

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

House Bill 4204

BY DELEGATES CADLE, EVANS, D., COOPER, AMBLER,
MOYE, FOSTER, BUTLER, GEARHEART, HOUSEHOLDER,
MOFFATT AND SMITH, R.

[Introduced January 21, 2016;
referred to Committee on Roads and Transportation
then Government Organization.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §17C-16-10, relating to inspections of commercial motor vehicles, trailers, and
 3 semitrailers operating in interstate commerce need only meet the requirements for annual
 4 inspection that are comparable to, or effective as, requirements contained in the Federal
 5 Motor Carrier Safety Regulations.

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
 2 section, designated §17C-16-10, to read as follows:

ARTICLE 16: INSPECTION OF VEHICLES.

§17C-16-10. Inspection requirements for commercial motor vehicles.

1 Any commercial motor vehicle, trailer or semitrailer that operates in interstate commerce
 2 and is subject to the Federal Motor Carrier Safety Regulations, shall be exempt from inspection
 3 as required by this article provided:

- 4 (1) The commercial motor vehicle operates in interstate commerce;
- 5 (2) The commercial motor vehicle is found to meet the federal requirements for annual
 6 inspection through a self-inspection, a third-party inspection, a Commercial Vehicle Safety
 7 Alliance inspection, or a periodic inspection performed by any state with a program;

8 (3) The inspection has been determined by the Federal Motor Carrier Safety
 9 Administration to be comparable to or as effective as the requirements of 49 C.F.R. § 396.3(a);
 10 and

11 (4) Documentation of such determination as provided in 49 C.F.R. § 396.3(b) is available
 12 for review by law-enforcement officials to verify that the inspection is current.

NOTE: The purpose of this bill is to exempt commercial motor vehicles, trailers, and semi-trailers from separate state inspections provided they have met the requirements for annual inspection contained in the Federal Motor Carrier Safety Regulations.

This section is new; therefore, it has been completely underscored.