WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1939

ENROLLED

HOUSE BILL No. 313

(By Mr. Taylor)

PASSED March 7, 1939

In Effect from Passage
AN ACT to amend article eight, chapter seventeen of the code of West Virginia, one thousand nine hundred thirty-one, by adding thereto section twenty-seven-a, relating to the inspection by the state road commissioner, his duly authorized employees, and members of the department of public safety, of motor vehicles being operated on the public streets and highways; and providing penalties for the violation of the provisions of this act.

Be it enacted by the Legislature of West Virginia:

That article eight, chapter seventeen of the code of West Virginia, one thousand nine hundred thirty-one, be amended by adding thereto section twenty-seven-a to read as follows:

Section 2-a. Inspection of Motor Vehicles by Commissioner and Department of Public Safety. The state road commis-
the department of public safety may at any time, upon reason-
able cause to believe that a motor vehicle being operated upon
the streets or highways of this state is unsafe or not equipped
as required by law or by any regulation of the commissioner
and his duly authorized employees and members of
adopted pursuant to any law of this state, or that its equip-
ment is not in proper adjustment or repair, require the driver
of such vehicle to stop and submit such vehicle to an inspec-
tion and such test with reference thereto as may be appro-
priate.

In the event such vehicle and its equipment are found to
be in safe condition and in full compliance with the laws of
this state and the regulations of the commissioner, the officer
making such inspection shall issue to the driver an official
certificate of inspection and approval of such vehicle, specifying
those parts or equipment so inspected and approved.

In the event such vehicle is found to be in unsafe condition
or any required part or equipment is missing or is not in
proper repair or adjustment, the officer shall give a written
notice to the driver. Said notice shall require that such vehicle
be placed in safe condition and its equipment in proper repair
and adjustment, specifying the particulars with reference thereto and that a certificate of inspection and approval be obtained within five days.

No person operating a motor vehicle shall refuse to submit such vehicle to an inspection and test when required to do so by the commissioner, his duly authorized employees, or a member of the department of public safety.

No person shall operate any motor vehicle after receiving notice that such vehicle is not equipped as required by law or that its equipment is not in proper repair or adjustment, except as may be necessary to return such vehicle to the residence or place of business of the owner or to a garage, if within a distance of twenty miles, until said vehicle and its equipment has been placed in proper repair and adjustment and otherwise made to conform to the requirements of this act, and a certificate of inspection and approval shall be obtained as promptly as possible thereafter.

Any person violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than ten nor more than fifty dollars.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

E. D. Wise
Chairman Senate Committee

Henry B. Beeler
Chairman House Committee

Originated in the House of Delegates

Takes effect upon passage.

W. J. Stace
Clerk of the Senate

J. W. Hillyer
Clerk of the House of Delegates

James B. Brown
President of the Senate

James P. Brooks
Speaker House of Delegates

The within of the day of March, 1939.

Governor.

Filed in the office of the Secretary of State of West Virginia, March 17, 1939.

Wm. S. O'Brien,
Secretary of State