of this section, "Commercial motor vehicle" is defined as any vehicle registered in this state used on a highway, in interstate commerce, that: (1) has a gross vehicle weight rating (GVWR) or gross combination weight rating (GCWR), or gross vehicle weight (GVW) or gross combination weight (GCW) of 10,001 pounds or more, whichever is greater; (2) is designed to transport more than eight (8) passengers (including the driver) for compensation; (3) is designed to transport 16 or more people, including the driver, and is not used to transport passengers for compensation; or, (4) is transporting hazardous materials in quantities requiring the vehicle to be placarded.

WV Legislature