

**WEST VIRGINIA STATE POLICE**

**OFFICIAL**

**MOTOR VEHICLE**

**INSPECTION**

**MANUAL**



**TRAFFIC RECORDS SECTION**

**701 JEFFERSON ROAD**

**SOUTH CHARLESTON, WV 25309-1698**

**304-746-2121**

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## TO ALL INSPECTION STATION OWNERS AND/OR OPERATORS

OPERATORS AND EMPLOYEES FOR OFFICIAL INSPECTION STATIONS SHOULD BE COURTEOUS AND PATIENT IN EXPLAINING TO THE MOTORIST THAT THE REQUIREMENTS OF VEHICLE INSPECTIONS ARE DESIGNED TO PROMOTE SAFETY. ALL EMPLOYEES SHOULD CLEARLY UNDERSTAND THAT THE FUNCTION OF THE OFFICIAL INSPECTION STATION IS FOR THE ADVANCEMENT OF HIGHWAY SAFETY

ALL PERSONNEL OF OFFICIAL INSPECTION STATIONS MUST BE KEEP IN MIND THAT ONE INSPECTION STICKER PLACED ON AN UNSAFE VEHICLE MAY BE THE CAUSE OF A SERIOUS ACCIDENT, AND THAT THEY OWE A DUTY TO THEMSELVES AND THEIR FAMILIES NOT TO JEOPARDIZE LIVES BY ERROR, CARELESSNESS, OR INDIFFERENCE. IT SHOULD ALSO BE UNDERSTOOD THAT AN IMPROPER INSPECTION MAY RESULT IN CRIMINAL AND OR CIVIL LIABILITY.

## **TO INSPECTION STATION OPERATOR:**

The procedure outlined herein should be carefully reviewed and studied by your entire organization. Be thoroughly familiar with all provisions, regulations and laws contained herein. Full compliance will be required by all concerned.

Failure to comply with all provisions, regulations and laws pertaining to vehicle inspection may result in a suspension of inspection certificate.

The statutes governing motor vehicle inspection prohibit the affixing of a certificate of approval (sticker) unless the vehicle has been inspected and approved by an official inspection station. The sale or gift of inspection sticker by owner, operator, or any individual is prohibited.

All valid inspection stickers will expire on the last day of the month of the numeral insert inserted, or the last day of the month punched when motorcycle/trailer stickers are used.

Station numbers should be placed on all correspondence pertaining to inspection stations and such communications should be addressed to:

**West Virginia State Police  
Traffic Records Section  
701 Jefferson Road  
South Charleston, West Virginia 25309-1698**

**Phone 304-746-2121**

# SECTION 1

## **AUTHORITY FOR INSPECTION RULES AND REGULATIONS. WV CODE 17C-16-1 to 17C-16-9.**

- 1.1** The Superintendent of the State Police shall, once in a two year period, require that every motor vehicle, trailer, semitrailer, and pole trailer registered in this State, be inspected, and that an Official Certificate of Inspection and approval be obtained for each vehicle.
  
- 1.2** The Superintendent shall promulgate all necessary rules, regulations, procedures, and policy which shall be compiled in a manual which shall be known as the West Virginia State Police OFFICIAL MOTOR VEHICLE INSPECTION MANUAL. The Official Motor Vehicle Inspection Manual shall provide for the standard Inspection procedures for all motor vehicles, trailers, semi-trailers, and pole trailers.
  - a. The Superintendent, or his/her designee, shall annually review the Official Motor Vehicle Inspection Manual to ensure the rules, regulations, procedures, and policies are in compliance with all applicable Federal and State laws and regulations.
  
  - b. The Superintendent may, temporarily, add or remove rules, regulations, procedures, or policies when he/she determines that such additions or omissions are required for the proper Inspection of vehicles and the public's safety.
  
- 1.3** Any new Federal or State law or Regulation concerning the design, safety, parts, and accessories of motor vehicles, trailers, semi-trailers, and pole trailers shall be temporarily adopted into the Official Motor Vehicle Inspection annually upon the Federal or State law or Regulations effective date. At the next available Legislative Session, the Superintendent shall present the new Federal or State Law or Regulation for permanent adoption into the Official Motor Vehicle Inspection Manual.

## SECTION 2

### VEHICLES REQUIRED TO BE INSPECTED. WV CODE 17C-16-4

- 2.1 All motor vehicles, motorcycles, trailers, semitrailers, and pole trailers registered in West Virginia, or displaying any of the following registration plates or permits, shall be inspected and a valid Certificate of Inspection affixed to same before they may be operated on or over the public streets and highways of the State of West Virginia.
- a. **Class A:** Motor vehicles of passenger type or truck with a Registered Gross Weight of 10,000 lbs. or less.
  - b. **Class B:** Motor vehicles designated as trucks with a Registered Gross Weight of more than 10,000 lbs.
  - c. **Class C:** All trailers, semitrailers, and pole trailers displaying a Class C plate.
  - d. **Class G:** All motorcycles.
  - e. **Class H:** All Buses.
  - f. **Class J:** All Taxi Cabs.
  - g. **Class X:** All Motor vehicles displaying a Class X plate.
  - h. **Classic Motor Vehicle Plate:** a vehicle more than 25 years old and used for general transportation.
  - i. **Classic Motorcycle Plate:** a motorcycle more than 25 years old and used for general transportation.
  - j. **Any temporary registration plate:** issued by the State of West Virginia.

### 2.2 SPECIAL PURPOSE VEHICLES

When the owner of a Special Purpose Vehicle has ensured the vehicle is equipped as required in West Virginia Code 17A-13-1 and has obtained a valid registration and insurance, the vehicle is eligible to apply for a motorcycle/trailer sticker.

### 2.3 VEHICLES EXEMPT FROM INSPECTION

All other registered vehicles are exempt from Inspection.

- 2.4 All valid Certificates of Inspection will expire on the last day of the month of numerical insert displayed or the last day of the month punched when a motorcycle/trailer Certificate is used.

## **2.5 Owner/Purchaser Responsibility**

- a. The Owner/Purchaser will be responsible with ensuring the vehicle has a current Inspection Certificate.
- b. If an Owner/Purchaser obtains the vehicle in the State of West Virginia, they have ten (10) days from the date of purchase or ownership to obtain a Certificate of Inspection.
- c. If an Owner/Purchaser obtains the vehicle from outside the State of West Virginia, he/she will have ten (10) days from the date of purchase or ownership to obtain a Certificate of Inspection.
- d. If a resident is out of state for over Thirty (30) consecutive days, and while out of state, the vehicle Certificate of Inspection expires, he/she will have ten (10) days to obtain a current Certificate of Inspection upon returning to West Virginia.

## **2.6 Vehicles Registered in another State.**

- a. Vehicles bearing out-of-State registration are exempt from Inspection requirements but may submit to Inspection if a valid registration and valid proof of insurance is provided prior to the Inspection.
- b. A Certificate of Inspection shall be issued only if the vehicle meets all Inspection requirements.

## **2.7 Duplicate Certificate of Inspection**

Duplicate Stickers will not be issued. Any vehicle that has had the Certificate of Inspection stolen, removed, mutilated, altered, or destroyed must have a new Inspection completed and a current Certificate issued. When a vehicle has a windshield replaced the vehicle must have a new Inspection completed and a current Certificate of Inspection issued.

## SECTION 3

### OFFICIAL INSPECTION STATION REQUIREMENTS, APPLICATION, APPOINTMENT. WV CODE 17C-16-5

#### 3.1 INSPECTION STATION CLASSIFICATIONS.

- a. **Public Stations:** are required to offer Inspections for all motor vehicles, motorcycles, trailers, semitrailers, and pole trailers required to be inspected under Section 2.1 of this manual. Public stations may also inspect Special Purpose Vehicles when requested. Any Public Station may also perform Modified Inspections if the Owner/Operator chooses to do so and:
  1. Submits an application to perform Modified Inspection and is approved by the Area Supervisor.
  2. Understands that there will be no refund for Modified Stickers for any Station that requests permission from the Area Supervisor to cease performing Modified Inspections.
- b. **Fleet Stations:** are stations that are owned by a person, company, corporation, or limited liability company (LLC), and are restricted to inspecting vehicles legally registered or leased in the person, company, corporation, or limited liability company (LLC) name.
- c. **Motorcycle/Trailer Only:** A Motorcycle/Trailer Only designation restricts Inspections to Motorcycles and/or Trailers as defined by West Virginia Law. Stations may also inspect Special Purpose Vehicles when requested.

#### 3.2 APPOINTMENT; APPLICATION AND REQUIREMENTS.

- a. Application for appointment shall be made on Form WVSP MVI-1. This form may be obtained from the state police Website: [www.wvsp.gov](http://www.wvsp.gov). The Superintendent will investigate or direct an Area Supervisor to investigate all persons or firms filing applications. This investigation shall cover past business practices, criminal and civil history of the person or group (i.e., Applicant) making application, as well as the general reputation of the Applicant. Appointments will be made when a favorable report is received from the Area Supervisor. If, at any time, an Area Supervisor for the State Police discovers information that a Station is not adhering to these standards, the Appointment may be suspended.
- b. The Applicant shall be 18 year of age or older and possess a valid driver's license for the State in which he/she resides.

- c. If the Applicant is a corporation or partnership, the MVI-1 shall be signed by an officer, partner, or manager of the corporation.
- d. The Applicant must be a garage that offers to the public general automotive repair on those items listed in the Official Inspection Procedure.
- e. The Applicant must have a valid West Virginia Business License.
- f. The Applicant must be properly registered with the West Virginia Workers' Compensation Program.
- g. The Applicant is required to maintain a valid Liability Insurance Policy for each station under their control. Liability Insurance shall be continuously in effect and shall provide for compensation to the vehicle owner for any damage their vehicle may sustain during an Inspection, repair, or adjustment.
- h. All approved stations must maintain business hours of at least five days per week, for a period of 8 hours or more per day. Business hours must be posted in public view.  
**Exception:** The business hour rule does not apply to Fleet Stations.
- i. The Applicant is required to have at least one (1) Inspector Mechanic for each operated Inspection Area.
- j. All Inspector Mechanics shall be a bona fide employee of the Applicant.
- k. No Inspection shall be performed unless a Certificate of Appointment has been issued by the Superintendent of the State Police.
- l. A Certificate of Appointment shall be valid only for the person in whose name it is issued and for the transaction of business at the place designated on the application.
- m. Upon completion of the investigation, and approval of the application, the Area Supervisor shall notify the Applicant they are approved for Inspections and make note on his report.
- n. Upon receiving Appointment as an Official Inspection Station, the Applicant will be referred to as the Owner or Operator.

### 3.3 BUILDING AND INSPECTION AREA

- a. The Inspection area shall be entirely within an enclosed building that is structurally sound. The building shall be in good repair and shall be kept in good condition.
- b. The Inspection area shall have a level concrete floor space exclusive of a grease pit or wash pit.
- c. The Inspection area shall be free from obstructions, including, but not limited to, shelves, work benches, partitions, displays, machinery, or stairways.
- d. The station shall have free and safe access to streets or highways and have a designated area for customer parking.
- e. The station shall provide accessible parking space(s) for disabled persons as required by the Americans with Disabilities Act (ADA).
- f. All Inspection areas, except Motorcycle/Trailer Only Stations, shall have a hoist or lift capable of lifting all wheels off the ground and permit an Inspector Mechanic to walk underneath the vehicle.

**Note:** Fleet Stations are exempt from this requirement if passenger cars and light trucks are not part of the Company Fleet.

- g. A one bay Inspection Station shall have one Inspection area with a minimum space of 12' x 25', 300 square feet.
- h. A two bay Inspection Station shall have two Inspection areas with a minimum combined space of 24' x 25', 600 square feet.
- i. A three bay Inspection Station shall have three Inspection areas with a minimum combined space of 36' x 25', 900 square feet.
- j. All Inspection Stations must be equipped with a working telephone and/or cell phone that is answered during business hours at the location designated on the application of appointment. Answering services are prohibited from any involvement in the Inspection Program.
- k. All Inspection Stations are recommended to have an e-mail address and access to a computer and printer or similar devices to print out memorandums, notices, and updates from the State Police Traffic Records Section and the Area Supervisor. The computer and printer need not be located at the Station but must be checked each business day.

1. All garage doors accessing the Inspection area must be at least eight (8) feet in height and eight (8) feet in width.

**Exception:** Stations designated as “Motorcycle /Trailer Only” Stations are required to have two Inspection areas, 12’ x 10’, with a minimum combined space of 240 square feet.

**m. Inspections conducted in the Inspection Area:**

1. All Inspection areas are required to have a lift or hoist capable of lifting all wheels of the vehicle being inspected off the ground, to permit the Inspector Mechanic to walk underneath the vehicle.
2. All Inspections shall be conducted entirely within the designated Inspection area.
3. In the event the vehicle is too large to enter the Inspection area, said vehicle shall be inspected as close to the entrance of an Inspection area as possible.
4. Inspection areas will be designated and approved by the Area Supervisor.
5. All Certificates of Inspection shall be affixed within the Inspection area.

**3.4 REQUIRED TOOLS AND EQUIPMENT FOR ALL VEHICLE AND MOTORCYCLE ONLY INSPECTION STATIONS.**

- a. The following is a list of the minimum tools and equipment that must be made available at all stations for use by Inspector Mechanics:
  1. Work bench.
  2. Lift or Hoist capable of lifting all wheels of the vehicle to be inspected off the ground and permit an Inspector Mechanic to inspect underneath the vehicle.
  3. Floor Stands - four (4), **Exempt** Motorcycle ONLY Stations.
  4. Vise.
  5. Portable lights.
  6. Socket wrench set.
  7. Hammers: ball-peen hammer, plastic or brass hammer, and rubber hammer.
  8. Assorted open end and box end wrenches.
  9. Torque wrenches.
  10. Continuity tester.

11. Tire pressure gauges.
  12. Brake drum gauges.
  13. Micrometer gauges capable of measuring both the range of rotor thickness and the depth of the scores.
  14. A device capable of measuring the thickness of a disc or drum lining without removing the brake pads.
  15. Tread depth gauge.
  16. Brake lining gauge capable of measuring the amount of usable lining on both riveted and bonded lining, in increments of 1/32 inch or 1mm.
  17. Tape measure.
  18. Window Tint meter.  
**Exemption:** Tint meters are not required for Motorcycle/Trailer Stations.  
**Exemption:** Fleet Stations are also **Exempt** if they notify the Area Supervisor in writing that none of the vehicles owned by their company have window tint.
  19. Instruments capable of measuring ball joint tolerance.
  20. ¼” Punch.
  21. Scraper capable of removing Certificates of Inspection.
  22. Approved Headlight aimer or Screen.
  23. A handheld device or scanner capable of scanning vehicles to detect defects and perform diagnostics. The device must be able to reset all warning lights.
- b. All tools and equipment shall always be kept in good operating condition.
  - c. **Motorcycle/Trailer Inspection Stations:** Motorcycle Inspection Stations shall meet all the requirements of this Section unless specifically exempted.

### **3.5 DISPLAY OF REQUIRED CERTIFICATES AND STATION SIGNS**

- a. The “Certificate of Appointment”, MVI-3, shall be framed under glass and posted in public view.
- b. The “Official Motor Vehicle Inspection Procedure”, MVI-11, shall be posted in the Inspection area. Which may be provided upon request by the Area Supervisor.
- c. Stations must display an approved “Official Inspection Station” sign outside of the garage and it must be visible to the public. Fleet Stations are exempt from this requirement. For a list of manufacturers of approved signs refer to Appendix A.

- d. A valid West Virginia Business license must be posted at the station and available to the Area Supervisor for Inspection.
- e. A valid Certificate from the West Virginia Workers' Compensation Program must be posted at the Station and available to the Area Supervisor for Inspection unless exempted.
- f. A copy of the Stations Liability Insurance certificate must be kept at the Station and available to the Area Supervisor for Inspection.

### **3.6 APPOINTMENT OF FLEET STATIONS**

- a. An Applicant for a Fleet Station must meet all requirements of an Official Public Station unless specifically exempted.
- b. A Fleet Inspection Station Owner/Operator shall own or lease ten (10) or more vehicles. The Certificate of Appointment shall be cancelled if the number of vehicles falls below ten (10), except for a temporary delay in ordering or receiving additional vehicles to supplement the fleet.
- c. Fleet Stations shall have at least one Inspector Mechanic.
- d. Fleet Stations may inspect any vehicle legally registered or leased in the Company name. Privately owned or registered vehicles of company officers and employees may not be Inspected at a Fleet Station even if the vehicle is used for business purposes.
- e. All Inspections must be conducted, and Certificates of Inspection affixed in the approved Inspection Area.
- f. Fleet Stations are restricted to ordering Certificates of Inspection for the number of vehicles shown on the original Application for Appointment. In the event an affixed Certificate of Inspection is damaged, or a windshield is replaced, the Owner/Operator may order another Certificate of Inspection which shall be affixed after the vehicle undergoes another Inspection.
- g. The Owner/Operator shall notify the Area Supervisor or the State Police Traffic Records Section of any change in the number of Fleet vehicles registered or leased in the Owner/Operator's name.
- h. Fleet Stations must maintain records and conduct Inspections in compliance with all laws, regulations, and instructions promulgated by the State Police.

### **3.7 QUALIFICATIONS FOR INSPECTOR MECHANIC CERTIFICATION; APPLICATION PROCESS; DUTIES**

- a. The Applicant must be 18 years of age or older and possess a valid driver's license from the State in which he/she resides.
- b. The Applicant must have (1) year experience as a mechanic or have completed an automotive mechanic training program prior to applying to become an Inspector Mechanic. Training programs offered by private or public schools, vocational rehabilitation schools and the military are accepted.
- c. The Applicant is subject to a criminal or driver's license check conducted to determine if the Applicant is truthful and possesses a history which would indicate that he/she will follow the rules and procedures set forth in the Official Motor Vehicle Inspection Manual.
- d. The Applicant shall review the "West Virginia Motor Vehicle Inspection Certification Study Guide" and be examined and certified by a member of the State Police or any Area Supervisor. All Applicants must pass the written examination with a grade of not less than 80%. This requirement also applies to mechanics employed at "Motorcycle/Trailer Only Stations."
- e. Upon failure of the examination, the Applicant is required to again review the "West Virginia Motor Vehicle Inspection Certification Study Guide" before re-testing. Failure of the second examination or subsequent examination will cause a waiting period of ninety (90) days.
- f. Inspector Mechanics are subject to re-examination at any time by the State Police or Area Supervisor to determine if the Inspector Mechanic possesses full knowledge of all current Inspection Rules, Regulations, and Procedures. If the examination discloses that the Inspector Mechanic is not familiar with the Inspection Regulations, the Mechanic shall be suspended from performing Inspections and be required to pass re-examination.
- g. Inspector Mechanics may be required to perform an Inspection in the presence of the Area Supervisor at any time during the stations posted business hours.
- h. It is the duty of all Inspector Mechanics to conduct Inspections of vehicles properly and thoroughly as specified in this Manual.
- i. The Inspector Mechanic that starts the Inspection shall conduct and be responsible for the entire Inspection.

- j. Inspector Mechanics may not affix a Certificate of Inspection until he/she has lifted the vehicle on a hoist or lift and inspect underneath the vehicle at some point during the Inspection Procedure.  
**Exception:** This rule does not apply to vehicles with a Gross Vehicle Weight Rating (GVWR) over 16,000 pounds, nor does it apply to trailers, motorcycles, or Special Purpose Vehicles. See Sections 11 and 13: Trailer, Heavy Trucks.
- k. Only the Inspector Mechanic that conducted the Inspection shall affix the Certificate of Inspection.
- l. Inspector Mechanics may not inspect more than eighteen (18) vehicles in an eight (8) hour business day.
- m. The Inspector Mechanic must notify the Area Supervisor of any revocation or suspension of the inspector's driver's license.
  - 1. Inspector Mechanics are prohibited from conducting Inspections until their driver's license is reinstated.
- n. Inspector Mechanics may **not** perform Inspections while under the influence of alcohol or drugs. Mechanics **may** perform Inspections if it is necessary for them to take medication prescribed by their health care professional.
- o. Inspector Mechanics are required to inform the vehicle owner of any parts, which, although in passing condition, may become dangerous and/or below Inspection standards, before the next Inspection period.
- p. Inspector Mechanics shall be bona fide employees of the Inspection Station prior to performing any Inspections.
- q. Any licensed Inspector Mechanic found to be operating a vehicle that clearly violates the requirements of the Official Motor Vehicle Inspection Manual, for his/her personal use, may be suspended from the Inspection Program.

### 3.8 RESPONSIBILITY OF STATION OWNER AND/OR OPERATOR

- a. **Personal Liability:** Upon accepting Appointment as an Official Inspection Station, the Owner/Operator agrees to and accepts the following responsibilities:
  1. The Owner/Operator and his employees will conduct honest and thorough Inspections in compliance with West Virginia State Code and the West Virginia Motor Vehicle Inspection Manual.
  2. The Owner/Operator will be responsible for every Inspection conducted on the premises including those conducted by employees.
  3. The Owner/Operator is responsible for every Certificate of Inspection issued to the Inspection Station. Every precaution against the loss or theft of Certificates of Inspection must be taken. Any loss of Certificates of Inspection must be immediately reported to the Area Supervisor or the State Police Traffic Records Section.
  4. The Owner/Operator is responsible for every Certificate of Inspection issued by the Inspection Station.
  5. The Owner/Operator agrees to always maintain an adequate supply of current Certificates of Inspection, for the types of vehicles the Inspection Station is approved to inspect.
- b. The Owner/Operator of public Stations shall ensure Inspections will be performed without unreasonable delay. Owner/Operators shall not require a customer to make an appointment for an Inspection.
- c. The Owner/Operator will keep on file and abide by all memorandums forwarded to the Station by the State Police and Area Supervisors.
- d. The Owner/Operator will ensure the Inspection Manual and supplements are available to each Inspector Mechanic.
- e. The Owner/Operator shall always have available all tools and equipment described in Section 3.4 and ensure that said tools and equipment are in good working order.
- f. The Owner/Operator shall maintain a clean and orderly Inspection Station and provide safe access for the public.
- g. The Owner/Operator shall notify the Area Supervisor whenever an Inspector Mechanic is hired, dismissed, or resigns.
- h. **Customer Relations:** The Owner/Operator shall ensure the public will be treated in a courteous and professional manner throughout the Inspection procedure.

