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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 1992



ENROLLED

Com. Sub. For

HOUSE BILL No. 4179

(By Delegate *J. Martin*)



Passed *March 7,* 1992

In Effect *Ninety Days From* Passage

ENROLLED
COMMITTEE SUBSTITUTE
FOR
H. B. 4179
(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
2 shall be responsible for the inspection as provided in this
3 article and shall prescribe requirements and qualifica-
4 tions for official inspection stations. He or she shall
5 select and designate such stations and shall issue

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

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

42 The superintendent shall properly supervise and cause
43 inspections to be made of such stations. Upon finding
44 that a station is not properly equipped or conducted, the
45 superintendent may, upon a first violation, suspend the
46 permit for a period of up to one year. Upon a second

47 or subsequent finding that a station is not properly
48 equipped or conducted, the superintendent shall per-
49 manently revoke and require the surrender of the
50 permit. The superintendent may reinstate the permit of
51 any person whose permit was permanently revoked
52 prior to the effective date of this section upon a first
53 finding that a station was not properly equipped or
54 conducted, upon application, at any time after the
55 expiration of six months from the time of revocation,
56 and shall reinstate such permit, upon application, after
57 the expiration of one year. He or she shall maintain and
58 post at his office and at such other places as he or she
59 may select lists of all stations holding permits and of
60 those whose permits have been suspended or revoked.

Enr. Com. Sub. for H. B. 4179] 4

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

Somer Deck

Chairman Senate Committee

Ernest C. Moore

Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Harold Eskeland

Clerk of the Senate

Donald L. Kopp

Clerk of the House of Delegates

Neil Brundage

President of the Senate

Robert C. Cole

Speaker of the House of Delegates

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

Yaston Caperton

G.O. 101

PRESENTED TO THE

GOVERNOR

Date 3/27/42.

Time 11:40 am