Committee Substitute
for
House Bill 4662

(By Delegate Walters)

[Passed March 12, 2016; in effect July 1, 2016.]
WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

ENROLLED
Committee Substitute for
House Bill 4662

(By Delegate Walters)

[Passed March 12, 2016; in effect July 1, 2016.]
AN ACT to amend and reenact §17C-16-5 and §17C-16-6 of the Code of West Virginia, 1931, as amended, all relating to permitting the Superintendent of the State Police to collect $3 from the sale of motor vehicle inspection stickers to purchase, equip and maintain vehicles; and increasing the allowable fee from $12 to $14 for vehicle inspection and any necessary headlight adjustment.

Be it enacted by the Legislature of West Virginia:

That §17C-16-5 and §17C-16-6 of the Code of West Virginia, 1931, as amended, be amended and reenacted, all to read as follows:

CHAPTER 17C. TRAFFIC REGULATIONS AND LAWS OF THE ROAD.

ARTICLE 16. INSPECTION OF VEHICLES.

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

(a) The Superintendent of the State Police is 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 the stations and shall issue permits for official inspection stations and furnish instructions and all necessary forms for the inspection of vehicles as required in this article 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 which issued it. A charge of $3 per sticker shall be charged by the State Police to the inspection station, and the funds received shall be deposited into the State Treasury and credited to the account of the State Police for application in the administration and enforcement of the provisions of this article and for the purchase of vehicles, equipment for vehicles, and maintenance of vehicles. The superintendent may exchange stickers or make refunds to official inspection stations for stickers on hand when permits are revoked or when, for any reason, the stickers become obsolete.

(b) A person shall apply for a permit upon an official form prescribed by the superintendent and the superintendent shall grant permits only when the superintendent is satisfied that the
station is properly equipped and has competent personnel to make the 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 the station operator or employees thereof.

(c) The superintendent shall properly supervise and cause inspections to be made of the
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 the permit, upon application, after the expiration of one year. He or she shall maintain
and post at his or her office and at any other places as he or she may select lists of all stations
holding permits and of those whose permits have been suspended or revoked.

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

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

(b) The person operating the station shall issue a certificate of inspection and approval,
upon an official form, to the owner of a vehicle upon inspecting the vehicle and determining that
its equipment required under this article is in good condition and proper adjustment, but otherwise
no certificate shall be issued, except one 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 issued.

(c) A fee of not more than $14 may be charged for an inspection and any necessary headlight adjustment to proper focus, not including any replacement parts required, and the issuance of the certificate, but the imposition of the charge is not mandatory.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman, House Committee

Chairman, Senate Committee

Originating in the House.

In effect July 1, 2016.

Clerk of the House of Delegates

Clerk of the Senate

Speaker of the House of Delegates

President of the Senate

The within is approved this the 25th day of March, 2016.

Governor