1. Permission must be obtained from the vehicle owner before any repairs can be made to the vehicle being Inspected.
  2. Any parts replaced during the Inspection must be retained until the vehicle is returned to the owner. The owner shall have the right to examine all replaced parts.
  3. The vehicle owner shall have the right to make his own repairs or select anyone else to perform the repairs.
  4. The vehicle owner shall be informed of any parts, which, although in passing condition, the Mechanic believes may become dangerous before the next Inspection period.
- i. Any Owner/Operator found to be operating a vehicle that clearly violates the requirements of the Official Motor Vehicle Inspection Manual, for their personal use, may be suspended from the Inspection Program.

### **3.9 CHANGE OF LOCATION OR OWNERSHIP**

- a. Persons operating under a Certificate of Appointment that are contemplating a change of location and/or ownership, must notify their Area Supervisor or the State Police Traffic Records Section before such change is made. The owner of the Station is required to make a new application for Appointment by completing form MVI-1 and forwarding it to the State Police, Traffic Records Section, 701 Jefferson Road, South Charleston, WV 25309-1698.  
Upon receipt of said application, the Superintendent will direct an Area Supervisor to conduct an investigation of the Applicant.
- b. If the owner remains the same, the original Station Number will be reassigned to the new Station and all Inspections privileges will cease under the old Certificate as of the date of issue of the new Certificate of Appointment.
- c. Persons currently operating under a Certificate of Appointment wanting to make a change in name only must complete form MVI-1, showing the change in name, and forward it to the State Police Traffic Records Section. Upon receiving the notarized application (MVI-1), the Superintendent will issue a new Certificate of Appointment. The old Certificate must be returned to the Superintendent or the Area Supervisor.

### **3.10 CHANGE OF OWNERSHIP; EXCEPTION.**

- a. In the event of the death of an owner, a surviving member of the immediate family shall submit a new application within sixty (60) days for a change of authority if they desire to remain in the Inspection Program.
- b. The Station may continue operating provided that a certified Inspector Mechanic is employed to perform Inspections.
- c. Immediate family is defined as a husband, wife, brother, sister, son, or daughter.

### **3.11 CANCELLATIONS; GOING OUT OF BUSINESS**

- a. Discontinuance of business, even temporarily, or the unapproved move of an Official Inspection Station from one location to another, automatically cancels authorization to perform Inspections. All Inspection materials to include manuals, supplies, and Certificates of Inspection (Stickers) must be immediately surrendered to the Area Supervisor.

## SECTION 4

### ORDERING FORMS, SUPPLIES, CERTIFICATES OF INSPECTION

All forms necessary for Inspection will be furnished by the State Police Traffic Records Section and will be delivered to Inspection Stations when a Certificate of Appointment and Approval is issued. It shall be the responsibility of the Owner/Operator to order and maintain an adequate supply of all forms and Certificates of Inspection.

#### 4.1 Certificate of Inspection ordering procedure:

- a. Requisition Form **MVI-4** must be used for the purchase of all Certificates of Inspection. **Both copies of the requisition must be sent.**
- b. The Station information must be filled out in the left column of the form and must be complete for the requisition to be processed. The information must appear **exactly** as listed on the Station's Certificate of Appointment.
- c. In the right column of the form, indicate the quantity of each type of Certificate of Inspection requested in the appropriate corresponding box. The type of issue must also be checked. **If type of issue is not marked the current issue of Certificates of Inspection will be sent.**
- d. Owner/Operators may utilize a credit card, approved by the State Police, when ordering Certificates of Inspection. Owner/Operators must include the credit card name, credit card number, expiration date, and security code on the requisition. The requisition must be faxed to 304-746-2206 or emailed to [WVMVI@WVSP.GOV](mailto:WVMVI@WVSP.GOV) to complete the order.
- e. Stations must always maintain a minimum of five (5) Trailer/Motorcycle Certificates of Inspection.
- f. A fee of \$6.00 will be charged for each motor vehicle and Special Purpose Vehicle/Trailer/Motorcycle Certificate of Inspection. A fee of \$10.00 will be charged for each Modified Vehicle Certificate of Inspection.
- g. The total dollar amount of all Certificates of Inspection purchased must be included in one check or money order made payable to: the West Virginia State Police when ordering by requisition.
- h. Requisitions must be mailed to: West Virginia State Police, 701 Jefferson Road, South Charleston, WV 25309.

- i. Upon receipt of an order for Certificates of Inspection, the Owner/Operator is responsible to **count** all Certificates in the shipment to verify receipt. The returned copy of the requisition MVI-4 must be kept with the Station records.
- j. Log sheets and rejection stickers may be ordered at any time without charge.
- k. The State Police Traffic Records Section will notify all Stations when it is appropriate to order inserts.
- l. Stations **may not** loan Certificates of Inspection to other Stations.
- m. Stations **may** loan monthly inserts.

#### 4.2 EXCHANGE AND REFUND OF CERTIFICATES

- a. Upon notification by the State Police, Certificates of Inspection may be exchanged February 1 through April 30<sup>th</sup> of each calendar year. Unused Certificates of Inspection will be exchanged up to 100 total for the current year only.
- b. Form **WVSP/MVI-4e, “Exchange for Official Inspection Stickers”** form, must be used to exchange all Certificates of Inspection.
  - 1. Attach all unused Certificates to the MVI-4e, list the total number of Certificates, and the beginning and ending serial numbers.
  - 2. Mail the completed MVI-4e and Certificates to West Virginia State Police, Traffic Records Section, 701 Jefferson Road, South Charleston, WV, 25309.
  - 3. A copy of the MVI-4e requisition will be returned with the replacement Certificates. The copy must be kept in the Station file.
- c. Owner/Operators **shall not** send replacement requests on the same requisition for new Certificates (MVI-4).
- d. Unused Certificates that are not exchanged by Public Stations must be given to the Area Supervisor.
- e. Fleet Stations are not permitted to exchange Certificates of Inspection. All Fleet Stations will surrender all unused Certificates to the Area Supervisor.

- f. At the discretion of the Superintendent, refunds may be granted for unused Certificates of Inspection for cancelled stations. The request must be made in writing within sixty (60) days of the cancellation and Certificates of Inspection shall be returned to an Area Supervisor or the Traffic Records Section.
  - 1. To request a refund the Owner/Operator must submit such request in writing and direct the correspondence to the Traffic Records Section or contact the Area Supervisor.
  - 2. The Owner/ Operator must provide his/her Federal Employee Identification Number in the correspondence.
  - 3. Refunds for less than ten (10) Certificates will not be granted.
  - 4. Refunds will not be made for suspended Stations unless the Owner/Operator agrees to permanently withdraw from the Inspection Program.
- g. Certificates that are defective or damaged shall be given to the Area Supervisor.
- h. Stickers that are missing from the shipment may be replaced on the approval of the Area Supervisor. List all missing Certificates on the appropriate log sheet as “Missing from Shipment”.
 

**Note:** Upon receipt of the shipment, if Certificates are missing, immediately contact the Area Supervisor or the Traffic Records Section.

#### **4.3 SECURITY OF CERTIFICATES OF INSPECTION**

- a. The Owner/Operator shall be responsible for each Certificate of Inspection issued to the Station.
- b. The Owner/Operator is required to keep all Certificates of Inspection in a safe and protected place. When the Station is not opened for business all Certificates of Inspection must be locked in a secure area.
- c. Owner/Operators shall not sell, loan, or give Certificates of Inspection to other Stations.
- d. Upon discovery of lost or stolen Certificates of Inspection, the Owner/Operator must immediately notify the Area Supervisor.
- e. Failure to provide adequate security will be cause for suspension of Inspection privileges.

#### 4.4 MARKING AND APPLICATION OF CERTIFICATE OF INSPECTION, COST OF INSPECTION, RECEIPT REQUIRED.

- a. When presented for Inspection, the vehicle or trailer must leave with a new Certificate of Inspection or a Rejection Sticker.

**Note:** This does not apply if the vehicle owner failed to produce valid registration and insurance documents.

- b. After a vehicle has been Inspected, either a Certificate of Inspection or a rejection Sticker shall be marked and affixed in the following order:
  1. **Approved:** The insert for the month of expiration will be attached to the Certificate of Inspection. For Motorcycle/Trailer/Special Purpose Vehicle Certificates, the month of expiration shall be punched by use of a ¼ inch punch.
  2. **Rejected:** The date of the Inspection and rejection shall be punched by use of a ¼ inch punch.
  3. Only inserts issued by the State Police Traffic Records Section may be used.
    - a. Complete the required information on the back of the Certificate of Inspection with a ballpoint or permanent pen.
    - b. Certificates of Inspection or Rejection Stickers will be affixed in an upright position, to the extreme lower left-hand inside corner of the windshield on the driver's side.
    - c. On all Trailers, Certificates of Inspection shall be affixed, in an upright position, to the left front, traffic side, of the trailer.
    - d. On all Motorcycles, Certificates of Inspection shall be affixed in an upright position to the left front, traffic side, to permanent, smooth, accessible part of the motorcycles frame. Certificates can also be affixed to a plate attached by bolts, weld, or rivet on the traffic side of the motorcycle.
    - e. On all Special Purpose Vehicles (SPV), the Certificates of Inspection shall be affixed in an upright position to the left side of the roll bar, as to be clearly visible. The area to which the Certificate of Inspection is affixed must be thoroughly cleaned. The Inspector Mechanic shall ensure the Certificate is properly affixed.

**Exception:** If the Special Purpose Vehicle does not have a roll bar, place the sticker on a permanent structure on the left side that is clearly visible.
  4. Certificates of Inspection must be affixed to the approved vehicle as soon as the Inspection Procedure is completed.
  5. A fee of no more than \$19.78 may be charged. This amount includes \$13.00 fee for labor plus \$.78 tax and \$6.00 for the Certificate of Inspection. Stations may charge less than \$19.78.

**Exception 1:** A station may also charge but not exceed any local or city fees or taxes that are required for operation within said city or jurisdiction.

**Exception 2:** The fee for a modified certificate of inspection is \$25.00 plus \$.90 tax.

6. If no charge is made for the Inspection indicate the cost of the Sticker on the log sheet.
7. Stations may not charge for headlight adjustments.
8. Vehicles presented for Inspection owned by Federal, State, County, or City Governments are not subject to Sales Tax.
9. A receipt for total charges, along with any repairs made, shall be provided to the customer. The serial number to the issued Certificate of Inspection shall be listed on the receipt.

# SECTION 5

## RECORDING INSPECTIONS; LOG SHEETS

5.1 Log sheets are color coded for each type of vehicle being Inspected:

- a. **White** log sheets are to be used for all cars, trucks, and busses.
- b. **Blue** log sheets are to be used for all motorcycles, trailers, and Special Purpose Vehicles.
- c. **Yellow** log sheets are to be used for all Modified Inspections.
- d. Log sheet shall be completed using blue or black ink **ONLY**.
- e. After performing the Inspection, the following procedure must be followed when recording the Inspection on the log sheet.
  1. **Mechanics Name:** Signature (no printing) of the Inspector Mechanic that performed the Inspection.
  2. **Inspection Number:** The Inspection year begins each January 1<sup>st</sup>, when the Certificate of Inspection color changes, and ends on December 31<sup>st</sup>. On January 1<sup>st</sup> of each year the log sheet will start with Inspection number one (1) and continue in numerical order until December 31<sup>st</sup> when the last Inspection is performed. Each Inspection, rejection, voided, or destroyed Certificate, must be entered on the log, and assigned an Inspection number.
  3. **Date:** Enter the complete date of Inspection. Example: 7-1-2016 or 7/1/2016.
  4. **Certificate Serial Number:** Always begin with the lowest serial number and continue in numerical order. Certificates that have been destroyed, voided, or stolen will be recorded as **Destroyed, Voided, or Stolen** and recorded in numerical sequence on the log sheet.
  5. **Vehicle Registration Number:** Enter the registration number. A Dealer registration number must be entered if the vehicle is owned by a New Car Dealership or a Used Car Dealer. If a vehicle displays a One-Way Trip Permit issued by the State Police, enter the permit number. Verify that the registration plate number matches the registration card.
  6. **Vehicle Serial Number:** Enter the Vehicle Identification Number (VIN) displayed on the registration card. For vehicles with temporary registration the VIN number will be taken from the vehicle. Verify that the VIN number matches the registration card.
  7. **Year, Make, and type of Body:** Indicate as: 01 Ford SED, 04 CHEV CPE, 03 Ford 150, 95 SEMI TL.

8. **Name of Owner:** Record name as it appears on the registration card and/or proof of ownership.
  9. **City:** List City. If out of state vehicle, list City and State.
  10. **Odometer Reading:** Enter the odometer reading at the time of Inspection. If the vehicle is ten (10) years old or older and the odometer is not functioning enter **Broken**.
  11. **Tires:** Tires are to be recorded as “L” for legal and “I” for illegal.
  12. **Wheels Pulled:** Indicate wheels pulled as follows: Right Front- RF; Left Front- LF; Right Rear-RR; Left Rear- LR. If all wheels are pulled- All. If the vehicle has an odometer reading less than 10,000 miles record as: None.
  13. **Equipment:** Repairs or replacements are indicated by “R”, adjustments shown by “A”, vehicles rejected for any equipment, record as “X” under the appropriate item.
  14. **Inspection Charges:** The Inspection charge is \$13.00 plus the appropriate tax. This does not include the price of the Certificate, which is not subject to sales tax.
    - Exception:** The fee for a modified sticker is \$25.00 plus tax.
    - i. If no charge is made for the Inspection, indicate the current price of the certificate, \$6.00, in the “Total Inspection Charges”.
    - ii. Oil changes, gas, car washes, shop charges, or any work performed that is not required for the Inspection shall not be added to the “Total Inspection Charges”. Work performed that enables the vehicle to pass must be recorded on the log sheet under total inspection charges.
  15. **Approved:** Indicated “Approved” vehicle by placing an “X” in this column.
  16. **Rejected Vehicles:** Vehicles Inspected and Rejected will be entered on the log sheet with an “X” in the column. **See 6.2**
  17. **Salvage Vehicles:** Salvage vehicles will be entered with an “X” in the Salvage column.
  18. **Damaged, Voided, or Disfigured Certificates:** When a Certificate is Destroyed or disfigured in, any manner, it must be entered on the appropriate log sheet in numerical sequence with a notation of “VOID”. All Certificates that are voided, disfigured, or unusable shall be given to the Area Supervisor.
  19. **Station Number:** The Inspection Station Number must be printed in the top right-hand corner of the log sheet.
- a. Log sheets are to be mailed immediately to Traffic Records upon completion. No more than 5 log sheets can be mailed at one time.

- b. Failure to properly record Inspections and forward the record to the State Police Traffic Records Section, or failure to maintain records, as required, can result in the suspension of Inspection privileges.
- c. False entries or misrepresenting an Inspection on log sheets will be sufficient cause for suspension.
- d. If a vehicle is rejected for a part such as brake lining or movement in steering parts, the Inspector Mechanic shall record the measurement along the left margin of the log sheet and indicate the vehicle it refers to.
- e. Inspector Mechanics performing a Modified Inspection shall also record the tire size of the Modified vehicle on the right side of the log sheet.
- f. Owner/Operators are required to retain a copy of the log sheets for two (2) years.

## SECTION 6

### REJECTION PROCEDURES

**6.1** When presented for Inspection, the vehicle must leave the station with a new Certificate of Inspection or a Rejection Sticker. This does not apply if the vehicle owner failed to produce valid registration and insurance documents.

**6.2** Rejections shall be entered on the log sheet at the next Inspection number. The word "Reject" shall be entered in the "Sticker Serial Number" column and all other required information will be recorded. A cost of \$13.00 plus \$.78 sales tax will be entered under "Total Inspection Charges."

**Note:** The fee for a modified sticker is \$15.00 plus \$.90 tax.

- a. A complete Inspection must be performed before issuing Certificate of Inspection or a Rejection Sticker. A Rejection Sticker may not be removed unless the vehicle meets all the Inspection requirements.
- b. If the Inspection reveals deficiencies that require repair or adjustment to conform to the regulations, but the owner will not agree to have such repairs or adjustments made, the Inspector Mechanic shall affix a Rejection Sticker to the vehicle.
- c. When a vehicle is rejected, only one Rejection Sticker shall be issued to the vehicle before the vehicle is approved.
- d. If the vehicle is rejected for a part such as brake lining or movement in the steering parts, the Inspector Mechanic shall record the measurement along the left margin of the log sheet and indicate the vehicle it refers to.
- e. The owner of the vehicle presented for Inspection must be advised of the items that need to be repaired and give authorization for any repairs or adjustments before they are made.
- f. When rejected, the owner of the vehicle has the right to perform the necessary repairs needed to comply with the Inspection Regulations or to take the vehicle to another garage for repairs.
- g. Only the items that caused the rejection need be re-inspected if the rejected vehicle is returned to the Inspection Station that conducted the Inspection within five (5) days from the date of rejection. If the items that were originally rejected are in proper repair, the vehicle shall be approved, and a Certificate of Inspection issued. The owner of the vehicle shall be charged \$6.00 for the Certificate.
- h. If a rejected vehicle is returned to the Inspection Station after five (5) days from the date of Inspection, or it comes in as a rejected vehicle from another station, the

vehicle must undergo a new and complete Inspection, and the vehicle owner will be subject to full Inspection charges.

- i. When a vehicle is rejected, the Inspector Mechanic shall explain rules concerning the operation of rejected vehicles on public highways.

### **6.3 Operation of rejected vehicles:**

No person shall operate any vehicle after receiving a Rejection Sticker, except as may be necessary to return such vehicle to the residence or place of business of the owner or driver, or to a garage, until said vehicle and its equipment has been placed in proper repair and adjustment. The vehicle must be re-inspected and approved by an Official Inspection Station within five (5) days of the date rejected.

- a. A Rejection Sticker issued to a vehicle that did bear a valid Inspection Certificate at the time of Inspection shall not entitle such vehicle to legally operate on the public streets and highways.

## SECTION 7

### STATION FILES; PENALTIES FOR NON-COMPLIANCE WITH OFFICIAL MOTOR VEHICLE INSPECTION MANUAL.

**7.1 Owner/Operator:** The operation of an Official Inspection Station is the responsibility of the Owner/Operator. Failure to comply with any procedure or regulation specified in the Official Motor Vehicle Inspection Manual or violation of West Virginia State Law will be considered sufficient cause to administer disciplinary actions listed in this Section and all other Sections of this Manual. Owner/Operators are also responsible for any violation(s) committed by his/her employees.

**7.2 Station File:** Is the permanent record maintained by the State Police Traffic Records Section for each Inspection Station. The Station File shall be an accumulation of all pertinent information concerning the history of the Station. The file shall be maintained from the date the original Application for Appointment is received, to the date of notification the Station has discontinued business.

- a. Station Files will be reviewed by the Superintendent, or his/her designee, when determining which disciplinary actions will be imposed on a Station. When considering disciplinary actions, all information contained in the Station File for the previous five (5) years of an alleged violation may be considered.
- b. In the event a Station has been subject to numerous disciplinary actions within a five (5) year period, the Superintendent, or his/her designee, may consider the Station file in its entirety.

Disciplinary actions include but are not limited to:

1. **Verbal Warning:** when an Area Supervisor verbally advises the Owner/Operator or Inspector Mechanic that if their work, actions, or behavior does not come into compliance with the regulations of the Official Motor Vehicle Inspection Manual, in a timely manner, further disciplinary action may be required. Area Supervisors shall record all Verbal Warnings on Form MVI-14.
2. **Warning Letter:** letter to the Owner/Operator and/or Inspector Mechanic stating violations discovered by the Area Supervisor during routine audits or investigations. Warning Letters will be sent by the Superintendent upon receiving a request from an Area Supervisor and said request is documented on Form MVI-14.

3. **Administrative Probation:** Any Owner/Operator or Inspector Mechanic that has been placed on Administrative Probation, for any reason, shall be allowed to operate normally under this probation. Any subsequent violations during this period shall result in suspension of Owner/Operator or Inspector Mechanic license for a period of one (1) year.
4. **Disability Period:** A period up to ninety (90) days that a station shall temporarily relinquish all inspection materials to the Area Supervisor. Once the Disability Period is completed said station will then be placed on Administrative Probation for one (1) year. All Disability Periods will be documented and permanently logged in the station file.
5. **Suspension:** Time designated by the Superintendent when the Stations privilege of inspecting vehicles ceases. The Station shall surrender all Inspection materials to the Area Supervisor upon receipt of a Suspension Order. The Owner/Operator shall cause the removal of the Official Motor Vehicle Inspection Sign upon receipt of the Suspension Order. Upon completion of Suspension the Owner/Operator and/or the Inspector Mechanic will be placed on Administrative Probation for a period of one (1) year.
6. **Permanent Revocation:** Owner/Operator is removed from the Inspection Program permanently. WV CODE 17C-16-5.

