

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1939



ENROLLED

HOUSE BILL No. 313

(By Mr. Taylor)



PASSED March 7 1939

In Effect from Passage

ENROLLED

House Bill No. 313

(BY MR. TAYLOR)

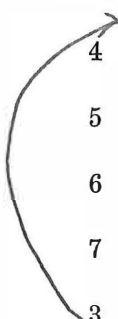
[Passed March 7, 1939; in effect from passage.]

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*
2 *and Department of Public Safety.* The state road commis-



4 the department of public safety may at any time, upon reason-
5 able cause to believe that a motor vehicle being operated upon
6 the streets or highways of this state is unsafe or not equipped
7 as required by law or by any regulation of the commissioner
8 sioner and his duly authorized employees and members of
9 adopted pursuant to any law of this state, or that its equip-
10 ment is not in proper adjustment or repair, require the driver
11 of such vehicle to stop and submit such vehicle to an inspec-
12 tion and such test with reference thereto as may be appro-
13 priate.

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

20 In the event such vehicle is found to be in unsafe condition
21 or any required part or equipment is missing or is not in
22 proper repair or adjustment, the officer shall give a written
23 notice to the driver. Said notice shall require that such vehicle
be placed in safe condition and its equipment in proper repair

24 and adjustment, specifying the particulars with reference
25 thereto and that a certificate of inspection and approval be
26 obtained within five days.

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

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

41 Any person violating the provisions of this section shall
42 be guilty of a misdemeanor, and upon conviction thereof shall
43 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. O. Moorman

Chairman Senate Committee

Dec. B. Baker

Chairman House Committee

Originated in the *House of Delegates*

Takes effect *from* passage.

Charles H. Miller

Clerk of the Senate

Mo. I. Hall

Clerk of the House of Delegates

Spencer

President of the Senate

James E. Thomas

Speaker House of Delegates

The within *approved* this the *16th*

day of *March*, 1939.

James E. Thomas

Governor.



Filed in the office of the Secretary of State
of West Virginia. **MAR 17 1939**
Wm. S. O'BRIEN,
Secretary of State