

# **WEST VIRGINIA LEGISLATURE**

## **2016 REGULAR SESSION**

**Introduced**

### **Senate Bill 94**

BY SENATOR WALTERS

[Introduced January 13, 2016;

Referred to the Committee on Transportation and

Infrastructure; and then to the Committee on

Government Organization.]



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

*Be it enacted by the Legislature of West Virginia:*

1 That §17C-16-4 of the Code of West Virginia, 1931, as amended, be amended and  
2 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.

5 ~~Such~~ The inspections shall be made and ~~such~~ the certificates obtained with respect to the  
6 mechanism, brakes and equipment of every ~~such~~ vehicle ~~as shall be~~ designated by the  
7 ~~commissioner~~ Superintendent.

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

15 (b) ~~The commissioner~~ superintendent may authorize the acceptance in this state of a  
16 certificate of inspection and approval issued in another state having an inspection law similar to

17 this chapter and may extend the time within which ~~a certificate shall be obtained~~ by the resident  
18 owner of a vehicle which was not in this state during the time an inspection was required must  
19 obtain a certificate.

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

25 (d) If requested by the owner ~~thereof~~ of the vehicle, the ~~commissioner~~ Superintendent  
26 shall also cause to be inspected a Class A farm use motor vehicle exempt from annual registration  
27 certificate and licensing as provided in section two, article three, chapter seventeen-a of this code.  
28 If the Class A farm use motor vehicle passes the inspection, the ~~commissioner~~ Superintendent  
29 shall cause ~~to be issued~~ a certificate of inspection to be issued for that vehicle.

NOTE: The purpose of this bill is to authorize the Superintendent of the West Virginia State Police to make necessary rules as the current administrator and enforcer of the motor vehicle inspection program.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.