### 7.3 Requests for Administrative Hearing.

- a. Upon receiving service of a Suspension order from the State Police, the Owner/Operator or Inspector Mechanic may request an Administrative Hearing.
- b. To request an Administrative Hearing, the Owner/Operator or Inspector Mechanic shall notify the Director of the Traffic Records Section, in writing, within fifteen (15) working days of receiving the Suspension Order. Failure to notify the Director of the Traffic Records Section within the fifteen (15) day period, without showing just cause, is grounds for denying an Administrative Hearing.
- c. It is suggested that the Owner/Operator or Inspector Mechanic considering a request for an Administrative Hearing review Section 16 of this Manual.

### 7.4 Area Supervisors.

- a. Area Supervisors may temporarily disable a Station when an Owner/Operator has been previously counseled by the Area Supervisor concerning repeated failure to comply with the Rules and Regulations specified in the Official

Motor Vehicle Inspection Manual. The disability period shall not exceed ninety (90) days. The Area Supervisor shall take possession and be responsible for the current log sheets in use and all Certificates of Inspection. The Area Supervisor shall report the disabling by completing form MVI-14 and forwarding the report to his/her Supervisor. The Area Supervisor shall return the log sheets and Certificates of Inspection at the end of the disabling period. The Owner/Operator need not complete an MVI-1 for re-instatement.

- b. Area Supervisors may issue a Warning Letter to an Owner/Operator and/or Inspector Mechanic for any violation of the regulations contained in the Official Motor Vehicle Inspection Manual. Any Owner/Operator or Inspector Mechanic receiving three (3) or more Warning Letters within one year of the first offense, may be Disabled for a period not to exceed six (6) months.

## **7.5 Penalties, Criminal and Administrative, for Inspection Violations**

### **Criminal Violation of WV Code 17C-18-1, penalty.**

(a) It is a misdemeanor for any person to violate any of the provisions of this chapter unless such violation is by this chapter or other law of this State declared to be a felony.

(b) Every person convicted of a misdemeanor for a violation of any of the provisions of this chapter for which another penalty is not provided shall for a first conviction thereof be punished by a fine of not more than one hundred dollars or by imprisonment for not more than ten days; for a second such conviction within one year thereafter such person shall be punished by a fine of not more than two hundred dollars or by imprisonment for not more than twenty days or by both such fine and imprisonment; upon a third or subsequent conviction such person shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than six months or both such fine and imprisonment. (1951, c. 129.)

**Administrative Violations:** Failure to follow and comply with instruction set forth in this manual will result in administrative penalties being levied on the violating Owner/Operator, Inspector Mechanic, and/or Inspection Station. These penalties range from warnings to disabling to permanent suspensions and will be based on severity of the violation. Administrative penalties will be on a progressive scale with repeat offenses receiving a more severe penalty.

- a. Examples of violations that would receive a warning for first offense:
  - i. Improper Records: mistakes on Inspection Log.
  - ii. Inspection Log dirty or greasy.
  - iii. Inspector Mechanic forgetting to complete back of sticker.
  - iv. Loss of a Certificate of Inspection: sticker(s) missing.  
**Note:** These are not all inclusive of violations that would receive a warning for first offense.
- b. Examples of violations that would receive a suspension for first offense:
  - i. Affixing Certificate of Inspection to vehicle without conducting Inspection.

- ii. Permitting unauthorized personnel to inspect vehicle.
- iii. Conducting unnecessary repair to vehicle

**Note:** These are not all inclusive of violations that would receive a suspension for first offense.

- c. Any Official Inspection Station that has been placed on Administrative Probation for any reason shall be suspended for up to one year or permanently, whichever applies, for any violation of the Official Motor Vehicle Inspection Manual, policy, or procedures, during the probation period.

# SECTION 8

## OFFICIAL INSPECTION PROCEDURES.

**8.1 PROCEDURE OUTLINE:** The following items must be thoroughly examined in accordance with the regulations specified in the Official Motor Vehicle Inspection Manual. The procedure listed below shall be followed for each Inspection. All Owner/Operators and Inspector Mechanics are required to refer to the regulations for more specific information regarding the Inspection Procedure. Failure to comply will be regarded as a faulty Inspection.

- a. When a vehicle is presented for Inspection, it will be driven into the Inspection Area. The Inspector Mechanic may use this driving period as an aid in finding any deficiencies.
- b. Customers are prohibited from being in the vehicle during the Inspection and are prohibited from being in the Inspection Area during the Inspection process. When a defect is found during the Inspection, the Inspector Mechanic may escort the Customer to the Inspection Area to point out to the Defect(s).
- c. Inspector Mechanics shall perform all Inspections using the following procedure.
  1. Verify ownership (Registration, Bill of Sale, Title, ETC.).
  2. Check for valid Certificate of Insurance.
  3. The vehicle will be driven into Inspection Area.
  4. **Remove old Certificate of Inspection.**
  5. Inspect Registration Plate and mounting.
  6. Inspect safety glass and windshield wiper system.
  7. Inspect exterior and rear-view mirrors.
  8. **Interior-** Inspect horn, odometer, speedometer, seat belts, interior door handles and door coverings, steering column mounting, windshield wipers and washers, defroster, floor pans, seats, dashboard, and all other safety devices.
  9. Inspect required Lighting and Electrical systems.
  10. Inspect Body Parts, Bumpers.
  11. **LIFT VEHICLE - Not** required for heavy trucks, truck tractors, buses, trailers, motorcycles, or special purpose vehicles.
  12. Inspect Frame/Chassis
  13. Inspect Exhaust System and Emission Control Components.
  14. Inspect Front End, Suspension, Steering.
  15. Inspect Tires and Wheels.
  16. **Remove** one front and one rear wheel.  
**Exception:** Do not remove tires from Motorcycles unless other deficiency is observed beforehand.

17. Inspect Brake System
18. Inspect Fuel System
19. Affix Certificate of Inspection or Rejection Sticker.
20. Record the Inspection on the appropriate log sheet.

**8.2** All parts and equipment used on any vehicle must meet or exceed the Original vehicle manufacturer's specifications and be of an equivalent type to be approved for a Certificate of Inspection. Original Equipment Manufacturer Parts (OEM), Original Equipment Replacement Parts (OER), and approved Aftermarket Parts are permitted.

**Note: For the Regulations and Procedures of this Manual, when the term Original Equipment Manufacturer Parts (OEM) is used, it shall also include Original Equipment Replacement Parts (OER), and Approved Aftermarket Parts. All these terms may be used to refer to the other terms.**

**8.3** Items of safety, which are not covered by the Official Motor Vehicle Inspection Manual, that are required by the U.S. Federal Motor Vehicle Safety Standards (FMVSS) in effect upon the date of manufacture of the vehicle being Inspected shall work in the prescribed manner of said Standards.

**8.4** Inspector Mechanics shall advise the Customer of any parts which, although in passing condition, may become dangerous before the next Inspection period.

**8.5** The Customer is under no obligation to have the disclosed defects corrected and/or repaired by the Inspecting Station.

## SECTION 9

### PASSENGER VEHICLES AND LIGHT TRUCKS

#### 9.1 Verify Ownership and Certificate of Insurance.

- a. Proof of ownership and a valid Certificate of Insurance must be presented prior to the beginning of the Inspection.
- b. The owner's registration card, Title, temporary registration card, notarized bill of sale, or a One-trip permit issued by the State Police are sufficient proof of ownership.
- c. The Certificate of Insurance must be valid for the period covering the date of Inspection. Certificate of Insurance card must comply with the requirements of WV Code 17D-2A-4. Insurance cards displayed on a cell phone shall be accepted as proof of insurance.
- d. The Insurance Certificate and registration need not be in the same name but match the vehicle presented for Inspection.
- e. The owner of the vehicle is not required to be present when a vehicle is presented for Inspection.
- f. Salvage vehicles must have a valid registration and a current certificate of insurance when driven to an Inspection Station. One-trip permits issued by the State Police are sufficient proof of registration.
- g. Government Vehicles, Vehicles operated with Dealer Plates, and Commercial Carriers supervised by the West Virginia Public Service Commission do not have to produce proof of Insurance.
- h. **Do not place a Rejection Sticker** on a vehicle when the owner cannot produce a valid proof of ownership and a valid certificate of insurance.
- i. Never proceed with the Inspection if proper documentation is not presented. Advise customer to return with proper documentation.
- j. **Remove old Certificate of Inspection.**

## 9.2 Registration Plate Mounting. WV CODE 17A-3-15, 17C-15-5 (c).

Inspect the registration plate to see that it is securely attached to the rear of the vehicle, clearly visible, and the registration decal is affixed to the lower right corner of the plate. The registration plate shall be mounted in a horizontal position at a height not less than twelve (12) inches from the ground, measured from the bottom of the plate. Clear protective covers are permitted, tinted covers are prohibited per WV CODE 17A-3-15.

### Inspect and reject if:

1. The plate is hanging loosely from the mounting brackets or is mounted less than twelve (12) inches from the ground. Measurement shall be taken from the bottom of the plate to the ground.
2. The plate is not attached to the rear of the vehicle.  
**Exception:** Trucks designed and constructed to tow trailers, semi-trailers, or other vehicles are permitted to mount the registration plate on the front of the truck.
3. The plate has been damaged and/or worn to a degree the printing on the plate is not clearly legible.
4. A registration plate frame obscures any identification information listed on the plate.
5. A lighted license plate frame is present.
6. Any emblem, decals, or stickers, **other than the validation decal**, is affixed to any portion of a plate or cover.
7. The registration plate light does not illuminate the plate or is not securely fastened to the vehicle.
8. The plate is not mounted horizontally.
9. Any violation of any requirement of this Section.

## 9.3 Safety Glass – Windshield and Windows FMVSS 118, 205.

### WV CODE 17C-15-36.

All vehicles must be equipped with safety glazing in all windshields, windows, and wings that meet or exceed the manufacturer's original specifications. All windows must be present, installed, and maintained as designed by the original manufacturer.

All vehicles must be equipped with the type of glass required for the year of the vehicle as required by the FMVSS 205.

Windows designed by the original manufacturer to open and close, move up or down, tilt open or close or move side to side must function as originally designed.

- a. There are three (3) areas of concern when Inspecting the windshield:

1. **Acute Area:** The area directly in the driver's line of vision, in the center of the driver's critical area. The area is 8 ½ X 11 inches, the size of standard typing paper.
  2. **Critical Area:** The area cleaned by the normal sweep of the windshield wiper blades, other than the acute area.  
**Note:** Blade size cannot be reduced when replacing.
  3. **Non-Critical Area:** All other windshield area.
- b. If a windshield cannot be repaired in accordance with the criteria listed in this Section, it must be replaced prior to Approval.

**Inspect and reject if:**

1. The vehicle is not equipped with an approved safety glass wherever glass is used. The windshield must be AS-1 and all other glass must be AS-2. Bullet resistant glass may be used in the windshield area.
  2. Any glass is cracked, shattered, or has exposed sharp edges.
  3. Improper or unmarked glazing materials are used for specific positions.
  4. Any repair was made in the Acute Area.
  5. Any mark or distortion is in the Acute Area.
  6. Any crack or chip greater than 1 ½ inches is found in the Critical Area.
  7. Any repair made in the Critical Area larger than 3 inches in length or 1 ½ inches in diameter.
  8. Any repair made in the Non-Critical Area larger than 3 inches or 1 ½ inches in diameter.
  9. Any posters, stickers, or other non-transparent materials, except those required by law, are located on the windshield, and obstruct the driver's view. See **Exceptions:** 9.3(c)
  10. Any glass has been removed.
  11. Non-transparent materials such as plywood, plastic materials, tape etc. are used to replace glass.
  12. Any window designed by the manufacturer to open and close will not open and close as originally designed.
  13. Any obstruction forward of the windshield which extends more than three (3) inches upward into the horizontally projected vision area of the windshield except for windshield wiper components. **Cross Reference:** **9.14 (f) and 9.16 (c) (d).**
  14. Any violation of any requirement of this Section.
- c. **Sign, Poster, Non-Transparent Material; Exceptions**
1. A vehicle may have one (1) non-transparent sticker, sign, or poster affixed to the windshield in the **Non-Critical Area** if it does not exceed

4 inches in diameter if circular, 3x5 inches if rectangular, or 4 inches if square.

2. One non-transparent sticker, sign, or poster may be affixed to the rear window in any size in length, but the top of the sticker, sign, or poster, shall not be higher than 5 inches from the bottom of the rear window; measuring parallel with the angle of the window.
3. Non-Transparent Material may be placed at the top of the windshield but may not extend downward past the AS-1 line or more than five (5) inches from the top of the windshield, whichever is closer to the top of the windshield.
4. Vehicles operated in Interstate Commerce are exempted from this Section when said vehicle displays a sticker, decal, or sign required to be displayed by any State or the United States Government.

#### **9.4 Window Tint/Sun Screening Devices. WV CODE 17C-15-36a.**

**The following regulations do not apply to sun screening devices or window tint applied by the original vehicle manufacturer.**

- a. Inspector Mechanics shall use an approved tint meter and obtain a reading on any vehicle, presented for Inspection, which has had window tint installed.
- b. All sunscreen devices used with automotive safety glazing materials shall be a non-reflective type with a reflectivity of not more than 20% and have a light transmission of not less than 35 %. The use of any sun screening device that has a “mirror” appearance, or is red, yellow, or amber in color is prohibited.
- c. The use of a sun screening device on the vehicle’s windshield is prohibited.  
**Exception:** On windshields a sun screening device may be used only along the top of the windshield and shall not extend downward beyond the AS-1, or no more than five (5) inches; whichever is closer to the top of the windshield.  
**Exception: Valid Medical Exemption may have sunscreen device on the windshield.**
- d. **Passenger vehicles:** The sun screening regulations specified in this section apply to the windshield, side wings, side windows and all windows behind the driver.
- e. **Trucks, Buses, Vans, SUV’s or Multipurpose Passenger Vehicles, Trailers, Limousines, Mobile Homes:** The sun screening regulations specified in this section **do not** apply to windows behind the driver **but do apply** to windows to the front and each side of the driver.
- f. **Police Vehicle Exemption:** The sun screening regulations specified in this section **do not apply** to K-9 or unmarked Police Vehicles owned by a Federal, State, County, or City Agency.

- g. **Medical Exemptions:** Any person presenting a vehicle, registered in his/her name, for Inspection and has in possession an affidavit, signed by a Physician or Optometrist, that states said person has a medical condition that makes it necessary to equip the vehicle with sun screening devices which would be of a light transmittance or luminous reflectance in violation of this section are exempt **if the affidavit contains the following information:**

1. The affidavit must be dated and on Doctor's Office Letterhead.  
**Prescription pads are not to be accepted.**
2. States the medical condition which makes the exemption necessary.
3. Must be signed by the Doctor.
4. Must be the original letter. **Copies are not to be accepted.**

**Inspect and reject if:**

1. The vehicle has a sun screening device that is not non-reflective or has a "Mirror" finish, or is red, yellow, or amber in color.
2. The vehicle has a sun screening device on the windshield that is in any area of the windshield other than from the top of the windshield down to the AS-1 line or from the top of the windshield 5 inches downward or whichever is closer to the top of the windshield. **Note exception 9.4 (c).**
3. The vehicle has a sun screening device used in conjunction with automotive safety glazing materials on the side wings or side windows immediately to the right and left of the driver is not of a non-reflective type and has a reflectivity of more than 20% and light transmission of less than 35%.
4. A **Passenger Vehicle** with a sun screening device, designed to be used on automotive safety glazing materials, has a light transmission of less than 35% and reflectivity of more than 20%.
5. Any violation of any requirement of this Section.

**9.5 Windshield Wiper System, Washer, Defroster, Sun Visor FMVSS 103-104.  
WV CODE 17C-15-36.**

- a. All motor vehicles shall be equipped with a power-driven wiper system capable of cleaning the windshield of rain, snow, and moisture and must be of a type that meets or exceeds the manufacturer's original specifications.
- b. The windshield wiper system shall be constructed so that the driver may conveniently activate the system by means of an electrical switch.
- c. The size of the wiper blades must meet the manufacturer's specifications.
- d. Windshield Washer Systems must be present, if originally equipped, and meet the manufacture's original specifications.

- e. Windshield defrosters must be in working condition.
- f. Driver Sun Visor must be present as originally equipped.

**Inspect and reject if:**

1. Wiper System is inoperative.
2. Wiper System does not function at speeds as originally equipped.
3. Missing arm or wiper blades or arm and blade parts.
4. Wiper blades are torn or smear or streak windshield after 5 cycles.
5. Blades are replaced with a size smaller than the original.
6. Wiper blade fails to contact the windshield.
7. The wipers do not return to the rest position.
8. Windshield Washer System fails to function.
9. Windshield Washer system fails to assist the blades in cleaning the windshield within 10 wiper cycles.
10. Windshield defroster fails to function.
11. Driver Sun visor is missing or will not stay in set position.
12. Any violation of any requirement of this Section.

**9.6 Mirrors FMVSS 111. WV CODE 17C-15-35.**

- a. **Exterior Mirrors:** All motor vehicles shall be equipped with an exterior rearview driver's side mirror that provides an unobstructed view to the rear for a distance of 200 feet.

**Exception:** All motor vehicles shall be equipped with a driver's side and passenger side rear view mirror if the vehicle was originally designed by the manufacturer to have exterior mirrors on both sides of the vehicle. Powered mirrors may be replaced with OEM non-powered mirrors if the mirrors can be adjusted by hand.

**Inspect and Reject if:**

1. The mirror is not securely mounted to vehicle.
  2. The mirror is cracked, pitted, or discolored.
  3. Drivers side mirror cannot be adjusted from the driver's seat.
  4. The mirror does not provide a clear view to the rear for a minimum distance of 200 feet.
  5. Mirror missing.
  6. Mirrors originally equipped by the manufacturer not present. OEM replacements permitted.
  7. Any violation of any requirement of this Section.
- b. **Interior Rearview Mirror, FMVSS 111 (S5.1):** If originally equipped by the manufacturer, motor vehicles shall be equipped with a rear-view mirror that shall be securely mounted in its originally designed location. If the

vehicle is not equipped with a rearview mirror, such as box truck; said vehicle must be equipped with side rear view mirrors that provide a clear view to the rear for a minimum distance of 200 feet.

**Inspect and Reject if:**

1. The vehicle does not have an interior rear-view mirror as originally equipped by the manufacturer.
2. Mirror will not maintain a set adjustment.
3. Mirror is cracked, pitted, or discolored.
4. Mirror does not provide a clear view to the rear for a minimum distance of 200 feet.
5. Mirror is not securely mounted at its originally designed location.
6. Any violation of any requirement of this Section.

**9.7 Horns and Warning Devices. WV CODE 17C-15-33.**

- a. Every motor vehicle must be equipped with a horn in good working order and audible for a distance of 200 feet. No horn or warning device shall emit an unreasonably loud or harsh sound or a whistle.
- b. Authorized emergency vehicles may be equipped with a siren, whistle, or bell capable of emitting an audible sound from a distance of 500 feet. A vehicle may be equipped with a theft alarm if it is installed so it cannot be used by the driver as a warning signal.

**Inspect and Reject if:**

1. The horn does not function or is not present as originally equipped.
2. The horn is not securely mounted.
3. Any violation of any requirement of this Section.

**9.8 Speedometers Required.**

Speedometers will be Inspected. The vehicle shall be **rejected** if the Speedometer does not indicate the speed of the vehicle.

**9.9 Odometers Required.**

Odometers will be Inspected. The vehicle shall be **rejected** if the odometer does not function as originally designed.

**Exception:** If a vehicle is 10 years or older the odometer is not required to function.

**9.10 Occupant Restraint Systems, Seats, Airbags.**

**FMVSS 202,207,208,209,210,225. WV CODE 17C-15-43, 17C-15-50.**

- a. Safety belts must be present, if originally equipped, and must function as originally designed by the manufacturer. Five-point harness systems are permitted but the original safety belt system must be present, and function, as originally designed. **Seat belt warning systems that are inoperative are not cause for Rejection. The owner must be advised.**
- b. When vehicle is equipped, from factory, with a child restraint anchorage system, it must function as designed by the original manufacturer.
- c. **Seats** must be present, and function, as originally designed by the manufacturer. The seat backrest must be present and, if originally equipped, the headrest must also be present. (FMVSS 202 and 207)
- d. Air bags must be present, if originally equipped, and must function as originally designed by the manufacturer.

**Inspect and Reject if:**

- 1. Safety belts are not present for each seating location if the vehicle was so originally equipped.
- 2. Safety belt webbing is frayed, split, or torn.
- 3. Belt buckles or retractors do not operate properly.
- 4. Belt anchorages are loose, badly corroded, missing or not fastened to the belt.
- 5. Belt mounting surfaces are deformed, damaged, or corroded.
- 6. A passive seat belt restraint system is inoperative.
- 7. Any seat anchor bolt is not securely fastened to floor or is missing.
- 8. Seat back and headrest are not firmly attached or missing.
- 9. Seat adjusting mechanism slips out of set position.
- 10. The air bag indicator fails to light or continuously flashes or illuminates.
- 11. An air bag is not operable, has been deflated, or missing from the vehicle that was originally equipped.
- 12. Child restraint anchoring system defective, damaged, or removed.
- 13. Any violation of any requirement of this Section.

**9.11 Controls and Displays; Indicators located in Common Space; Dashboards.  
FMVSS 101.WV CODE 17C-15-42.**

Dashboard, common space, displays of Indicators and/or warning lights must be present, if originally equipped, and must function as originally designed by the manufacturer. Indicators and/or warning lights shall be illuminated when the headlights are activated if originally designed by the manufacturer to do so.

**Televisions or video equipment not equipped with a device that disables the equipment when the vehicle is driven are prohibited** from the common space, dashboard or from the view of the driver. Navigational devices are permitted in the common space.

