

No: 466

# 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 ninty days from Passage



**ENROLLED**  
COMMITTEE SUBSTITUTE  
FOR  
**Senate Bill No. 466**

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(Originating in the Committee on Transportation)

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[Passed March 17, 1987; in effect ninety days from passage.]

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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.**

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

28 Application for permit shall be made upon an official  
29 form prescribed by the superintendent and permits shall be  
30 granted only when the superintendent is satisfied that the  
31 station is properly equipped, and has competent personnel  
32 to make such inspections and adjustments and that the  
33 inspections and adjustments will be properly conducted.  
34 The superintendent, before issuing a permit, may require  
35 the applicant to file a bond with surety approved by the  
36 superintendent, conditioned that such applicant, as a  
37 station operator, will make compensation for any damage  
38 to a vehicle during an inspection or adjustment due to  
39 negligence on the part of such station operator or employees  
40 thereof.

41 The superintendent shall properly supervise and cause  
42 inspections to be made of such stations and shall revoke and  
43 require the surrender of the permit issued to a station which  
44 he finds is not properly equipped or conducted. He shall  
45 maintain and post at his office and at such other places as he  
46 may select lists of all stations holding permits and of those  
47 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.**

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

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

14 A fee of not more than seven dollars may be charged for an  
15 inspection and any necessary headlight adjustment to  
16 proper focus, not including any replacement parts required,  
17 and the issuance of such certificate, but the imposition of  
18 such charge shall not be mandatory.

*[Handwritten signatures and initials]*

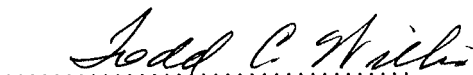
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

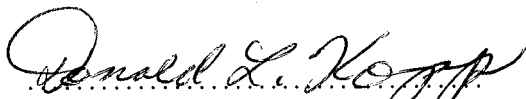
  
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Chairman Senate Committee

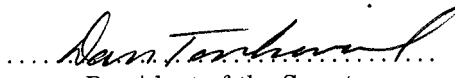
  
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Chairman House Committee


Originated in the Senate.



In effect ninety days from passage.

  
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Clerk of the Senate

  
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Clerk of the House of Delegates

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President of the Senate

  
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Speaker House of Delegates

The within  this the  day of ..... 1987.

  
.....  
Governor

PRESENTED TO THE

GOVERNOR

Date 3/23/87

Time 3:12 p.m.

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