

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 353

(By Senators Walters and Nohe)

[Originating in the
Committee on the Judiciary;
reported February 23, 2015.]

A BILL to amend and reenact §17C-16-4 of the Code of West Virginia, 1931, as amended, relating to designating the Superintendent of the West Virginia State Police as current administrator and enforcer of the motor vehicle inspection program.

Be it enacted by the Legislature of West Virginia:

That §17C-16-4 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 16. INSPECTION OF VEHICLES.

§17C-16-4. Superintendent of the West Virginia State Police to require periodical inspection; acceptance of certificate of inspection from another state; suspension of registration of unsafe vehicles.

1 (a) The ~~Commissioner of Motor Vehicles~~ Superintendent of the West Virginia State Police
2 shall once each year require that every motor vehicle, trailer, semitrailer and pole trailer registered
3 in this state be inspected and that an official certificate of inspection and approval be obtained for
4 each ~~such~~ vehicle.

[COM. SUB. FOR S. B. NO. 353]

1 ~~Such~~ The inspections shall be made and ~~such~~ the certificates obtained with respect to the
2 mechanism, brakes and equipment of every ~~such~~ vehicle ~~as shall be~~ designated by the ~~commissioner~~
3 superintendent.

4 The ~~commissioner~~ superintendent ~~is hereby authorized to~~ may make necessary rules and
5 ~~regulations~~ for the administration and enforcement of this section and ~~to~~ may designate any period
6 or periods ~~of time~~ during which owners of any vehicles, subject to this section, shall display upon
7 ~~such~~ the vehicles certificates of inspection and approval or shall produce the ~~same~~ certificates upon
8 demand of any officer or employee of the ~~department~~ State Police designated by the ~~commissioner~~
9 superintendent or any police or peace officer when authorized by the ~~commissioner~~ superintendent.

10 (b) The ~~commissioner~~ superintendent may authorize the acceptance in this state of a
11 certificate of inspection and approval issued in another state having an inspection law similar to this
12 chapter and may extend the time within which ~~a certificate shall be obtained by~~ the resident owner
13 of a vehicle which was not in this state during the time an inspection was required must obtain a
14 certificate.

15 (c) At the request of the superintendent, the Commissioner of the Division of Motor Vehicles
16 may suspend the registration of any vehicle which ~~he~~ the superintendent determines is in such an
17 unsafe condition ~~as to constitute~~ that it constitutes a menace to safety or which after notice and
18 demand is not equipped as required in this chapter or for which ~~a required certificate has not been~~
19 ~~obtained.~~ the vehicle's owner has not obtained the required certificate.

20 (d) If requested by the owner ~~thereof~~ of the vehicle, the ~~commissioner~~ superintendent shall
21 also cause to be inspected a Class A farm use motor vehicle exempt from annual registration
22 certificate and licensing as provided in section two, article three, chapter seventeen-a of this code.

[COM. SUB. FOR S. B. NO. 353]

- 1 If the Class A farm use motor vehicle passes the inspection, the ~~commissioner~~ superintendent shall
- 2 cause ~~to be issued~~ a certificate of inspection to be issued for that vehicle.