- a. **Check engine lights** - If a check engine light remains illuminated during the Inspection, and the Inspector Mechanic cannot find a defect causing the light to remain illuminated, he/she shall attempt to reset the Check Engine Light. If the light remains illuminated, the Inspector Mechanic **shall not Reject** and shall notify the owner of his/her findings.
- b. **High beam indicator** - If originally equipped, the high beam indicator must be present, and function, as originally designed.
- c. **Turn signal indicators** - If originally equipped, the turn signal indicators must function as originally designed.
- d. **Brake warning indicator** - If originally equipped, the brake warning indicator must function as originally designed.
- e. **Antilock Braking Systems (ABS) Indicator** - Indicator must be present if originally equipped. If the ABS indicator remains on during the Inspection **Do Not Reject**. Antilock braking systems are designed to revert to standard braking operation.
- f. **Switches and controls** - If originally equipped, switches and controls must be present, and function, as originally designed.
- g. **Tire Pressure Monitoring Systems (TPMS) FMVSS 138** - If a TPMS warning light is illuminated and cannot be corrected by adjusting the pressure, and no defects are found on the tire, **do not reject**. The Inspector Mechanic shall notify the customer that it should be repaired. If the customer elects not to have the TPMS repaired, the Inspector Mechanic shall document that the customer was advised on the customer's receipt.
- h. Seat belt warning systems that are inoperative are not cause for Rejection. The owner must be advised. Refer to 9.10 (a).

**Inspect and Reject if:**

- 1. The dashboard (common space) does not illuminate all indicators when the headlights are activated.
- 2. The high beam indicator does not function as originally designed.
- 3. Turn signal indicators do not function as originally designed.
- 4. A brake warning indicator does not function as originally designed.
- 5. Switches or controls are missing or malfunctioning.
- 6. Television or video equipment in common space or in view of driver not equipped with an inter-lock device.
- 7. Any violation of any requirement in this Section.

## 9.12 Steering Column, Steering Wheel, Steering. FMVSS 203,204.

- a. **Steering Columns** must be securely mounted, and function, as originally designed by the manufacturer.
- b. **Steering Wheels** must be securely mounted, and function, as originally designed by the manufacturer. After-Market (OEM) steering wheels shall be circular and shall not have an outside diameter of less than thirteen (13) inches and contain air bags, if required for the vehicle's year of manufacture. Steering wheels must turn as designed and may not have obstructions or attachments on the wheel.  
**Exception: This does not apply to attachment of devices for handicapped drivers legally operating the vehicle under the rules contained in the American Disabilities Act (ADA).**
  1. Steering lash/travel shall meet or exceed the specifications of the original manufacturer.
  2. All steering linkage components shall function as originally designed.

### **Inspect for and Reject if:**

1. Not equipped with a circular steering wheel at least thirteen (13) inches in diameter.
2. Steering column is not securely mounted.
3. The steering gear box is not securely mounted to original manufacturers' specifications.
4. The front wheels are incapable of being turned to the right and left steering stops without binding or interference.
5. Rack and pinion systems do not meet the manufacturer specifications.
6. The CV is defective, or the CV boot is torn and/or leaking.
7. Any defect in the steering linkage.
8. Any violation of any requirement in this Section.

## 9.13 Lighting and Electrical Systems FMVSS 108. WV CODE 17C-15-4, 17C-15-5, 17C-15-9, 17C-15-10, 17C-15-11, 17C-15-12.

All original equipment lights and reflectors (i.e., front, rear, sides, top and registration plate) must be present and meet or exceed the original manufacturer's specifications (OEM), and/or be of an equivalent type to be approved for a Certificate of Inspection. When activated all lighting must function as originally designed.

- a. Any lighting or reflector installed by the original manufacturer is legal.

- b. Lights and reflectors must be mounted at the positions and /or locations as designed by the original manufacturer.
- c. All original equipment headlights and fog lights must be aimed and adjusted to the original manufacturer's specifications.
- d. If the vehicle is equipped with LED lighting, 75% of the LEDES must function as originally designed at time of Inspection.
- e. All lights and reflectors shall be of the same color as designed and installed by the original manufacturer.
- f. If headlights require adjustment the Inspector Mechanic shall make the necessary adjustments without charge. WV CODE 17C-16-6(c)
- g. All switches must be in safe operating condition and function as originally designed by the manufacturer.
- h. All wiring must be present and in safe operating condition and meet or exceed original manufacturer's specifications.
- i. A minimum of two (2) white back-up lights are permitted on the rear of the vehicle. Backup lights may operate separately or in combination with other rear lights but shall not be lighted when the vehicle is in forward motion.
- j. Any vehicle may be equipped with one (1) Spotlight equipped with clear lenses. Utility vehicles may be equipped with two (2).
- k. Head lights shall be securely mounted not less than twenty-four (24) inches nor more than fifty-four (54) inches in height from the ground unless the original manufacturer designed the vehicle with different height specifications.
- l. Headlight and taillight covers are not permitted unless installed by the original manufacturer.
- m. Any device placed in front of or over any light or reflector that alters the illumination of the light or reflector and interferes with the operation of the light or reflector is prohibited.

**Inspect and reject if:**

- a. Any required lighting is missing, not mounted securely, or not functioning as originally designed.
- b. Any required lighting lens that is cracked or broken that prevents proper illumination or proper color.
- c. Any required reflector is missing, not mounted securely, or not functioning as originally designed.
- d. Any LED lighting system has less than 75% of the LEDs functioning.
- e. White light located on the rear of vehicle activates while the vehicle is moving forward.
- f. The vehicle has other than white, red, or amber lighting the rear.
- g. The vehicle has other than white and amber lighting to the front.
- h. Headlight and/or taillight cover installed.
- i. A device, not installed by the original manufacturer, is installed, and prohibits the light or reflector to function as originally designed.
- j. Defective wiring or poor connections. **Do not reject for corrosion at the battery terminals.**
- k. Electrical wiring does not meet Manufacturers specifications.
- l. Any violation of any requirement in this Section.

**9.14 Auxiliary Lighting - Aftermarket Lighting. FMVSS 108.  
WV CODE 17C-15-17, 17C-15-18, 17C-15-19.**

This section applies to Auxiliary lighting not installed by the original manufacturer but installed by the vehicle owner or his designee. All Auxiliary lighting must meet or exceed any requirement, rule, regulation, or recommendations, established, or required by the U.S. Department of Transportation, Federal Motor Vehicle Safety Standards, National Traffic Highway Administration, and Society of Automotive Engineers International. All Auxiliary Lighting must be marked as meeting the required standards.

- a. All auxiliary lighting must be securely attached to the vehicle and function as originally designed.
- b. No more than six (6) white, including headlights, are permitted to the front of the vehicle.
- c. May be equipped with two fog lamps securely mounted on the front at a height of not less than sixteen (16) inches or more than forty-two (42) inches from the ground.
- d. May be equipped with two passing lamps securely mounted on the front at a height of not less than twenty (24) inches or more than forty-two (42) inches from the ground.

- e. Auxiliary lighting shall **not** be mounted to the hood or body forward of the windshield that extends upward into the horizontally projected vision area of the windshield.
- f. Any motor vehicle may be equipped with a roof mounted Off-Road Light Bar lighting device comprised of multiple lights. Any vehicle so equipped may not have more than six white lights to the front of the vehicle. Roof mounted lights which are of a type that contain multiple LED lights within a sealed unit are permitted. Such lights in a sealed LED unit ten (10) inches or less in width shall be considered as one (1) light. A light in a sealed LED unit more than ten (10) inches in width shall be considered two (2) lights. Lights are not required to be covered with an opaque covering.
- g. If LED lighting is used, 75% of the LEDS must function as designed.
- h. Any motor vehicle may be equipped with one (1) securely mounted spotlight equipped with a white lens. Utility vehicles may have two (2).
- i. All auxiliary lighting must be installed in a professional manner.
- j. Lighting designed to illuminate the ground or roadway from beneath the vehicle is prohibited.
- k. Auxiliary lighting shall be wired in such a manner that they turn off when the high beams are activated.
- l. Flashing lights of any color, shape or form are prohibited.
- m. Neon lights are prohibited.
- n. Any light showing red or blue lens to the front is prohibited unless the vehicle is an authorized emergency vehicle.
- o. Ornamental lighting is prohibited. See definitions.
- p. A motor vehicle may be equipped with one (1) electroluminescent solid state ceramic front identification plate, without glare, and mounted in conformance with the manufacturer's specifications.
- q. Mail Carriers, highway workers, and wide load vehicles may be equipped with amber, yellow, or white flashing lights.
- r. Vehicles used as lead cars in funeral processions may be equipped with purple flashing lights.
- s. Tow trucks, registered with the Public Service Commission, may be equipped with amber or yellow flashing lights.

**Inspect and reject if:**

1. Not an approved type.
2. Lens is cracked or broken that prevents proper illumination or proper color.
3. Light is not securely mounted.
4. Lights not wired to turn off when high beams are activated.
5. Improperly aimed.
6. Lights mounted to illuminate from beneath the vehicle.
7. Defective wiring.
8. Ornamental lighting is present.
9. Any violation of any requirement in this Section.

**9.15 Emergency Vehicles. WV CODE 17C-15-26**

All original lighting and reflectors installed by the manufacturer and additional lighting added for emergency response must comply with Section 9.13 of this manual and function as designed by the manufacturer.

Color of lighting equipment used on emergency vehicles shall be:

- a. Blue lights are restricted to Police vehicles. Police vehicles may be equipped with the combination of blue and red lights.
- b. Red lights are permitted on Ambulances, Fire-fighting vehicles, Hazardous material response vehicles, Industrial Fire brigade vehicles, Rescue Squad vehicles and School Buses.

**Inspect and Reject if:**

1. Any lighting that violates any requirement in this Section.

**9.16 Vehicle Body- FMVSS 113, 206, 214, 216, 216a, 401.**

All body parts of the vehicle shall be present and assembled to function as designed by the original manufacturer; for the year the vehicle was manufactured. No part of the body shall be removed unless originally designed to be removed and re-installed at the vehicle owner's discretion.

Automatic or manual release mechanisms inside the trunk compartment, installed by the original manufacturer, shall function as originally designed.

**Exception:** The removal of a truck bed to install or construct a stake bed is permitted. The bed may be constructed of wood or metal or a combination thereof. The bed must cover the tread of the tires. All original or OEM lighting

and reflectors (i.e., front, rear, sides and top) must be installed at or as close as possible to the original locations designed by the manufacturer. All lighting and electrical wiring shall meet or exceed the original manufacturer's specifications and installed in a professional manner.

- a. Body parts shall include, but not limited to, fenders, fender flares, doors, door interior coverings, door handles, locks, all pillars, hood, hood latches, trunk, trunk latches, tailgate, tailgate handle, roof, hinges where originally installed, floor pans, or any part originally designed by the manufacturer.
- b. Body parts may be dented or scratched but no part of the body shall have any broken part, sharp edges, or any abnormal protrusions extending beyond the vehicle's original design. Molding strips attached to the vehicle to prevent dents need not be present if sharp edges are not exposed after the removal.
- c. There shall be no obstruction forward of the windshield which extends more than three (3) inches upward into the horizontally forward projected vision area of the windshield except for the windshield wiper components.
- d. Any Hood Scoop installed by the original manufacturer is legal. After-Market (OEM) Hood Scoops may not exceed three (3) inches in height and shall be securely mounted.
- e. Spoilers are permitted when securely mounted to the rear of the vehicle.
- f. Fender flares are permitted but shall not exceed five (5) inches in width.
- g. Body mounts shall be securely mounted and free of defects.
- h. No part of the body shall have metal that is rusted completely through. Surface rust is not cause for rejection.
  1. Rust holes that extend from the outside through the entire panel to the inside must be repaired with body filler or skins designed for the vehicle. Skins may be riveted, welded, or glued with an adhesive that meets Industry Standards.
  2. Rust holes in frame and/or undercarriage must be repaired or replaced using a weld to correct the deficiency.
  3. Skins used to repair floorboards/pans shall be welded.
  4. Repairs need not be painted or sanded.
  5. The use of spray insulation and/or tape of any type are prohibited.

**Inspect and reject if:**

1. Any part the vehicle body is not present.
2. Any part of the vehicle body does not function as originally designed by the manufacturer.
3. Any broken parts, sharp edges, or any abnormal protrusions extending beyond the vehicles original design.
4. Any metal part of the vehicle is rusted completely through.
5. Fender flare exceeding five (5) inches in width.
6. Any violation of any requirement in this Section.

**9.17 Bumpers. 49 CFR 581. WV CODE 17C-15-48.**

Bumpers must be present and function as designed by the original manufacturer. Aftermarket (OEM) bumpers are permitted if they meet or exceed the original manufacturer design specifications.

- a. Bumpers must be securely mounted to the vehicle frame /chassis.
- b. Bumpers shall not be broken, have sharp edges, rust holes, or protrude beyond the vehicles original design.
- c. Bumpers must be at least three (3) inches in vertical height.
- d. Bumpers shall be centered on the centerline of the vehicle and extend horizontally no less than the wheel track distance.  
**Note:** This applies only to vehicles delivered from the factory without modifications.
- e. For vehicles with a Gross Vehicle Weight Rating (GVWR) of ten thousand (10,000) pounds or less the height of the bumpers shall be no less than six (6) inches and no more than thirty-one (31) in height from ground.
- f. Any vehicle with a Gross Vehicle Weight Rating (GVWR) of ten thousand (10,000) pounds or less that has been raised or lowered in altitude from the original manufacture's specifications must undergo a Modified Inspection.
- g. Altering, modifying, or otherwise moving the original bumper mounting to the frame is prohibited.
- h. Wooden bumpers are prohibited.
- i. Roll pans installed by the original manufacturer are permitted.

**Inspect and Reject if:**

1. If bumpers are not securely mounted to the frame.
2. Bumper is broken, has sharp edges, rust holes or protrudes beyond the vehicles original design.
3. Bumper less than three (3) inches in vertical height.
4. Bumper not centered on the vehicle.
5. Bumper does not extend the wheel track distance.
6. Bumper less than six (6) inches from ground or higher than thirty-one (31) inches from ground.
7. Original bumper mounting has been altered or modified.
8. The vehicle is equipped with wooden bumpers.
9. Any violation of any requirement in this Section.

**9.18 Frame/Chassis. FMVSS 102, 124**

All parts of the vehicles frame and chassis, installed by the original manufacturer, must be present, and function, as designed by the manufacturer. No part of the frame shall be cracked, broken, rusted through, bent, buckled, or have poor quality welds.

- a. No more than two (2) frame repairs are permitted.
- b. All repairs must be performed in a professional manner.
- c. All parts of the vehicles power train shall be present and function as designed by the original manufacturer; OEM replacement parts that meet or exceed the original manufacturers specifications are permitted.  
**Exception:** It is permitted to configure a four-wheel drive vehicle to operate in two-wheel drive only.
- d. If required for the year of manufacture, the vehicles transmission shift position sequence, starter interlock, and transmission braking effect, shall function as designed and in conformance with FMVSS 102.
- e. If required for the year of manufacture, the vehicle starter shall not operate with the gear selector in any gear other than “Park” and “Neutral”.
- f. Accelerator Control Systems (ACS) shall be present and function as designed by the manufacturer and meet the specifications of FMVSS 124.

**Inspect and Reject if:**

1. More than two (2) repairs are made.
2. Parts of the frame have been removed.
3. Frame is not in solid condition i.e., cracked, broken, rusted through, bent, or buckled.
4. Motor mounts are broken, cracked, or missing.
5. Any violation of any requirement in this Section.

**9.19 Exhaust Systems and Emission Control Components (ECC), 42 USC 7522**

All motor vehicles shall be equipped with an Exhaust System, installed by the original manufacturer, or an aftermarket (OEM) replacement that meets or exceeds the original manufacturer's specifications. All parts of the exhaust system shall be present at the time of Inspection and function as originally designed by the manufacturer.

**Removal or alteration of any catalytic converter or any other part of the Emission Control Components (ECC) is a violation of Federal Law.**

- a. The exhaust system shall be constructed and maintained to prevent engine exhaust gases from penetrating and collecting in any part of the vehicle occupied by the driver and/or passenger(s).
- b. No part of the exhaust system is permitted in the occupant compartment or trunk.
- c. The exhaust system shall be securely attached to the vehicle as originally designed by the manufacturer.
- d. The muffler may not be altered from its original design and specifications.
- e. Welding of exhaust components are permitted where the components were originally welded by the manufacturer.
- f. Aftermarket (OEM) headers and tail pipes are permitted if they are equipped with a muffler that meets or exceeds the original manufacturer's specifications, equipped with all Emission Control Components (ECC) required for the vehicle year, and equipped with a heat shield.
- g. The exhaust system shall extend and discharge to an outside edge of the vehicle body, including a truck bed as originally designed.

- h. Aftermarket exhaust systems for Diesel engines designed to have the exhaust pipe(s) exit through a truck bed behind the truck cab are permitted if:
  - 1. They are equipped with a muffler that meets or exceeds the original manufacturer's specifications.
  - 2. Equipped with all Emission Control Components (ECC) required for the vehicle year.
  - 3. The end(s) of the exhaust pipe are higher than the top of the truck cab.
  - 4. If required for proper installation, the exhaust pipe(s) may be welded together at the joints.
  - 5. Exhaust System Clamps may be used.
  - 6. No more than two (2) exhaust pipes may be installed.
- i. No part of an exhaust system shall have any loose or leaking joints, holes, missing parts, or patches on the muffler.

**Inspect and Reject if:**

- 1. Any part of the exhaust system is present in the occupant compartment or trunk.
- 2. Vehicle is not equipped with an exhaust system originally installed by the manufacturer, or aftermarket replacement (OEM) that meets or exceed the original manufacturer's specifications.
- 3. Any part of the Emission Control Components (ECC) is defective or has been removed.
- 4. Any part of the Exhaust system is not securely mounted.
- 5. Muffler has been altered from its original design.
- 6. The exhaust system does not extend and discharge to an outside edge of the vehicle body, including a truck bed, or as originally designed.
- 7. Loose and/or leaking joints.
- 8. Any violation of any requirement in this Section.

**9.20 Suspension. FMVSS 126.**

All suspension components shall be present and assembled to function as designed by the original manufacturer, or an aftermarket (OEM) replacement that meets or exceeds the original manufacturer's specifications may be used. For this section, suspension components shall include, but not be limited to, any axle, upper and lower control arms, wheel bearings, ball joints, kingpins, leaf springs, coil springs, air or torsion bar springs, spring hangers and shackles, U-bolts, radius arms, any struts, torque rods, stabilizer bars, tracking bars, all bushings, shock absorbers, washers and attaching components including the frame and cross members.

- a. A vehicle that has had the suspension components altered to raise or lower

the vehicle must undergo a Modified Inspection.

- b. No suspension or chassis component shall be below the Scrub Line.
- c. All parts shall be securely mounted as originally designed.
- d. All parts shall be free of severe or excessive leaks. This does not include normal lubrication.
- e. The complete or partial removal of any suspension components installed by the original manufacturer to install a Hydraulic Suspension System, commonly called a Low Rider Suspension, or the Carolina Squat is prohibited.
- f. If required for the year of manufacture the Electronic Stability Control System (ESC) shall be present and function as designed by the manufacturer and in compliance with FMVSS 126.

**Inspect and Reject if:**

- 1. Vehicle height is not within the original manufacturer's specifications.
- 2. Springs or torsion bars are broken.
- 3. Shackles or U-bolts worn or loose.
- 4. Air springs are collapsed.
- 5. Front and rear wheels do not track in the same path.
- 6. Any weld on a coil spring.
- 7. Vehicle continues free rocking motion after release.
- 8. Severe or excessive leakage on any shock or strut.
- 9. Any mounting bolt that is loose or broken.
- 10. Any part of the original suspension components is missing, broken, or severely leaking.
- 11. Any movement of the suspension components that is more than the original manufactures' specifications.
- 12. Any violation of any requirement of this Section.

**9.21 Tires and Wheels. FMVSS 109,117,138, 139. 49 CFR 574.**

**WV CODE 17C-15-37 (c).**

All tires presented for Inspection shall be marked and labeled as required by the Code of Federal Regulations; 49 CFR 574 (i.e., DOT approved). Tires marked or labeled "For Farm Use Only", "Off-Highway Use Only", or "For Racing Only" or similar marking is prohibited.

**Note:** For Special Purpose Vehicles (SPV), see section 15.12 for tire requirements.

- a. Radial Ply tires shall not be used on the same axle with a bias or belted tire.

- b. Tires of different types, such as one snow tire and one regular tire, or bias, belted, or radial tire, shall not be used on the same axle.
- c. Tires and wheels must be of the same size on the same axle.
- d. Tires and/or wheels smaller in size than the original manufacturer's specifications are prohibited.
- e. A vehicle may have tires two (2) sizes larger than the original manufacturer specifications. Any larger than two (2) sizes require a Modified Inspection.
- f. Any vehicle that has tires three (3) sizes larger than the original manufacturer specifications shall undergo a Modified Inspection, if the GVWR of the vehicle is 10,000 lbs. or less.
- g. Any change in the original tires and wheels, or optional (after market) tires and wheels, or any combination of tires and wheels that raise or lower the altitude of the vehicle from the original manufacturers' specifications, shall undergo a Modified Inspection if the GVWR of the vehicle is 10,000 lbs. or less.
- h. The outermost edge of the tread area can extend laterally beyond the wheel enclosure including flared fender openings when viewed from above.
- i. The maximum width of fender flares is five (5) inches as measured from the outside edge of the original fender to the outermost edge of the flare.
- j. Studded tires are permitted between November 1<sup>st</sup> and April 15<sup>th</sup>.
- k. Wheels shall be in a safe operating condition and all parts used for attachment of the wheel shall be present, and function, as originally designed.
- l. The axles of a vehicle presented for Inspection shall be equipped with the number and type of tires and wheels with a load rating equal to or higher than the original manufacturers specifications.
- m. Valve stems shall be free of cracks, leaks, or chaffing.
- n. Valve stems shall be easily accessible.
- o. Tire tread shall not be less than 2mm at two (2) adjacent grooves at three (3) different locations around the tire.

