

WEST VIRGINIA CODE: §22-15A-28

§22-15A-28. Retailer penalties.

- (a) The secretary may assess against any retailer that sells covered electronic devices not authorized for sale in this state a penalty up to \$500 for each violation, but not to exceed \$5,000 total for the year. The secretary's decision may be appealed to the Environmental Quality Board.
- (b) A fine under subsection (a) of this section may be assessed only after the retailer that committed the violation has been issued three warnings from the secretary regarding the violation.
- (c) Each day on which a violation occurs or continues is a separate violation under this section.
- (d) All penalties assessed under this section shall be deposited into the Covered Electronic Devices Takeback Fund.