WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1987

ENROLLED
Committee Substitute for
SENATE BILL NO. 466
Originating in the Committee
(By Senator , on Transportation)

PASSED ................. March 17, 1987
In Effect ninety days from Passage
AN ACT to amend and reenact sections five and six, article sixteen, chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating generally to the mandatory inspection of motor vehicles; the powers and duties of the superintendent of the department of public safety with respect thereto; the designation of and the issuance of permits to official inspection stations; the issuance of stickers or decals as official certificates of inspection and approval; the charge to be made by the department for each such sticker or decal; the disposition of the funds derived therefrom, the purposes for which such funds may be expended and the transfer of any remaining funds to the state road fund; increasing the maximum allowable fee to be charged for inspection of such motor vehicles by official inspection stations; and requiring that necessary headlight adjustments be included within such charge.

Be it enacted by the Legislature of West Virginia:

That sections five and six, article sixteen, chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:
ARTICLE 16. INSPECTION OF VEHICLES.

§17C-16-5. Permit for official inspection stations; fees for and certificate of inspection.

The superintendent of the department of public safety shall be responsible for the inspection as provided in this article and shall prescribe requirements and qualifications for official inspection stations. He shall select and designate such stations and shall issue permits therefor and furnish instructions and all necessary forms thereto for the inspection of vehicles as herein required and the issuance of official certificates of inspection and approval. The certificate of inspection shall be a paper sticker or decal to be affixed to the windshield of a motor vehicle, shall be serially numbered and shall properly identify the official inspection station by which issued. A charge of one dollar per sticker shall be charged by the department of public safety to the inspection station, and the funds so received shall be deposited into the state treasury and credited to the account of the department of public safety for application in the administration and enforcement of the provisions of this article. Any balance remaining in the fund on the last day of June of each fiscal year, not required for operating expenses, construction, repairs or alterations of police barracks for the ensuing fiscal year and for the administration and enforcement of the provisions of this article, shall be transferred to the state road fund. The superintendent is authorized to exchange stickers or to make refunds to official inspection stations for stickers on hand when permits are revoked or when, for any reason, the stickers become obsolete.

Application for permit shall be made upon an official form prescribed by the superintendent and permits shall be granted only when the superintendent is satisfied that the station is properly equipped, and has competent personnel to make such inspections and adjustments and that the inspections and adjustments will be properly conducted. The superintendent, before issuing a permit, may require the applicant to file a bond with surety approved by the superintendent, conditioned that such applicant, as a station operator, will make compensation for any damage to a vehicle during an inspection or adjustment due to negligence on the part of such station operator or employees thereof.
The superintendent shall properly supervise and cause inspections to be made of such stations and shall revoke and require the surrender of the permit issued to a station which he finds is not properly equipped or conducted. He shall maintain and post at his office and at such other places as he may select lists of all stations holding permits and of those whose permits have been revoked.

§17C-16-6. Assignment, transfer and posting of official inspection station permit; issuance and record of certificate of inspection; inspection fee.

No permit for an official inspection station shall be assigned or transferred or used at any location other than therein designated and every said permit shall be posted in a conspicuous place at the station location designated.

The person operating any such station shall issue a certificate of inspection and approval, upon an official form, to the owner of a vehicle upon inspecting such vehicle and determining that its equipment required hereunder is in good condition and proper adjustment, but otherwise no certificate shall be issued, except such as may be issued pursuant to section two of this article. When required by the superintendent, a record and report shall be made of every inspection and every certificate so issued.

A fee of not more than seven dollars may be charged for an inspection and any necessary headlight adjustment to proper focus, not including any replacement parts required, and the issuance of such certificate, but the imposition of such charge shall not be mandatory.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within ...............this the 26th day of March 1987.

Governor