- p. Tread Wear Indicators shall not contact the road in any two (2) adjacent grooves at three (3) equally spaced locations.
- q. Vehicles with a Gross Vehicle Weight Rating (GVWR) of more than 10,001 lbs. and subject to the Federal Motor Carrier Regulations shall have a tire tread depth not less than 4/32 on the steering axles.

**Inspect and Reject if:**

1. Wheel bolts, nuts, studs, or lugs are loose, missing, or damaged.
2. Any part of the wheel is bent, cracked, welded, or damaged.
3. The wheel has elongated bolt holes.
4. The rear wheel(s) do not track with the front wheel(s).
5. Valve stems are defective or inaccessible.
6. Tires are marked "For Farm Use Only", "Off-Highway Use Only", "For Racing Only".
7. Tires not the same size on the same axle.
8. Tire is worn so that the tread wear indicators contact the road in any two (2) adjacent grooves at three (3) equally spaced locations.
9. A tire has two (2) adjacent grooves with less than 2mm tread remaining at any point.
10. A tire has been re-grooved or re-cut below original groove depth.
11. Tires not of same type or construction.
12. The vehicles tire sizes and/or altitude has been changed from the original manufacturer's specifications and requires a Modified Inspection.
13. Tire tread extends laterally beyond the wheel enclosure.
14. A temporary patch is being used on a tire.
15. Tire has visible bumps, bulges, cuts, exposed cords, or is rotted.
16. A space saver emergency spare tire, intended for temporary use, is installed on any axle.
17. Studded tires present when prohibited.
18. Any violation of any requirement of this Section.

**9.22 Brakes- FMVSS 105,106, 135. WV CODE 17C-15-31.**

When presented for Inspection, the vehicle shall be equipped with the Service Brake System installed by the original manufacturer, or aftermarket (OEM) replacement parts that meets or exceeds the original manufacturer's specifications for the year of the vehicle. All Brake Systems shall function as designed by the original manufacturer.

All motor vehicles shall be equipped with a Service Brake System acting on all wheels. Wear of the Service Brake must be compensated for by means of a system of automatic adjustment.

- a. At least two (2) brakes, one from each axle, must be examined by removing the wheels on vehicles having mileage more than 10,000 miles.
- b. Brake System indicator lamps shall be tested for illumination.
- c. The brake pedal shall be free of any obstructions, and Inspected for pedal travel, fading, excessive friction in linkage or components, wear, or misalignment.
- d. Brake drums and rotors shall be Inspected for mechanical damage, missing parts, cracks, leaks, excessive drag, and contamination from fluids or rust. All parts must be present and function as designed by the original manufacturer.
- e. The Master Cylinder, hydraulic hoses, and/or tubing shall be Inspected for leaks, restrictions, proper mounting, and securing.
- f. Brake pads shall be 2mm or greater on bonded linings at the thinnest point.
- g. Brake pads shall be 2mm or greater on riveted linings and shall be measured above the rivet head at the thinnest point.
- h. Brake pads shall make equal contact with the drum or rotor and shall be free of contamination from fluids or rust.
- i. The Parking Brake System shall be Inspected for hold and release and is required to maintain the vehicle in a stationary position.
- j. The use of compression fittings to repair brake lines is prohibited.

**Inspect and reject if:**

1. The Brake System failure indicator light does not illuminate.
2. The Brake System failure indicator light remains illuminated after the engine is started and the parking brake is released. **Except for anti-lock Systems.**
3. Brake pedal falls away under pressure and/or contacts some object that prohibits brake travel.
4. Master cylinder leaks.
5. Master cylinder fluid level is below the minimum level indicated by the manufacturer.
6. Any part of the Master cylinder is defective.
7. Fluid is leaking from the wheel cylinder or if any of the parts are damaged, loose, missing, or improperly retained.
8. Fluid is leaking from the caliper assembly, or if the parts are damaged, improperly retained or missing.

9. Hoses or tubing leak, or are cracked, chafed, flattened, restricted, insecurely fastened, or improperly retained.
10. Rotor is broken, or has cracks on the friction surface, or evidence of mechanical damage.
11. Rotor is contaminated with grease, oil, or brake fluid.
12. Rotor thickness is equal to or less than the original manufacturer's specifications.
13. Brake drum has cracks on friction surface extending to the open edge or on the outside of the drum mounting area.
14. Brake drum displays evidence of mechanical damage, or the friction area is contaminated with grease, oil, or brake fluid.
15. Diameter of a Brake drum is equal to or greater than the maximum diameter the original manufacturer's specifications.
16. Bonded brake linings/pads are less than 2mm at thinnest point.
17. Riveted linings/pads are less than 2mm above the rivet head at the thinnest point.
18. Wear sensor is contacting the drum or rotor.
19. Brake lining/pad is broken, not firmly attached, contaminated with oil, grease, or brake fluid.
20. Brake lining/pad is uneven, or not making full contact with rotor or drum.
21. Parking brake will not hold the vehicle in a stationary position.
22. Parking Brake System has worn or missing parts, frozen cables, and/or does not function as originally designed.
23. Compression fittings have been used on brake lines.
24. Any violation of any requirement of this Section.

### **9.23 Fuel Systems. FMVSS 301.**

- a. All Fuel System Components shall be present and assembled to function as designed by the original manufacturer or an after-market (OEM) replacement may be used that meets or exceeds the original manufacturer specifications.
- b. Inspection of the Fuel System Components shall include, but not be limited to, fuel tank, fuel tank support straps, filler tube, tube clamps, fuel tank vent hoses or tubes, filler housing drain, overflow tubes, filler cap, fuel system supply, return vent lines, and fuel rail assembly, including injectors.

#### **Inspect and reject if:**

1. Any part of the system is not securely fastened.
2. Vapor or fuel leakage
3. Fuel tank filler cap missing.
4. Fuel hoses or tubing are in contact with moving components.
5. Fuel hoses and/or tubing are improperly routed.

6. Fuel tank, hoses, or tubing do not meet original manufacturer's specifications.
7. Any violation of any requirement of this Section.

## SECTION 10

### MOTORCYCLES, AUTOCYCLES AND MOTOR DRIVEN CYCLES. AS DEFINED WV CODE 17C-1-4, 17C-1-5.

**For this purpose of this Section when the term Motorcycle is used it shall include Motor-Driven Cycle and Autocycles.**

#### **10.1 Verify Proof of Ownership and Certificate of Insurance.**

- a. Refer to Section 9.1 for Proof of Ownership and Certificate of Insurance requirements.

#### **10.2 Registration Plate Mounting. WV Code 17A-3-15, 17C-15-5(c)**

Inspect the Class G registration plate to see that it is securely mounted, clean, clearly visible, and that the registration decal is affixed. Protective covers are permitted; tinted covers are prohibited.

- a. Standard Class G registration plates shall be mounted in a horizontal position.
- b. Specially designed Class G vertical registration plates shall be mounted in a vertical position.
- c. Registration plates shall be attached to the rear of the motorcycle at a height of not less than twelve (12) inches from the ground, measuring from the bottom of the plate.

#### **Inspect and reject if:**

1. The plate is hanging loosely or is mounted less than twelve (12) inches from the ground.
2. The plate is not attached to the rear of the motorcycle.
3. A tinted cover is present.
4. The plate has been damaged and/or worn to a degree that printing on the plate is not clearly legible.
5. A license plate frame obscures any identification information listed on the plate.
6. A lighted license plate frame is present.
7. Any emblem, decals, stickers, **other than the validation decal**, is affixed to any portion of the plate or cover.
8. The license plate light does not illuminate the plate or is not securely fastened to the motorcycle.
9. Any violation of any requirement of this Section.

**10.3 Windshields or Windscreens. FMVSS 205, ANSI,  
WV Code 17C-15-44 (b).**

If any motorcycle or motor-driven cycle is equipped with a windshield or windscreen, the windshield or windscreen shall be constructed of safety, shatter-resistant material that complies with the performance specifications established by FMVSS 205, and American National Standards Institute, Safety Glazing Materials for Glazing Motor Vehicles Operated on Land Highways, Standard Z 26.1. The motorcycle or motor-driven cycle shall be **rejected** if the windshield or windscreen fails to meet or exceed the established performance standards.

**10.4 Mirrors- FMVSS 111. WV CODE 17C-15-44 (e)**

Motorcycles shall be equipped with a rear-view mirror, or mirrors that shall be adjustable by tilting in both the horizontal and vertical directions. Mirror(s) shall be securely mounted in its originally designed location and provide an unobstructed view to the rear for a distance of 200 feet.

**Inspect and reject if:**

1. The mirror(s) is not securely mounted.
2. A mirror is cracked, pitted, or discolored.
3. A mirror does not provide a clear view to the rear for a distance of 200 feet.
4. A mirror is missing.
5. Mirrors originally equipped by the manufacturer not present. OEM replacements are permitted.
6. A mirror can not be adjusted.
7. Any violation of any requirement of this Section.

**10.5 Horn WV CODE 17C-15-33**

Motorcycles shall be equipped with a horn in good working order and audible from a distance not less than 200 feet. No horn or warning device shall emit an unreasonably loud or harsh sound or whistle.

- a. Authorized emergency motorcycles (i.e., Police) may be equipped with a siren.
- b. OEM replacement horns are permitted if it meets or exceeds original manufacturer's specifications.

**Inspect and reject if:**

1. The motorcycle is equipped with a siren and is not a Police motorcycle.
2. Horn does not meet or exceed original manufacturer's specifications.
3. Horn is not securely mounted.
4. Horn does not work.
5. Motorcycle is not equipped with a horn.
6. Horn emits unreasonably loud or harsh sound or whistle.
7. Any violation of any requirement of this Section.

**10.6 Speedometers**

Speedometers will be inspected. The motorcycle shall be **rejected** if the Speedometer does not indicate the speed of the motorcycle.

**10.7 Odometers**

Odometers will be inspected. The motorcycle shall be **rejected** if the odometer does not function as originally designed.

**Exception:** If the motorcycle is 10 years or older the odometer is not required to function.

**10.8 Occupant Restraint System- Side Cars. FMVSS 209.**

**WV CODE 17C-15-44 (d).**

If a motorcycle has an attached sidecar at the time of Inspection, the sidecar shall have a seatbelt that meets the requirements of FMVSS 209; Seatbelt Assemblies. Any motorcycle/sidecar combination will be **rejected** if the seatbelt is not properly mounted and in working condition, or not in compliance established standards of FMVSS 209.

**10.9 Motorcycle Controls and Displays. FMVSS 122-123.**

Controls and displays of indicators and/or warning lights shall be present, securely mounted, and function as originally designed by the manufacturer. Indicators and/or warning lights shall be illuminated when the headlights are activated if originally designed by the manufacturer to do so.

All Failure Indicator Lamps and Warning Lamps shall activate when the ignition switch is turned on.

**Inspect and reject if:**

1. Indicators and/or warning lights do not illuminate when the head light is activated.
2. The high beam indicator does not function as originally designed.
3. Turn signal indicators do not function as originally designed.
4. Switches or controls are missing or malfunctioning.
5. Any violation of any requirement of this Section.

**10.10 Lighting and Electrical Systems FMVSS 108. WV Code 17C-15-5, 17C-15-4 (b), 17C-15-23.**

All original equipment lights and reflectors must be present and meet or exceed the original manufacturer's specifications and/or be of an equivalent type to be approved for a Certificate of Inspection. When activated, all lighting must function as originally designed.

Headlamps shall be approved for highway use and meet the requirements of the Federal Motor Vehicle Safety Standards.

A motorcycle may have no more than two (2) headlamps and shall be no more than 54 inches in height nor less than 24 inches from level ground.

A motorcycle may be equipped with auxiliary lighting that are amber and white in color, standard bulb running lights, light-emitting diode pods, and strips that are non-blinking, non-flashing, and non-oscillating. Auxiliary lighting shall be directed toward the engine and drive train.

- a. Any lighting installed by the original manufacturer is legal.
- b. Lights and reflectors must be mounted at the positions and/or locations as designed by the original manufacturer.
- c. All original equipment headlamps must be aimed and adjusted to the original manufacturer's specifications.
- d. All lights and reflectors shall be of the same color as designed and installed by the original manufacturer.
- e. All switches must be in safe operating condition, and function as originally designed by the manufacturer.
- f. All wiring must be present, in safe operating condition, and meet or exceed original manufacturer's specifications.

- g. Any device placed in front of, or over any lighting or reflector that alters the illumination of the light or reflector and interferes with the operation of the light or reflector, is prohibited.
- h. Registration plates shall be illuminated with a white light.
- i. Motorcycles manufactured after January 1, 1973, shall be equipped with turn signals.
- j. If the motorcycle is equipped with LED lighting, 75% of the LEDs must function as originally designed at time of Inspection.

**Inspect and reject if:**

- 1. Any required lighting is missing, not mounted securely, or not functioning as originally designed.
- 2. Any required lighting lens is cracked or broken and prevents proper illumination and proper color.
- 3. Any required reflector is missing, not mounted securely, or not functioning as originally designed.
- 4. The motorcycle has other than white, red, or amber lighting to the rear. **Except Police Motorcycles.**
- 5. The motorcycle has other than white or amber lighting to the front. **Except Police Motorcycles.**
- 6. A device, not installed by the original manufacturer, is installed, and prohibits the light or reflector to function as originally designed.
- 7. Any LED lighting system has less than 75% of the LEDs functioning.
- 8. Defective switches or wiring.
- 9. Not approved type.
- 10. Any type of flashing advertising sign.
- 11. Any violation of any requirement in this Section.

**10.11 Frame/Chassis**

All parts of the motorcycle frame, installed by the original manufacturer, must be present, and function as designed by the manufacturer. No part of the frame shall be cracked, broken, rusted through, bent, buckled, or have poor quality welds.

- a. No more than two (2) frame repairs are permitted.
- b. All repairs must be performed in a professional manner.

- c. All parts of the motorcycles power train shall be present, and function as designed by the original manufacturer; OEM replacement parts that meet or exceed the original manufacturer's specifications are permitted.
- d. Handlebars shall be securely mounted.
- e. Handlebars or grips shall not be more than fifteen (15) inches higher than the uppermost part of the operator's seat when the seat is not depressed in any manner. WV Code 17C-15-44 (c).  
**Exception:** Any handlebar or grip installed by the original manufacturer is legal regardless of height.

**Inspect and reject if:**

- 1. More than two (2) repairs are made.
- 2. Parts of the frame have been removed.
- 3. Frame is not in solid condition.
- 4. Frame is cracked, broken, rusted through, bent, or buckled.
- 5. Motor mounts are broken, cracked, or missing.
- 6. Aftermarket handlebars or grips exceed 15 inches higher than the uppermost part of the operator's seat when the seat is not depressed.
- 7. Any violation of any requirement of this Section.

**10.12 Muffler and Exhaust System. WV Code 17C-15-34**

All Motorcycles shall be equipped with an Exhaust System, installed by the original manufacturer, or an aftermarket OEM replacement, that meets or exceeds the original manufacturer's specifications. All parts of the exhaust system shall be present at the time of Inspection, and function as originally designed by the manufacturer. The muffler is part of the Exhaust System.

Emission Control Components (ECC) are part of the Exhaust System. If required for the year of manufacture, all motorcycles shall be equipped with the Emission Control Components (ECC) installed by the original manufacturer, or an aftermarket (OEM) replacement that meets or exceeds the original manufacturer's specifications. All parts of the Emission Control Components (ECC) shall be present at the time of Inspection, and function as originally designed by the manufacturer. **Removal or alteration of any catalytic converter or any other part of the Emission Control Components (ECC) is a violation of Federal Law.**

- a. The exhaust system shall be securely attached to the frame as originally designed by the manufacturer.

- b. The muffler may not be altered from its original design and specifications.
- c. No part of an exhaust system shall have any loose or leaking joints, holes, missing parts, or patches on the muffler.

**Inspect and reject if:**

- 1. The motorcycle is not equipped with an exhaust system originally installed by the manufacturer or aftermarket replacement (OEM) that meets or exceeds the original manufacturer's specifications.
- 2. Any part of the exhaust system is not securely mounted.
- 3. Muffler has been altered from its original design.
- 4. Loose and/or leaking joints.
- 5. Any violation of any requirement in this section.

**10.13 Suspension**

All suspension components shall be present and assembled to function as designed by the original manufacturer, or an aftermarket (OEM) replacement that meets or exceeds the original manufacturer's specifications may be used.

- a. Front and rear shock absorbers shall be securely mounted and free of leakage.
- b. Welding of coil springs is prohibited.

**Inspect and reject if:**

- 1. Coil springs are broken.
- 2. Any weld on a coil spring.
- 3. Shock absorber is leaking.
- 4. Any part of the suspension that is not securely mounted.
- 5. Any part of the suspension system is missing.
- 6. Any movement of the suspension components that is more than the original manufacturer's specifications.

**10.14 Tires and Wheels. FMVSS 119-120, 49 CFR 574.**

All tires presented for inspection shall be marked and labeled as required by the Code of Federal Regulations; 49 CFR 574. Tires marked or labeled "Off-Highway Use Only", "For Racing Only", or similar marking is prohibited.

- a. Tires and wheels shall meet or exceed original manufacturer's specifications.
- b. Tires and/or wheels smaller than the original manufactures specifications are prohibited.
- c. Wheels shall be in a safe operating condition and all parts used for attachment of the wheel shall be present and function as originally designed.
- d. Tire tread shall not be less than 2mm.
- e. All spokes shall be secured, and function as originally designed.

**Inspect and reject if:**

- 1. Tire tread is worn to less than 2mm.
- 2. Tires are not of a size recommended by the original manufacturer.
- 3. Any part of the wheel is bent, cracked, welded, or damaged.
- 4. Valve stems are defective.
- 5. Tires are marked "Off-Highway Use Only" or "For Racing Only".
- 6. Tire has visible bump, bulges, cuts, exposed cords, or is rotted.
- 7. Spokes are not securely mounted, are damaged, or do not function as originally designed.
- 8. Any violation of any requirement of this section.

**10.15 Brakes FMVSS 105,116,122. WV Code 17C-15-32**

When presented for Inspection, the Motorcycle shall be equipped with a Split Service Brake System installed by the original manufacturer, or aftermarket (OEM) replacement parts that meets or exceeds the original manufacturer's specifications for the year of the motorcycle.

- a. Brake System indicator lamps shall be tested for illumination.
- b. The Brake System shall be Inspected for missing parts, cracks, leaks, or contamination from fluids or rust. All parts must be present, and function as designed by the original manufacturer.
- c. The Master Cylinder, hose, tubing, and cables shall be Inspected for leaks, restrictions, and proper mounting and securing.
- d. Brake pads shall not be less than 2mm.

**Inspect and reject if:**

1. Brake System failure Indicator light does not activate when ignition is turned on.
2. Master Cylinder leaks or is defective.
3. Hoses, tubing, or cables cracked, chafed, flattened, restricted, insecurely fastened, or improperly retained.
4. Brake pad less than 2mm.
5. Any violation of any requirement of this Section.

## **SECTION 11**

### **TRAILERS, SEMITRAILERS AND POLE TRAILER AS DEFINED WV CODE 17C-1-15, 17C-1-16 AND 17C-1-17**

**For this Section, when the term Trailer is used, it shall include  
Semitrailer and Pole Trailer.**

#### **11.1 Verify Proof of Ownership and Certificate of Insurance.**

Refer to Section 9.1 for Proof of Ownership and Certificate of Insurance Requirements.

#### **11.2 Registration Plate Mounting. WV CODE 17A-3-15.**

Refer to Section 9.2 for Registration Plate mounting.

#### **11.3 Lighting and Electrical Systems FMVSS 108. WV CODE 17C-15-5, 17C-15-9, 17C-15-10. FMCSR 393.13.**

All original equipment lights and reflectors (i.e., front, rear, sides and top) must be present and meet or exceed the original manufacturer's specifications (OEM), and/or be of equivalent type to be approved for a Certificate of Inspection. When activated all lighting must function as originally designed.

- a. Any lighting or reflector installed by the original manufacturer is legal.
- b. Lights and reflectors must be mounted at the positions and/or locations as designed by the original manufacturer.
- c. All trailers, except pole trailers, with a GVWR greater than 10,000 lbs. and a width of eighty (80) inches or more shall be equipped with retroreflective sheeting in compliance with 49 CFR 571.108.
- d. If the trailer is equipped with LED lighting, 75% of the LEDs must function as originally designed at the time of Inspection.
- e. All lights and reflectors shall be of the same color as designed and installed by the original manufacturer.
- f. All wiring must be present and in safe operating condition and meet or exceed original manufacturer's specifications.
- g. No more than two (2) white backup lights are permitted on the rear of the trailer. Backup lights may operate separately or in combination with

other rear lights but shall not be lighted when the trailer is in forward motion.

- h. Any device placed over any light or reflector that alters the illumination of the light or reflector and interferes with the operation of the light or reflector is prohibited.
- i. Ornamental lighting is prohibited.

**Inspect and reject if:**

- 1. Any required lighting is missing, not mounted securely or not functioning as originally designed.
- 2. Any required lighting lens is cracked or broken and prevents proper illumination or proper color.
- 3. Any required reflector and/or retroreflective sheeting is missing, not securely mounted, or not functioning as originally designed.
- 4. Any LED lighting system has less than 75% of the LEDs functioning.
- 5. White light located on the rear of the trailer activates while the trailer is moving forward.
- 6. The trailer has other than white, red, or amber lighting to the rear.
- 7. A device, not installed by the original manufacturer, is installed, and prohibits the light or reflector from functioning as originally designed.
- 8. Defective wiring or poor connections.
- 9. Not of the approved type.
- 10. Ornamental lighting is present.
- 11. Any violation of any requirement in this Section

**11.4 Trailer Body**

All body parts of the trailer shall be present and assembled to function as designed by the original manufacturer; for the year the trailer was manufactured.

