WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 1992

ENROLLED
Com. Sub. for
HOUSE BILL No. H179

(By Delegate J. Martin)

Passed March 7, 1992
In Effect Ninety Days From Passage
AN ACT to amend and reenact section five, article sixteen, chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to inspection of vehicles; authorizing temporary suspension of permits to inspect by the superintendent of the department of public safety upon a first finding that an inspection station is not properly equipped or conducted; permitting reinstatement of permits, upon application, for persons whose permits were previously permanently revoked upon a first finding of violation.

Be it enacted by the Legislature of West Virginia:

That section five, 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 shall be responsible for the inspection as provided in this article and shall prescribe requirements and qualifications for official inspection stations. He or she 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 num-
bered 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. Upon finding
that a station is not properly equipped or conducted, the
superintendent may, upon a first violation, suspend the
permit for a period of up to one year. Upon a second
or subsequent finding that a station is not properly equipped or conducted, the superintendent shall permanently revoke and require the surrender of the permit. The superintendent may reinstate the permit of any person whose permit was permanently revoked prior to the effective date of this section upon a first finding that a station was not properly equipped or conducted, upon application, at any time after the expiration of six months from the time of revocation, and shall reinstate such permit, upon application, after the expiration of one year. He or she shall maintain and post at his office and at such other places as he or she may select lists of all stations holding permits and of those whose permits have been suspended or revoked.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Lomerleck
Chairman Senate Committee

Ernest C. Moore
Chairman House Committee

Originating in the House.
Takes effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within bill is approved this the 30th day of March, 1992.

Governor
PRESENTED TO THE
GOVERNOR
Date: 3/27/42.
Time: 11:40 a.m.