- a. Body parts shall include, but not be limited to, van and open-top trailer bodies, doors, door handles, locks, hinges, floor, sideboards, header boards, end boards, fenders or any part originally designed by the manufacturer.
- b. Body parts may be dented or scratched but no part of the body shall have any broken part, sharp edges, or any abnormal protrusions extending beyond the trailers original design.
- c. Body mounts shall be securely mounted to the frame.

- d. No part of the body shall have metal that is completely rusted through. Surface rust is not cause for rejection.
  1. Rust holes may be repaired with body filler or skins designed for the trailer. Skins may be riveted, welded, or glued with an adhesive that meets Industry Standards.
  2. Repairs need not be painted or sanded.
  3. The use of spray insulation and/or tape of any type is prohibited.
  4. All repairs shall be performed in a professional manner.

**Inspect and Reject if:**

1. Any part of the trailer body is not present.
2. Any part of the trailer body does not function as originally designed by the manufacturer.
3. Any broken parts, sharp edges, or abnormal protrusions extending beyond the trailers original design.
4. Floor is rusted through or missing parts.
5. Floor is weak and may not support cargo.
6. Any metal part of the trailer body is rusted completely through.
7. Fenders missing when originally equipped.
8. Any violation of any requirement of this Section.

**11.5 Frame. FMVSS 223,224.**

All parts of the trailer frame, installed by the original manufacturer, must be present, and function as designed by the manufacturer. No part of the frame shall be cracked, broken, rusted through, bent, buckled, or have poor quality welds. Cross members are considered part of the frame.

- a. Sliding sub frames, used to reposition the rear axles, shall function as originally designed by the manufacturer.
- b. If originally equipped the landing gear shall be present and function as originally designed.
- c. If originally equipped, the Fifth Wheel upper coupler assembly shall have the Weight Bearing Plate and Kingpin attached to the trailer, and all parts shall function as originally designed.
- d. All trailers, except pole trailers, with a GVWR of 10,000 lbs. or more, shall have a Rear Protection Device or Rear Impact Guards.
- e. Frame repairs are permitted, except where prohibited, by the original manufacturer.

- f. Rust holes in frame must be repaired or replaced using a weld to correct the deficiency.
- g. All repairs must be performed in a professional manner.

**Inspect and Reject if:**

1. Improper or defective repairs. Welding performed does not meet Industry Standards.
2. Parts of the frame have been removed.
3. Frame is not in solid condition.
4. Frame is cracked, broken, rusted through, bent, or buckled.
5. The locking mechanism on the sliding sub frame is defective.
6. Landing gear parts are broken or missing, and/or the gear is not operating properly.
7. The kingpin has excessive wear or is defective.
8. There are cracks in the contact area on the Fifth Wheel upper coupler assembly, or parts are missing or defective.
9. The Rear Protection Device is missing or does not meet the original manufacturer's specifications.
10. The trailer was originally equipped with a bumper, and it is badly displaced, not securely mounted, broken, or torn, or missing.
11. Any violation of any requirement of this Section.

**11.6 Suspension**

All suspension components shall be present and assembled to function as designed by the original manufacture, or an aftermarket (OEM) replacement part that meets or exceeds the original manufacturer's specifications may be used. For this section, suspension components shall include, but not be limited to, any axle, leaf springs, coil springs, shackles, bushings, "U" bolts, spring center bolts, shock absorbers, air suspension, washers and attaching components, spindles, and wheel bearings.

- a. All parts shall be present and securely mounted.
- b. All parts shall function as originally designed.
- c. All parts shall be free of leaks.

**Inspect and Reject if:**

1. Coil springs are broken.
2. Any leaf spring is broken.
3. Shackles or “U” bolts worn or loose.
4. Air suspension has audible leak or does not function as originally designed.
5. Any weld on a coil spring.
6. Leakage on shock absorber.
7. Any mounting bolt that is loose or broken.
8. Any part of the original suspension components is missing, broken, or leaking.
9. Any movement of the suspension components is more than the original manufacturer’s specifications.
10. Defective spindles and/or wheel bearings.
11. Any violation of any requirement of this Section.

**11.7 Tires and Wheels. FMVSS 119, 49 CFR 574.**

All tires presented for Inspection shall be marked and labeled as required by the Code of Federal Regulations; 49 CFR 574 (i.e., DOT approved). Tires marked or labeled “For Farm Use Only”, “Off-Highway Use Only”, or “For Racing Only”, or similar marking is prohibited.

- a. Radial Ply tires shall not be used on the same axle with a bias or belted tire.
- b. Tires and wheels must be of same size on same axle.
- c. Tires shall not be re-grooved or re-cut below the original groove depth.
- d. Tires and/or wheels smaller in size than the original manufacturer’s specifications are prohibited.
- e. Any configuration of Trailer Tires shall not exceed ¼ inch of the other.
- f. The outermost edge of the tread area shall not extend laterally beyond the wheel enclosure, the body line of the trailer, or fender, if so equipped, when viewed from above.
- g. Tires shall not make contact with the body or chassis of the trailer.
- h. Wheels shall be in safe operating condition, and all parts used for the attachment of the wheels shall be present and function as originally designed.

- i. Tire tread shall not be less than 2mm at two (2) adjacent grooves. Tire tread wear indicators shall not contact the road in any two (2) adjacent grooves at three (3) equally spaced locations.
- j. Valve stems shall be free of cracks, leaks, or chaffing, and shall be easily accessible.
- k. The trailer wheel tracking shall follow the towing vehicles wheel track.

**Inspect and Reject for:**

- 1. Tires not of the same type or construction.
- 2. Tires not the same size on the same axle.
- 3. Tires re-grooved or re-cut below the original groove depth.
- 4. Tires and/or wheels smaller in size than the original manufacturer's specifications.
- 5. The diameter of one of the Trailer Tires exceeds ¼ inch of the other.
- 6. Tires are marked 'For Farm Use Only', "off-Highway Use Only", "For Racing Only", or has any other similar designation.
- 7. The outermost edge of the tread area extends laterally beyond the wheel enclosure, the body line of the trailer, or fender, if so equipped, when viewed from above.
- 8. Tires make contact with the body of the chassis of the trailer.
- 9. Wheel bolts, nuts, studs, or lugs are loose, missing, damaged, or have improper thread engagement.
- 10. Any part of the wheel is bent, cracked, welded, or damaged.
- 11. Tire tread is worn less than 2mm at two (2) adjacent grooves.
- 12. Tire tread indicators contact the road in any two (2) adjacent grooves at three (3) equally spaced locations.
- 13. Tire is worn so that cord is exposed.
- 14. Tire has been repaired with a blow-out patch.
- 15. Any bump, bulge, separation, or rotting present.
- 16. There are other conditions or markings, reasonably believed to render the tire unsafe, for highway use.
- 17. A temporary patch is being used on a tire.
- 18. An axle has missing tires and/or rims.
- 19. The trailer wheel tracking does not follow the towing vehicles wheel track.
- 20. Any violation of any requirement of this Section.

**11.8 Brakes. FMVSS 105, 106,121. WV CODE 17C 15-31.**

Every trailer with a GVW of three thousand (3,000) pounds or more shall be equipped with brakes adequate to control the movement of, and to stop and hold, such vehicle.

Light weight trailers designed to be towed by a passenger vehicle, or light truck with Class A registration, and have a GVW of less than three thousand (3,000) pounds, are not required to have brakes. However, if a lightweight trailer has brakes installed by the original manufacturer, the brakes must be present, and function as originally designed at the time of Inspection and shall meet all the requirements of this Section.

Removal or “pulling” wheels of trailers is not required if the entire brake drum assembly and/or wheel assembly, for trailers without brakes, is visible when the Inspector Mechanic is underneath the trailer, and all parts can be examined. **All brakes shall be Inspected.**

- a. When presented for Inspection, the trailer shall be equipped with the Service Brake System installed by the original manufacturer, or aftermarket (OEM) replacement parts that meets or exceeds the original manufacturer’s specifications, for the year of manufacture of the trailer. The Service Brake System shall be equipped with all parts required by the Federal Motor Vehicle Safety Standards for the year of manufacture.
- b. If originally equipped with Breakaway Brakes, they shall be automatically applied in the instance of an accidental breakaway. Breakaway Brakes must provide a means to maintain application of the brakes on the trailer in such a case for at least fifteen (15) minutes.
- c. When equipped with an Air Brake System, Hydraulic Brake System, Electric Brake System, or Vacuum Brake System, all parts shall be Inspected for mechanical damage, missing parts, cracks, leaks, excessive drag, contamination from fluids or rust, and proper adjustments. Brake linings shall be examined. All parts must be present and function as designed by the original manufacturer.
- d. On trailers equipped with Air Brake Systems, the Inspector Mechanic shall refer to **Appendix B – Service brake Adjustment**, to determine required brake adjustment specifications. All Brakes shall be Inspected.
- e. Cam Brakes: brake lining thickness on Air Brake Systems shall not be less than ¼ inch (6.4mm).
- f. Disk Brakes: brake lining thickness on Air Brake Systems shall not be less than 1/8 inch (3.2mm)
- g. Hydraulic or Electric Brakes: brake lining shall not be less than 2mm.
- h. All air reservoirs shall be securely mounted, free of leaks, and function as originally designed.

- i. All air valves shall be securely mounted, free of leaks, and function as originally designed.
- j. All airline hoses, tubing, and fittings shall be present, securely mounted, and function as designed by the original manufacturer.
- k. Splicing of airlines is prohibited.

**Inspect and Reject if:**

1. A Breakaway Brake system was originally installed by the manufacturer but has been removed.
2. Breakaway Brake System does not function as originally designed.
3. Air pressure loss when brakes released or applied exceed the original manufacture specifications.
4. Drum has cracks on friction surface extending to the open edge or on outside of the drum.
5. There is evidence of mechanical damage other than wear.
6. Drum is contaminated with grease or oil.
7. Diameter of the drum exceeds manufacturer specifications.
8. Any part of the mechanical components is missing, broken, binding, or worn below original manufacturer specifications.
9. Cam Brake lining thickness less than ¼ inch (6.4 mm).
10. Disk Brake lining thickness less than 1/8 inch (3.2 mm).
11. Hydraulic or Electric Brake Systems have lining thickness less than 2mm for disc or drum brakes.
12. Riveted linings are less than 2mm above the rivet head at thinnest point.
13. Bolted linings are less than 5/16 (.8 mm) total thickness at the center of the shoe.
14. Brake lining is broken, not firmly attached to the shoe; or contaminated with oil, grease, or other substance that would affect proper braking operation.
15. Uneven wear.
16. There is brake lining wear that causes the brake cam to be on end or cam has turned over.
17. The air chamber push rod travel exceeds manufacturer specifications. **See Appendix-B**
18. Air reservoirs not securely mounted, free of leaks, or do not function as originally designed.
19. Air valves not securely mounted, free of leaks, or do not function as originally designed.
20. Leaks in airline hoses, tubing, and fittings.
21. Airline hoses, tubing, and/or fittings not securely mounted, missing, or fail to perform as originally designed.

22. Airline hoses or tubing severely chaffed, restricted, crimped, cracked. or broken.
23. Connecting hoses improperly joined.
24. Air hoses spliced together.
25. Any violation of any requirement of this Section.

## SECTION 12

### **MODIFIED VEHICLE INSPECTIONS. WV CODE 17C-15-48(i) and Legislative Rule 81CSR4**

#### **§81-4-1. General.**

1.1. Scope. -- This rule governs and specifies the inspection procedures for vehicles with modified suspension systems.

1.2. Authority. -- W. Va. Code §17C-15-48(i).

1.3. Filing Date. -- May 5, 2023.

1.4. Effective Date. -- May 5, 2023.

1.5. Sunset Provision. -- This rule shall terminate and have no further force or effect on August 1, 2028.

#### **§81-4-2. General Requirements.**

2.1. Any vehicle operated upon a public highway with a gross vehicle weight rating of less than 10,000 pounds which has been altered from the original manufacturer's specifications or configuration by the installation of a suspension lift kit, body lift kit, or tires which are three (3) sizes or more above the maximum size recommended by the manufacturer must undergo a modified vehicle inspection.

2.2. Upon the submission of a completed application, the Superintendent of the West Virginia State Police may grant certified inspection stations the authority to perform modified vehicle inspection in accordance with this section.

2.2.1. To the extent that at least two (2) qualified applicants are available, each county shall have a minimum of two (2) modified vehicle inspection stations.

2.2.2. To the extent that at least a minimum number of qualified applicants are available, each county shall have one (1) modified vehicle inspection state for every four thousand (4,000) registered vehicles within that county.

2.2.2.1. The Superintendent first shall allocate the number of modified vehicle inspection stations based upon the geographic location of the certified inspection stations submitting applications to ensure accessibility of modified vehicle inspection stations throughout a county.

2.2.2.2. If the number of qualified applicants exceeds the number of modified vehicle stations allotted to a particular county, the Superintendent shall grant authority to

perform modified vehicle inspections first based upon geographic location to ensure accessibility of modified vehicle inspection stations throughout the county. The remainder of qualified applicants will be randomly selected by the Superintendent or his/her designee.

2.2.3. In order to be qualified to be a modified vehicle inspection station, a certified inspection station must continue to meet the following minimum standards:

2.2.3.1. The certified inspection station must have been a certified inspection station for the three (3) consecutive years immediately preceding the submission of the application.

2.2.3.2. The certified inspection station must not have been suspended by the West Virginia State Police from performing inspections for the three (3) consecutive years immediately preceding the submission of the application.

2.2.3.3. The certified inspection station must have one (1) licensed inspector mechanic.

2.2.3.4. The certified inspection station must be at least a certified one-car inspection station.

2.2.3.5. Each licensed inspector mechanic who will be performing modified vehicle inspections must have a minimum of three (3) years experience as an inspector mechanic and may not have been suspended by the West Virginia State Police.

2.2.4. The Superintendent may certify additional modified vehicle inspection stations to operate in any particular county if the Superintendent determines that the number of modified vehicle inspection stations in a particular county is insufficient to meet the demand for modified vehicle inspections.

2.2.5. For purposes of this section, a completed application shall consist of a signed application demonstrating the criteria contained in section 2.2.3 of this rule. Application forms will be prescribed by the Superintendent.

2.3. Inspector mechanics will follow the same preliminary guidelines in inspecting modified vehicles, i.e., proof of insurance and ownership, etc.

2.4. Upon examination of the insurance card and ownership forms, the standard modified vehicle inspection certificate will be removed.

2.5. The inspector mechanic will then conduct a regular state inspection and also inspect those areas as outlined in the Modified Vehicle Inspection Requirements.

2.5.1. If the vehicle fails to pass either the regular vehicle inspection or the modified vehicle inspection requirements, the inspector mechanic will place a rejection sticker on the vehicle in accordance with the already prescribed standards.

2.5.2. If the vehicle passes all requirements, a modified vehicle inspection emblem will be placed on the vehicle.

2.6. The modified vehicle inspection emblem will be the only inspection emblem required on these vehicles.

2.7. These emblems will be completed on the back by the inspector mechanic, with the appropriate inserts applied and placed in the lower left (driver's side) corner of the windshield, much the same as the original inspection certificate.

2.8. All inspections will be logged on a modified vehicle inspection record.

2.8.1. Upon completion of the modified vehicle inspection record, the original and all copies will be handled the same as with the standard inspection forms.

2.9. Modified vehicle inspection emblems will be requisitioned from the West Virginia State Police, Traffic Records Section, as per established rules (Modified Inspection Manual) on the appropriate requisition form. Requisition form will be supplied by the West Virginia State Police Traffic Records Section.

2.10. Charges for the modified vehicle inspection shall be \$25.00 plus tax.

2.11. Where these rules are silent, inspectors are directed to refer back to the provisions of the West Virginia State Police Inspection Manual for standard vehicle inspection.

### **§81-4-3. Modified Vehicle Inspection Definitions.**

3.1. Constant Velocity or C. V. Joint -- means the part of the drive axle shaft which allows for the application of torque and the turning of the wheels simultaneously on front wheel drive vehicles.

3.2. F.M.V.S.S. -- means Federal Motor Vehicle Safety Standard.

3.3. Modified Vehicle -- means a vehicle which has been altered in altitude from the manufacturer's original height.

3.4. "OEM" or Original Equipment Manufacturer -- means a part or component of the vehicle which is identical to the part or component on the original vehicle and is supplied by the recognized manufacturer of the original vehicle.

3.5. "OER" or Original Equipment Replacement -- means a vehicle part or component which performs the identical function as the part or component of the original vehicle but is supplied by a manufacturer other than the recognized manufacturer of the original vehicle.

3.6. "OREP" or Original Replacement Essential Part -- means any part or component of a vehicle which is:

3.6.1. Identical in fact or in performance to any part or component offered as an option for that vehicle by the original manufacturer of the vehicle when new;

3.6.2. Essential for the safe operation of the vehicle; and

3.6.3. Purchasable through auto parts store or dealerships of the original vehicle manufacturer.

Examples include, but are not limited to, parts and components of a vehicle's engine, transmission, differential, steering system, suspension system, exhaust system, intake system, body parts or lamps and reflectors. A part or component which may alter the performance of a vehicle or may inherently affect adversely the safety or structural integrity of a vehicle, its occupants, or surrounding vehicles or individuals, unless specifically excepted in this rule, shall not be an original replacement essential part.

3.7. Recognized Motor Vehicle Manufacturer means a person engaged in the business of manufacturing or assembling motor vehicles who has filed an identification statement with the U.S. Department of Transportation and is applying certification tags to the vehicles being manufactured in accordance with Part 567 of Title 49, The Code of Federal Regulations.

3.8. SAE -- means Society of Automotive Engineers.

3.9. Shock Absorber -- means a Generic Term which is commonly applied to hydraulic or pneumatic mechanisms used for the purpose of damping or suppressing oscillatory motion of vehicle bodies.

3.10. Split Service Brake System -- means a brake system consisting of two (2) or more sub-systems actuated by a single control design so that a leakage-type failure of a pressure component in a single sub-system (except structural failure of a housing that is common to two (2) or more sub-systems) will not impair the operations of any other sub-system.

3.11. Steering System -- means the assembly of mechanical, structural, pneumatic or hydraulic components which allow for movement of the vehicle to the right or left.

3.12. Suspension System -- means the assembly of mechanical, structural, pneumatic or hydraulic members which provides a flexible support between the ground or roadway and the engine, load and passenger carrying structure of the vehicle.

3.13. Wheel Base -- means the distance in inches from the center of the front wheel to the center of the rear wheel as measured in a straight line from the front to rear wheel of the same side of the vehicle. Whenever referred to within these regulations, wheel base

will be the original manufacturer's specifications with no modification.

3.14. Wheel Track -- means the distance in inches from the center of the tire of one axle to the center of the opposite tire of the same axle as measured in a straight line across the vehicle. Whenever referred to within this rule, wheel track will be the original manufacturer's specification with no modification.

#### **§81-4-4. Modified Vehicle Inspection Requirements.**

##### **4.1. Fuel System (combustion power units only).**

4.1.1. Each fuel system orifice provided for the introduction of air to be used for the combustion of fuel (air intake) shall be equipped with a device which will:

4.1.1.1. Prevent the ejection into the atmosphere of any ignited fuel and air mixture.

4.1.2. All fuel system components, such as tank, tubing, hoses, clamps, etc., shall:

4.1.2.1. Be located outside of any compartment intended for use by the driver or any passenger except OEM or OREP components.

4.1.2.2. Be securely attached with fasteners designed for this purpose.

4.1.2.3. Not be positioned above, or nearer than three (3) inches to any exhaust system component, except in the engine compartment, unless appropriate shielding is provided (except OEM or OREP components).

4.1.2.4. Be positioned so as not to contact any moving vehicle component.

4.1.2.5. Be free of any fuel leakage.

4.1.3. Fuel line connection to the engine shall be of a flexible design, and of a length sufficient to accommodate all engine vibrations and movements of the engine with respect to the vehicle frame.

4.1.4. The fuel tank shall:

4.1.4.1. Not be located in the engine compartment, except for OEM or OREP components.

4.1.4.2. Be shielded from any compartment intended for use by a flame-proof barrier, except for OEM or OREP components.

4.1.4.3. Be securely mounted to the body or frame.

4.1.4.4. Comply with VESC-12, minimum standard for fuel tanks, if not built by a recognized motor vehicle manufacturer.

4.1.4.5. Be equipped with an external vent or be vented to the engine through an evaporative emission control system (EEC).

4.1.4.6. Be equipped with a filler cap designed to vent fuel spillage from the filler opening when the cap is in place.

4.1.4.7. Be located within the lateral perimeter of the vehicle frame or unit body to minimize crash damage rupturing, (unless originally equipped).

4.1.5. Auxiliary liquid fuel tanks described as an additional fuel tank and any other components attached directly thereto designed to supplement the vehicle's liquid fuel carrying capacity beyond that provided by the vehicle manufacturer shall meet the requirements of VESC-12.

## **4.2. Vehicle Body.**

4.2.1. Body Structure -- The body structure of a modified vehicle shall be free of sharp edges and projections in all interior and exterior locations where they may be contacted by persons in the normal use and care of the vehicle. This requirement does not include those locations usually accessible only when the vehicle is hoisted or partially dismantled for the purpose of maintenance or repair.

4.2.1.1. The body to frame mounting hardware shall be in accordance with OEM specifications, provided that a maximum three (3) inch spacer block may be added, over and above the manufacturer's spacer block and further provided that appropriate modifications of the steering column, brake hose location, and controls are made when required.

### **4.2.2. Doors and Latches.**

4.2.2.1. A modified vehicle shall have a means of entry and exit on each side of the vehicle which provide ready access to the seats in the vehicle.

4.2.2.2. On vehicles not equipped with doors, approved type occupant restraining devices shall be installed within the vehicle and be readily accessible to the occupants.

4.2.2.3. The doors used to provide access to the passenger compartment of a modified vehicle shall be of a hinged type and shall be readily operable and be provided with a two-position self-acting latch which functions in each latching position to keep the door from opening (unless OEM). This requirement does not apply to doors that are designed to be easily attached to or removed from modified vehicles designed for operation without doors.

4.2.2.4. All doors shall be equipped with a manual latch control on the exterior of the door and a manual or electric latch on the interior of the door.

#### 4.2.3. Hood and Trunk Latches.

4.2.3.1. Hood -- All modified vehicles are required to have a hood which shall cover the top of entire engine compartment. The engine compartment sides may remain open.

4.2.3.2. A hood, a trunk lid, or any compartment cover forward of the windshield, which opens along the edge toward the front of a modified vehicle shall be equipped with a two-position self-acting latch which functions in each latching position to keep the hood, lid, or cover closed. A minimum of two (2) hood pins designed for that purpose can be substituted for the two-position self-acting latch.

4.2.3.3. A hood, trunk lid, or compartment cover which opens along an edge toward the sides or the rear of a modified vehicle shall be equipped with at least one (1) latch which holds the hood, lid or cover in the closed position.

4.2.4. Fenders -- Any attachment added to the body of fender of the vehicle to meet the requirements of this section shall be securely mounted and free of any sharp edges or protuberances.

4.2.5. Driver Visibility -- Obstructions forward of the windshield can extend no more than three (3) inches upward into the horizontally projected vision area of the windshield except for windshield wiper components.

### 4.3. **Vehicle Frame.**

4.3.1. Frame -- A modified vehicle shall be equipped with a frame consisting of structural beams or channels, or structural tubing, or unitized construction capable of supporting the vehicle, its load, and the torque produced by the power source under all conditions of operation. The frame structure shall be essentially rigid, free of cracks and visual indications of weakness, such as bending, buckling or poor quality welded joints.

4.3.2. Floor Pan -- A modified vehicle shall be equipped with a floor pan which:

4.3.2.1. Covers the area beneath the passenger compartment and any cargo or luggage compartment that is not entirely separate from the passenger compartment. Entirely separate means there are no components shared by both compartments, such as roof, floor, or sides.

4.3.2.2. Is capable of supporting the weight of the number of occupants, including seats and any cargo the vehicle is designed to carry.

4.3.2.3. Has sufficient strength to adequately anchor the seats and safety belts.

4.3.2.4. Is free of openings which are not sealed or provided with covers which are specifically designed to prevent the transit of fumes and airborne particles.

4.3.3. **Bumpers** -- A modified vehicle shall be equipped with a bumper on the front. A rear bumper must be present if the vehicle was so equipped by the manufacturer. OEM or OREP bumpers are acceptable.

Rear bumpers are required on any modified motor vehicle if the fuel tank is located in the rear and is unprotected by the frame of the vehicle.

Whenever the bumpers installed on a modified vehicle are altered, modified, replaced, or whenever the vehicle ground clearance height has been altered or modified, the bumpers installed on the vehicle shall:

4.3.3.1. Be of sturdy construction.

4.3.3.2. Be securely attached to the vehicle frame with attaching components specifically designed for the purpose which are equivalent in strength to the bumper.

4.3.3.3. Have no pointed projections or sharp edges.

4.3.3.4. Have a smooth outward face.

4.3.3.5. Be at least three (3) inches in vertical height, be centered on the vehicle center line and extend horizontally no less than the wheel track distance.

4.3.3.6. Not be constructed of pipe unless OEM.

4.3.3.7. Be mounted no higher than specified from the ground to the bottom of the bumper. Maximum bumper heights shall be indicated below:

4.3.3.7.1. Vehicles 10,000 pounds or less: Maximum height to both front and rear bumper is thirty-one (31) inches as measured from the ground to the bottom of the bumper. No person may alter, modify, or otherwise move the original bumper mounting on the frame. In the absence of bumpers, or if the original bumper has been moved, bumper heights will be measured to the frame rail.

4.3.3.7.2. All above measurements will be made with all tires on the vehicle inflated to the tire manufacturer's specifications.

#### 4.4. **Brake System.**

4.4.1. Every modified vehicle shall be equipped with a service brake system which:

4.4.1.1. Will provide braking action at each wheel.

4.4.1.2. Is actuated by pressure applied to a pedal control by the driver's foot.

4.4.1.3. Is actuated primarily by the use of hydraulic fluid (actuation primarily by mechanical means, rods, or cables, is not permitted even if the OEM system was so designed).

4.4.2. Modified vehicles shall be equipped with a service brake system which:

4.4.2.1. Is designed to prevent the complete loss of the braking function in the event of a rupture or leakage-type failure of any single pressure component except structural failures of the master cylinder (split system required).

4.4.2.2. Is equipped with a combination of components, i.e., master cylinders, calipers, wheel cylinders, metering valves, proportioning valves, etc., which is in accordance with current accepted automotive industry standards.

4.4.3. Brake tubing and brake hose installed on a modified vehicle shall be:

4.4.3.1. Securely attached with hardware designed for this purpose in a manner which will prevent chafing, kinking, or other mechanical damage.

4.4.3.2. Of sufficient length and flexibility to accommodate, without damage, all normal movements of the parts to which it is attached.

4.4.3.3. Located in a manner that prevents contact with any component of the vehicle's exhaust system.

4.4.3.4. Routed along the exterior of box or tubular frame chassis. Routing tubing or hoses through the interior or along bottom edge of such frame or tubing is prohibited, unless OEM.

4.4.4. All tubing, other than OEM, used in the brake service brake system of a modified vehicle shall be of a type that meets the requirements of SAE Standard J1047, Tubing - Motor Vehicle Brake System, Hydraulic. No tubing may be made of copper.

4.4.5. All brake tubing ends must be double flared in a manner consistent with SAE Standard J533b or formed in accordance with SAE recommended practice J1290.

4.4.6. All hoses, other than OEM, used in the service brake system of a modified vehicle shall be of a type that meets the requirements of FMVSS-106.

4.4.7. Every modified vehicle shall be equipped with a parking brake system which:

4.4.7.1. Provides braking action on at least two wheels of the same axle.

4.4.7.2. Is actuated by a control that is operated by the driver's hands or foot and remains set in the applied position until released by a separate action.

4.4.7.3. Is actuated by a means independent of the service brake system except that the brake shoes and drums, or pads and discs, may be common to both the service and parking brake systems.

#### **4.5. Steering System.**

4.5.1. The steering control mechanism of a modified vehicle shall:

4.5.1.1. Consist of a circular steering wheel having an outside diameter of no less than thirteen (13) inches attached to a shaft in a manner such that the rotary motion of the control device turns the shaft which will cause the moving vehicle to move to the right when the control is rotated in a clockwise direction and to the left when the control is rotated in a counterclockwise direction.

4.5.1.2. Be securely attached to a structural member of the vehicle.

4.5.1.3. Be located forward of the driver's seating position.

4.5.1.4. Be operable through its entire control range by a person seated against the seat back at the driver's position.

4.5.1.5. Not interfere with the driver's vision through the windshield nor interfere with any other vehicle control mechanism.

4.5.1.6. Be so constructed that no components or attachments, including horn actuating mechanism and trim hardware can catch the driver's clothing or jewelry during normal driving maneuvers.

4.5.1.7. Have no other component or structure between the driver and the device except safety belts, air bags or both.

4.5.1.8. Have no other component or structure located in the plane of rotation nearer than three (3) inches outside of the path of the maximum radius of the control device (unless OEM).

4.5.1.9. Have a range of rotation, lock to lock, of no less than two (2) turns, 360° rotation per turn and no more than 6 turns and shall be free of any jamming or binding throughout this range. From a straight ahead position, the number of turns to the right stop shall be equal to the number of turns to the left stop. One quarter turn tolerance permitted.

4.5.2. A modified vehicle equipped with a steering system that has been modified

in any manner except replacement of the steering wheel shall:

4.5.2.1. Have the steering components geometrically arranged in accordance with the manufacturer's specifications.

4.5.2.2. Comply with the original vehicle manufacturer's caster, camber and toe-in alignment specifications.

4.5.2.3. Have all nuts equipped with appropriate locking devices such as lock washers, cotter pins or self-locking devices. If self-locking nuts are used, at least one complete bolt thread must pass through the nut and be exposed.

4.5.2.4. Have flat washers installed on spherical rod ends to prevent bearing pull-out.

4.5.2.5. Be equipped with universal or other flexible joints which meet or exceed those used for similar purposes by recognized motor vehicle manufacturers. Such devices must be securely installed and used within designed parameters.

4.5.3. The steering gear box or other mechanism which translates the rotary motion of the control shaft to linear motion to move the wheels shall be securely attached to the vehicle frame with hardware designed for this purpose.

4.5.4. All components of the steering system shall be connected with fittings designed for the purpose and adjusted to eliminate any unnecessary free play or lash.

4.5.5. All welding used in the modification of any system component or attachment shall be accomplished by an electric arc welding process.

4.5.5.1. Gas welding is permitted for those types of metal not suitable for electric arc welding.

4.5.5.2. No welding repairs or welding modifications of any type shall be permitted on cast iron or factory cast steering components.

4.5.6. Any power steering device used on a modified vehicle shall be of a type which will permit the continued use of the power steering mechanism under manual control in the event of the failure of the power unit, except OEM.

4.5.7. Four wheel steering system, e.g., front and rear steering axles, are not permitted unless they are OEM).

4.5.8. Any protective covering of C. V. joints, steering mechanisms, or other components commonly referred to as "Boots" may not be cracked, broken, lose or in any way damaged or leaking.

#### 4.6. Suspension System.

4.6.1. Lift blocks of any type or configuration on the front suspension of a modified vehicle are expressly prohibited.

4.6.2. The use of coil spring spacers to level the front end of the vehicle are permissible.

4.6.3. Every modified vehicle shall be equipped with a flexible primary suspension component (spring, torsion bar, etc.) mounted between the vehicle frame, or unit body, and each axle, or other component to which the wheels are mounted (trailing arms, control arms, etc. ), which:

4.6.3.1. Permits vertical relative movement between the frame and axle.

4.6.3.2. Permits negligible lateral (side to side) or longitudinal (front to rear) horizontal movement between the frame and the axle.

4.6.3.3. Is securely attached to both the frame and the axle with mounting hardware designed for this purpose.

4.6.3.4. Provides adequate support for the safe control of the vehicle under all normal conditions of operation upon public streets and highways.

4.6.4. Each position on an axle of a modified vehicle where one or more wheels are mounted shall be equipped with at least one shock absorbent which:

4.6.4.1. Is mounted between, and securely attached to, the axle and the frame with mounting hardware designed for this purpose.

4.6.4.2. Provides a damping action on all vertical motion (double acting) throughout entire vertical motion range of the primary suspension component.

4.6.5. At each position where one or more wheels are mounted, the suspension system of a modified vehicle shall provide a minimum range of vertical motion between the axle and the frame of two (2) inches for compressions and two (2) inches for rebound when the empty vehicle is standing upon a level surface.

4.6.6. The range of movement between the axle and the frame of a modified vehicle shall be limited in a manner which, under all normal conditions of suspension and rebound, will prevent:

4.6.6.1. Contact between the wheels, including the tires, and any part of the vehicle frame or chassis.

4.6.6.2. Contact between the suspended and unsuspended portions of the

vehicle except at suspension component attachment points and at those points which are designed and suitably cushioned to limit extreme suspension movement.

4.6.6.3. Any brake hose from becoming fully extended.

4.6.6.4. Any shock absorber from reaching the limit of its travel.

4.6.7. Any primary or supplemental coil springs used in the suspension system of a modified vehicle shall not be capable of being fully compressed or fully extended within the limits of vertical motion of the system.

4.6.8. A modified vehicle shall have sufficient ground clearance between the vehicle body chassis and steering components and the road surface on which the vehicle rests so that it will be able to be in motion on its four rims on a flat surface with no other parts of the vehicle touching that surface.

4.6.9. When used in the suspension system of a modified vehicle, all leaf spring hanger (shackle) extensions shall:

4.6.9.1. Have a maximum effective length of no more than two inches over the OEM shackle as measured between the upper and lower bolt centers.

4.6.9.2. Be assembled with bolts and hangers specifically designed with adequate extra strength for this purpose.

4.6.10. No coil spring, leaf spring, or torsion bar used in the suspension system of a modified vehicle shall be heated or welded.

4.6.11. Any electric, hydraulic or pneumatic device used to adjust the height of a vehicle cannot be capable of raising the front or rear of the vehicle more than four (4) inches over the OEM ride height and can in no way alter the steering geometry of the vehicle unless it is OEM.

4.6.12. The wheel base on one side of the vehicle must be the same as the wheel base on the opposite side, with a tolerance of plus one inch.

#### **4.7. Exhaust System (combustion power units only).**

4.7.1. All modified vehicles shall be equipped with a system of components to conduct exhaust gases from the engine to a safe discharge point outside of the vehicle.

4.7.2. All exhaust system components, such as manifolds, headers, exhaust pipes, resonators, mufflers, converters, tail pipes, etc., shall:

4.7.2.1. Be located outside of any compartment intended for use by the driver or any passenger.

4.7.2.2. Be securely attached with fasteners designed for this purpose.

4.7.2.3. Be positioned so as not to contact any moving vehicle component.

4.7.2.4. Be free of any leakage.

4.7.2.5. Have suitable shielding provided for all components which may cause personal injury and are accessible to inadvertent contact by persons standing outside of the vehicle under normal operating conditions.

4.7.2.6. Have no temporary patches or makeshift repairs.

4.7.3. Suitable heat shielding shall be provided for:

4.7.3.1. Any catalytic converter located less than three (3) inches below the floor pan or from any flammable material.

4.7.3.2. Any other exhaust system component located less than one and one-half (1 1/2) inches below the floor pan or less than three (3) inches from any flammable material.

4.7.4. The exhaust system shall contain a muffler or mufflers. Such mufflers shall be the muffler originally installed by the manufacturer of the vehicle or, if a replacement, the equivalent thereof.

4.7.5. The exhaust system shall discharge the engine exhaust gases outward from the vehicle to the atmosphere.

4.7.5.1. Exhaust systems on property-carrying vehicles shall discharge the exhaust gases to the rear of that part of the vehicle designed and normally used for carrying the driver and passengers.

4.7.5.2. Exhaust systems on passenger vehicles shall discharge the exhaust gases at a location to the rear of the vehicle body or direct the exhaust gases outward from the side of the vehicle body at a location rearward of any operable side window.

4.7.5.3. No part of the exhaust system shall pass through any area of the vehicle that is used as a passenger compartment, nor in close proximity to the fuel system without being properly shielded. No part of the exhaust system may contain a muffler cut-out or by-pass.

#### **4.8. Wheels and Tires.**

4.8.1. The rims mounted on a modified vehicle, if other than OEM, including options, or OREP, i.e., special rims, shall meet or exceed all applicable Federal Motor

## Vehicle Standards.

4.8.2. All rims mounted on a modified vehicle shall be free of cracks, rim dents, warpage, and repairs of any kind.

4.8.3. All rim mounting studs, nuts or bolts shall be present, in good condition, and securely tightened.

4.8.4. All rims mounted on a particular axle or equivalent front or rear suspension component, shall be of identical size, design, and material (all front rims the same and all rear rims the same).

4.8.5. The rim diameter of the rims mounted on the front axle shall be no less nor no greater than two (2) inches as the rim diameter of the OEM rims for the suspension system used.

4.8.6. The use of any combination of reverse mounted or special rims or adapters shall not increase the negative offset of the front or rear rims in a manner that will reduce the track width of the vehicle. The modified vehicle owner shall provide the rim offset specifications and the manner of measurement from the recognized manufacturer of the vehicle when it was new, if requested.

4.8.7. The use of any combination of reverse mounted or special rims or adapters shall not increase the positive offset of any of the rims by more than two (2) inches. Any increases in positive offset for wheels on one side of a vehicle should be the same as for the wheels on the opposite side.

4.8.8. All tires used on the rims of a modified vehicle shall have a load rating of sufficient capacity to support the weight imposed on both the tire and rim.

4.8.9. All tires mounted on the rims of a modified vehicle shall be tires designed specifically for highway use (FMVSS No. 109 and No. 119) including those designed for highway use and retreaded in accordance with FMVSS No. 117. The use of tires designed, retreaded or designated for any other purpose is not permitted.

4.8.10. Every tire mounted on the rims of a modified vehicle shall have an average tread depth of no less than  $\frac{2}{32}$  of an inch.

4.8.11. Wheel studs must be of sufficient length to allow a minimum of two threads to project beyond the lug nut. Where capped lug nuts are used, all wheel studs must project into the hex portion of the lug nut by a distance equal to at least one diameter of the stud.

4.8.12. Minimum width of any tire on any axle of a modified vehicle will be five (5) inches.

## 4.9. Miscellaneous.

4.9.1. If equipped with an automatic transmission, it must be equipped with an interlock that causes the engine starter to be inoperative when the transmission shift lever is in a forward or reverse drive position unless it is OEM.

## **SECTION 13**

### **HEAVY TRUCKS, TRUCK TRACTORS, BUSES, AND SCHOOL BUSES.**

**For this Section, when the term Truck is used, it shall include Truck Tractor, Road Tractor, Bus, and School Bus. WV CODE 17A-1-1.**

**All Trucks, designated as Emergency Vehicles as defined in WV CODE 17C-15-26, shall meet, or exceed, all regulations of this manual.**

**In addition to the requirements of this Section, School buses shall meet all the requirements specified in the WEST VIRGINIA MINIMUM REQUIREMENTS FOR DESIGN AND EQUIPMENT OF SCHOOL BUSES MANUAL (126CSR89) at the time of Inspection.**

#### **13.1 Verify Proof of Ownership and Certificate of Insurance.**

Refer to Section 9.1 for Proof of Ownership and Certificate of Insurance Requirements.

#### **13.2 Registration Plate Mounting. WV CODE 17A-3-15 (a)**

Refer to Section 9.2 for Registration Plate Mounting.

#### **13.3 Safety Glass – Windshield and Windows FMVSS 118, 205. WV CODE 17C-15-36.**

Refer to 9.3 Safety Glass-Windshield and Windows.

#### **13.4 Window Tint/Sun Screening Devices. WV CODE 17C-15-36a.**

Refer to Section 9.4 Window Tint/Sun Screening Devices.

#### **13.5 Windshield Wiper Systems, Washer, Defroster, Sun Visor. MVSS 103,104. FMCSR 393.79. WV CODE 17C-15-36.**

Refer to Section 9.5 Windshield Wiper Systems, Defroster, and Sun Visor.

#### **13.6 Mirrors- FMVSS 111. WV CODE 17C-15-35. FMCSR 393.80.**

Refer to Section 9.6 Mirrors.

#### **13.7 Horns and Warning Devices. FMCSR 393.81, WV CODE 17C-15-33.**

a. Refer to Section 9.7 Horns and Warning Devices.

**b. In addition, Inspect for:**

1. If the truck is equipped with an air horn, the air horn shall function as originally designed.
2. If the truck is equipped with an air horn and a standard horn (commonly called a city horn), both shall function as originally designed.

**Inspect and Reject if:**

1. The air horn does not function.
2. The original equipment standard horn does not function.
3. Any horn is not securely mounted.
4. Any violation of any requirement of this Section or Section 9.7.

**13.8 Speedometers FMCSR 393.82**

Speedometers shall be present, and function, as originally designed. The truck shall be **rejected** if the Speedometer does not indicate the speed of the vehicle.

**13.9 Odometers**

Odometers shall be present, and function, as originally designed. The truck shall be **rejected** if the odometer does not function as originally designed.

**Exception:** If the truck is 10 years or older the odometer is not required to function.

**13.10 Occupant Restraint Systems, Seats, Airbags.**

**FMVSS 202, 207, 208, 209, 210, 225.**

Refer to Section 9.10 Occupant Restraint Systems, Seats, Airbags.

**13.11 Controls and Displays; Indicators located in the Common Space;**

**Dashboards. FMVSS 101, 121.**

Refer to Section 9.11 Controls and Displays; Indicators located in the common space; Dashboards.

**In addition, Inspect for:**

- a. If the truck is equipped with air brakes the air pressure warning device shall function as originally designed by the manufacturer.

**Inspect and Reject if:**

1. The air pressure warning device is not present.

2. The air pressure warning device does not give a continuous audible and/or visual warning whenever the air pressure in the service reservoir system is at 55psi. and below, or ½ of the compressor governor cutout pressure, whichever is less.
3. Any violation of any requirement of this Section or Section 9.11.

**13.12 Steering Column, Steering Wheel, Steering. FMVSS 203,204.**

Refer to Section 9.12 Steering Column, Steering Wheel, Steering.

**13.13 Lighting and Electrical Systems FMVSS 108, WV CODE 17C-15-4, 17C-15-5, 17C-15-9, 17C-15-10. 17C-15-11, 17C-15-12. FMCSR 393.11**

Refer to Section 9.13 Lighting and Electrical Systems.

**13.14 Auxiliary Lighting- Aftermarket Lighting. FMVSS 108. WV CODE 17C-15-17, 17C-15-18, 17C-15-19. FMCSR 393.11**

Refer to Section 9.14 Auxiliary Lighting-Aftermarket Lighting.

**13.15 Trucks used as Emergency Vehicles. WV CODE 17C-15-26**

- a. All trucks designated as emergency vehicles shall meet or exceed all regulations and requirements of this manual.
- b. Refer to Section 9.15 Emergency Vehicles.

**13.16 Truck Body- FMVSS 113. FMCSR 393.203**

Refer to Section 9.16 Vehicle Body. **Dump Beds** are part of the Truck Body and shall be mounted and function as designed by the original manufacturer.

**13.17 Bumpers. 49 CFR 581. WV CODE 17C-15-48 (a).**

- a. Refer to Section 9.17 Bumpers.

**13.18 Frame/Chassis. FMCSR 393.201**

Refer to Section 9.18 Frame/Chassis.

**In addition, Inspect for:**

- a. The frame rail flanges between the axles shall not be bent, cut, or notched, except as specified by the original manufacturer.

- b. Parts and accessories shall not be welded to the frame or chassis of a truck except in accordance with the truck original manufacturer's recommendations. Any welded repair of the frame shall be in accordance with the truck manufacturer's specifications.
- c. Holes shall not be drilled in the top or bottom rail flanges, except as specified by the original manufacturer.
- d. If originally equipped by the manufacturer the fifth wheel, lower coupler assembly shall be present and securely mounted to the frame of the truck. All parts shall be present, and function as originally designed.

**Inspect and Reject if:**

- 1. Any violation of any requirement of this Section or Section 9.18.

**13.19 Exhaust Systems and Emission Control Components (ECC).**

**42 USC 7522.**

Refer to Section 9.19 Exhaust Systems and Emission Control Components (ECC).

**In addition, Inspect for:**

- a. All trucks shall be equipped with an Exhaust System, installed by the original manufacturer, or and aftermarket (OEM) replacement that meets or exceeds the original manufacturer's specifications. All parts of the exhaust system must be present and working as originally designed by the manufacturer at the time of Inspection.
- b. If heat shields were installed by the original manufacturer or required for the year of manufacture, they shall be present, and function as originally designed at the time of Inspection.

**Inspect and reject if:**

- 1. Any violation of any requirement of this Section or Section 9.19.

**13.20 Suspension**

- a. Refer to Section 9.20 Suspension.

**13.21 Tires and Wheels. FMVSS 119, 139.**

Refer to Section 9.21.

**In addition, Inspect for:**

- a. Re-grooved, recapped, or retreaded tires shall not be used on the front steering axle.
- b. Trucks with a Gross Vehicle Weight Rating (GVWR) of more than 10,001 lbs. shall have tire tread depth not less than 4/32 of an inch on the steering axles.

**Inspect and reject if:**

1. Any violation of any requirement of this Section or Section 9.21.

**13.22 Air Brakes and Hydraulic Brake Systems.**

**FMVSS 105,106,121, FMCSR 393.40-393.55, WV Code 17C-15-31.**

When presented for Inspection, the truck shall be equipped with a Service Brake System installed by the original manufacturer, or aftermarket (OEM) replacement parts that meets or exceeds the original manufacturer's specifications for the year of the vehicle. For trucks equipped with Hydraulic Brake Systems refer to Section 9.22 also.

- a. The trucks Brake System shall be equipped with all parts required by the Federal Motor Vehicle Safety Standards for the year of manufacture.

Removal or "pulling" wheels of trucks covered in this Section is not required if the entire brake drum assembly is visible when the Inspector Mechanic is underneath the truck, and all parts of the braking system can be examined. **All brakes shall be Inspected.**

- a. All parts of the Brake System shall be Inspected for mechanical damage, missing parts, cracks, leaks, excessive drag, contamination from fluids or rust, and brake lining thickness. All parts must be present and function as designed by the original manufacturer.
- b. The push rod travel may not exceed manufacturers' specifications for maximum stroke allowance. The Inspector Mechanic shall refer to **Appendix B – Service Brakes Adjustment** to determine required brake adjustment specifications. **All brakes shall be Inspected.**
- c. Cam Brakes: Brake lining thickness on Air Brake System shall not be less than ¼ inch (6.4 mm).
- d. Disk Brakes: Brake lining thickness on Air Brake Systems shall not be less than 1/8 inch (3.2 mm).

- e. Hydraulic Brakes: Brake lining thickness shall not be less than 2mm.
- f. All air reservoirs shall be securely mounted, free of leaks, and function as originally designed.
- g. All airline hoses, tubing, and fittings shall be present, securely mounted, and function as designed by the original manufacturer.
- h. Splicing of air lines is prohibited.
- i. All Air Pressure Warning Devices shall be present and function as designed by the original manufacturer.
- j. The tractor protection valve shall be present, securely attached and function as designed by the original manufacturer.

**Inspect and Reject if:**

- 1. Truck is not equipped with a tractor protection valve.
- 2. Tractor protection valve does not function as originally designed.
- 3. Air pressure loss, when brakes released or applied, exceeds the original manufacturer's specifications.
- 4. Drum has cracks on friction surface extending to the open edge or on outside of drum.
- 5. There is evidence of mechanical damage other than wear.
- 6. Drum is contaminated with grease or oil.
- 7. Diameter of the drum exceeds manufacturer specifications.
- 8. Any part of the Mechanical Components is missing, broken, binding, or worn below original manufacturer specifications.
- 9. Cam Brake lining thickness less than ¼ inch (6.4 mm).
- 10. Disc Brake lining thickness less than 1/8 inch (3.2 mm).
- 11. Hydraulic Brake lining less than 2mm.
- 12. Riveted linings are less than 2mm above the rivet head at thinnest point.
- 13. Brake lining is broken, not firmly attached to the shoe; or contaminated with oil, grease, or other substance that would affect proper braking operation.
- 14. Uneven wear.
- 15. There is brake lining wear that causes the brake cam to be on end or cam has turned over.
- 16. The air chamber push rod travel exceeds manufacturer specifications. **See Appendix B**
- 17. Air reservoirs not securely mounted, free of leaks, or do not function as originally designed.
- 18. Air valves not securely mounted, free of leaks, or do not function as originally designed.

19. Leaks in airline hoses, tubing, and fittings.
20. Airline hoses, tubing, and fittings not securely mounted, missing, or fails to perform as originally designed.
21. Airline hoses or tubing severely chaffed, restricted, crimped, cracked, or broken.
22. Connecting hose improperly joined.
23. Air hoses spliced together.
24. Air pressure warning devices does not give a continuous audible and/or visual warning whenever the air pressure in the service reservoir system is at 55psi. or below, or ½ of the compressor governor cutout pressure, whichever is less.
25. Air brake line or hose not mounted in location specified by the original manufacturer.
26. Parking brake will not hold the vehicle in a stationary position.
27. Parking Brake System has worn or missing parts, frozen parts, and/or does not function as originally designed.
28. Audible leak in Air Brake System.
29. Compressor air intake cleaner clogged.
30. Air compressor belts worn, frayed, or loose.
31. Air compressor pulleys bent or damaged.
32. Any violation of any requirement of this Section.

**13.23 Fuel Systems. FMCSR 393.65-393.69. School Buses FMVSS 301,303.**

Refer to Section 9.23 Fuel Systems.

**13.24 Emergency Equipment. FMCSR 393.95. WV CODE 17C-15-39**

A Truck, used to transport hazardous materials in a quantity that requires placards, must be equipped with a fire extinguisher having an Underwriters' Laboratories rating of 10 B:C or more.

A Truck, not used to transport hazardous materials, must be equipped with fire extinguisher having an Underwriters' Laboratories rating of 5 B:C or two (2) fire extinguishers, each of which has an Underwriters' Laboratories rating of 4 B:C or more.

- a. Each fire extinguisher must be labeled or marked by the manufacturer with its Underwriters' Laboratories rating.
- b. The fire extinguisher must be designed, constructed, and maintained to permit visual determination of whether it is fully charged.
- c. The fire extinguisher(s) must be filled and located so that it is readily accessible for use. The extinguisher(s) must be securely mounted to prevent sliding, rolling, or vertical movement.

- d. The fire extinguisher must use an extinguishing agent that does not need protection from freezing.

Every Truck shall be equipped with “Warning Devices for Stopped Vehicles” which are used when a Truck is stopped on or near a highway. Any one of the following options may be used.

- a. Three bi-directional emergency reflective triangles that conform to the requirements of FMVSS 125.
- b. At least six (6) fuses or 3 liquid-burning flares.

**Reject for any violation of any requirement of this Section.**

# SECTION 14

## SPECIAL MOTOR VEHICLES

**14.1 Antique Motor Vehicles, as defined in WV CODE 17A-10-3a(a), restored to their original configuration and specifications, are not Special Motor Vehicles and are not subject to this Section.**

**14.2 Special Motor Vehicles** is defined as passenger vehicle or truck with an unladen (GVW) weight of 6,000 pounds or less and is equipped with two or more axles that have at least two wheels per axle, and which are intended for use on public highways and include:

- a. Motor vehicles that have been restored to their original body configuration with changes made to the steering, brake, power train.
- b. Motor vehicles changed from the Recognized Motor Vehicle Manufacturers original body configuration, but which retains the general appearance, including changes to the body, chassis, or engine of the original vehicle. This may also include modifications to the engine, chassis, brake system, power train, steering, and suspension system.
- c. Motor vehicles custom built with fabricated parts taken from existing motor vehicles.
- d. A **Recognized Motor Vehicle Manufacturer** is a firm, corporation or association engaged in the business of manufacturing or assembling motor vehicles that has filed an identification statement with the U.S. Department of Transportation and is applying certification tags to the vehicles being manufactured in accordance with Part 567 of Title 49 of the Code of Federal Regulations.

### **14.3 Inspecting Special Motor Vehicles.**

When Inspecting a Special Motor Vehicle, the Inspector Mechanic shall Inspect the Special Motor Vehicle as he/she would any other motor vehicle following all procedures specified in the Official Motor Vehicle Inspection Manual. This Section of the Manual is to be referred to when, in the course of the Inspection procedure, the Inspector Mechanic needs further guidance in determining if the Special Motor Vehicle is in compliance with all Inspection Regulations.

- a. **The year of the Special Motor Vehicle is determined by the registration card and/or title. The Inspector Mechanic shall use the vehicle year to determine if all required vehicle parts and accessories are present and in compliance with Federal and State laws and regulations.**

- b. All parts and accessories used in the manufacture and assembly of a Special Motor Vehicle by a person or Recognized Motor Vehicle Manufacturer, shall meet or exceed any requirement, rule, regulation, or recommendations established or required by the U.S. Department of Transportation, Federal Motor Vehicle Safety Standards, National Traffic Highway Administration and Society of Automotive Engineers, as required for the year of manufacture.
- c. The Special Motor Vehicles serial number must be securely attached to the vehicle at a location where the serial number can be seen while standing outside of the vehicle.

**14.4 Verify Proof of Ownership and Certificate of Insurance.**

Refer to Section 9.1 for Proof of Ownership and Certificate of Insurance Requirements.

**14.5 Registration Plate Mounting WV CODE 17A-3-15 (a).**

Refer to Section 9.2 for Registration Plate Mounting Requirements. **Reject** if not in compliance.

**14.6 Safety Glass – Windshield and Windows FMVSS 118, 205.**

**WV CODE 17C-15-36**

Refer to Section 9.3 Safety Glass–Windshield and Windows.

**In addition, Inspect for:**

- a. If the Special Motor Vehicle has an enclosed passenger compartment where the roof has been lowered or raised, the windshield shall be framed and in a position that affords continuous horizontal frontal protection to the driver and occupants.
- b. The minimum vertical height of the unobstructed windshield glass shall be twelve (12) inches, or as originally equipped by a Recognized Motor Vehicle Manufacturer.
- c. Side and rear glass shall be present.
- d. The vehicle shall be provided with a windshield and side windows which allow the driver a minimum outward horizontal vision capability 90 degrees to right of the driver and 90 degrees to the left of the driver. The range of vision may be interrupted by window framing not to exceed two (2) inches in width, and windshield-door post support areas (A-pillars) not to exceed four (4) inches at both locations.

- e. A Special Motor Vehicle shall have no obstruction forward of the windshield which extends more than three (3) inches upward into the horizontally forward projected vision area of the windshield except the windshield wiper components.

**Inspect and reject for:**

- 1. Any violation of any requirement of this Section or Section 9.3.

**14.7 Window Tint/Sun Screening Devices. WV CODE 17C-15-36a**

Refer to Section 9.4 Window Tint/Sun Screening Devices. **Reject** if not in compliance.

**14.8 Windshield Wiper Systems, Washer, Defroster, Sun Visor,  
FMVSS 103, 104. WV CODE 17C-15-36.**

Refer to Section 9.5 Windshield Wiper Systems, Defroster, Sun Visor.

**In addition, Inspect for:**

- a. The windshield wiper system shall have two (2) wipers and be constructed so that the driver may conveniently activate the system by means of an electrical switch.
- b. Windshield wiper systems shall have at least two (2) speeds. The speed differences will be visibly obvious.
- c. The wipers shall effectively clear 80% of the windshield area.

**Inspect and reject for:**

- 1. Any violation of any requirement of this Section or Section 9.5.

**14.9 Mirrors- FMVSS 111. WV CODE 17C-15-35.**

Refer to Section 9.6 Mirrors. **Reject** if not in compliance.

**14.10 Horns and Warning Devices. WV CODE 17C-15-33**

Refer to Section 9.7 Horns and Warning Devices. **Reject** if not in compliance.

**14.11 Speedometers.**

Refer to Section 9.8 Speedometers. **Reject** if not in compliance.

**14.12 Odometers.**

Refer to Section 9.9 Odometers. **Reject** if not in compliance.

**14.13 Occupant Restraint Systems, Seats, Airbags. FMVSS 202,207-210.**

Refer to Section 9.10 Occupant Restraint Systems, Seats, Airbags. Inspect to verify all parts required for the vehicle's year are present and functioning as originally designed. **Reject** if not in compliance.

**14.14 Controls and Displays; Indicators located in the Common Space;  
Dashboards. FMVSS 101.**

Refer to Section 9.11 Controls and Displays; Indicators located in the Common Space; Dash Boards. Inspect to verify all parts required for the vehicle's year are present and functioning as originally designed. **Reject** if not in compliance.

**14.15 Steering Column, Steering Wheel, Steering. FMVSS 203, 204.**

Refer to Section 9.12 Steering Column, Steering Wheel, Steering. Inspect to verify all parts required for the vehicle's year are present and functioning as originally designed. **Reject** if not in compliance.

**14.16 Lighting and Electrical Systems FMVSS 108. WV CODE 17C-15-4,  
17C-15-5, 17C-15-9, 17C-15-10, 17C-15-11, 17C-15-12.**

Refer to Section 9.13 Lighting and Electrical Systems. Inspect to verify all parts required for the vehicle's year are present and functioning as originally designed. **Reject** if not in compliance.

**14.17 Auxiliary Lighting; Aftermarket Lighting. FMVSS 108.  
WV CODE 17C-15-17, 17C-15-18, 17C-15-19.**

Refer to Section 9.14 Auxiliary Lighting: Aftermarket Lighting. **Reject** if not in compliance.

**14.18 Emergency Vehicles. WV CODE 17C-15-26.**

Emergency Vehicles are not Special Motor Vehicles and are not subject to this Section.

**14.19 Vehicle Body. FMVSS 113, 206, 216, 261(a), 401.**

Refer to Section 9.16. Inspect to verify all parts required for the vehicle's year are present and functioning as originally designed. Special Motor Vehicles shall be equipped with fenders designed to cover the entire tire tread width for each

tire that contacts the surface of the road. The fenders coverage of the tire tread circumference shall be at least 15 degrees to the front and 75 degrees to the rear of the vertical line through the center of the wheel hub. Other parts of the Special Motor Vehicles body may work in conjunction with the fenders to provide the 15 to 75 degree coverage. **Reject** if not in compliance.

**In addition, Inspect for:**

- a. If the roof of the passenger compartment has been raised or lowered, the passenger compartment must meet or exceed the body strength and integrity requirements for the vehicle's year of manufacture. **See 14.3. Reject** if not in compliance.

**14.20 Bumpers. 49 CFR 581. 17C-15-48 (a).**

Refer to Section 9.17. Inspect to verify all parts required for the vehicle's year are present and functioning as originally designed. **Reject** if not in compliance.

**In addition,** refer to Section 12 to determine if the Special Motor Vehicle requires a Modified Inspection.

**14.21 Frame/Chassis.**

Refer to Section 9.18. Inspect to verify all parts required for the vehicle's year are present and functioning as originally designed. **Reject** if not in compliance.

**14.22 Exhaust Systems and Emission Control Components (ECC), 42 USC 7522.**

Refer to Section 9.19. Inspect to verify all parts required for the vehicle's year are present and functioning as originally designed. **Reject** if not in compliance.

**14.23 Suspension**

Refer to Section 9.19. Inspect to verify all parts required for the vehicle's year are present and functioning as originally designed. **Reject** if not in compliance.

**In addition,** refer to Section 12 to determine if the Special Motor Vehicle requires a Modified Inspection.

**14.24 Tires and Wheels. FMVSS 109, 117, 138, 139. 49 CFR 574.**

Refer to Section 9.21. Inspect and verify all parts required for the vehicle's year are present and functioning as originally designed. **Reject** if not in compliance.

**In addition,** refer to Section 12 to determine if the Special Motor Vehicle requires a Modified Inspection.

- b. The minimum width of any tire on any axle of a Special Motor Vehicle shall be five (5) inches.
- c. The front tires of a Special Motor Vehicle shall measure a minimum of 60% of the tread width of the rear tires.

**Inspect and reject for:**

- 1. Any violation of any requirement of this Section or Section 9.21

**14.25 Brakes. FMVSS 105, 106. WV CODE 17C-15-31.**

Refer to Section 9.22. Inspect and verify all parts required for the vehicle's year are present and functioning as originally designed. **Reject** if not in compliance.

**14.26 Fuel Systems. FMVSS 301.**

Refer to Section 9.23. Inspect and verify all parts required for the vehicle's year are present and functioning as originally designed. **Reject** if not in compliance.

## SECTION 15

### STREET – LEGAL SPECIAL PURPOSE VEHICLE AS DEFINED IN WV CODE 17A-13-1

**Street – legal Special Purpose Vehicle (SPV):** includes all-terrain vehicles, utility terrain vehicles, mini-trucks, pneumatic-tired military vehicles, and full-size special purpose-built vehicles, including those self-constructed or built by the Original Equipment manufacturer and those that have been modified. **Low speed vehicles are not Special Purpose Vehicles.**

For this Section, when the term Vehicle or ATV (All-Terrain Vehicle) is used, it shall include all vehicles listed in the definition of Special Purpose Vehicle.

- a. When an ATV is operated on a highway, all parts, equipment, and design of the ATV shall comply with any requirement, rule, regulation, or recommendations established or required by the U.S. Consumer Product Safety Commission and Federal Motor Vehicle Safety Standards when applicable.
- b. All parts and equipment used on vehicle must meet or exceed the Original Vehicle Manufacturer's specifications and be of an equivalent type to be approved for a Certificate of Inspection. Original Equipment Replacement Parts (OER), and approved Aftermarket Parts are permitted.

**NOTE:** For this Section, when the terms Original Equipment Manufacturer Parts (OEM) is used, it shall also include Original Equipment Replacement Parts (OER), and Approved Aftermarket Parts. These terms may be used to refer to the other terms.

#### 15.1 Verify Proof of Ownership and Certificate of Insurance

- a. Proof of ownership and a valid Certificate of Insurance must be presented prior to the beginning of the Inspection.
- b. The owner's registration card, Title, temporary registration card, notarized bill of sale, or a One-Trip permit issued by the State Police is sufficient proof of ownership.
- c. The Certificate of Insurance must be valid for the period covering the date of Inspection. The Certificate of Insurance card must comply with

the requirements of WV Code 17D-2A-4. Insurance cards displayed on a cell phone shall be accepted as proof of insurance.

- d. The Owner/Operator and/or the Inspector Mechanic performing the Inspection must verify the Vehicle Identification Number and the registration plate number with the registration card, One Trip Permit, and Certificate of Insurance.
- e. The Insurance Certificate and registration need not be in the same name but shall match the vehicle presented for Inspection.
- f. The owner of the vehicle is not required to be present when a vehicle is presented for Inspection.
- g. The vehicle must get to the Inspection station legally.
- h. The vehicle may be towed by the owner with a properly registered trailer or the owner may haul the vehicle in the bed of a properly registered truck.
- i. Government vehicles do not have to produce Proof of Insurance.
- j. Vehicles operated with Dealer Plates do not have to produce Proof of Insurance.
- k. **Do not** place a Rejection Sticker on a vehicle when the owner cannot produce valid Proof of Ownership and a valid Certificate of Insurance. Never proceed with the Inspection if proper documentation is not presented. Advise the customer to return with the proper documentation.
- l. **Remove the old certificate of Inspection.**

#### **15.2 Registration Plate Mounting. WV CODE 17A-3-15, 17C-15-5 (C).**

Inspect the registration plate to confirm it is securely mounted, clean, clearly visible, and that the registration decal is affixed. Clear protective covers are permitted.

- a. Registration plates shall be securely mounted in a horizontal position.

- b. Registration plates shall be attached to the rear of the vehicle at height not less than twelve (12) inches from the ground, measuring from the bottom of the plate.

**Inspect and reject if:**

1. The plate is hanging loosely or is mounted less than twelve (12) inches from the ground.
2. The Plate is not attached to the rear of the vehicle.
3. The plate has been damaged and/or worn to a degree that printing on the plate is not clearly legible.
4. A registration plate frame obscures any identification information listed on the plate.
5. A lighted license plate frame is present.
6. Any emblem, decals, stickers, **other than the validation decal**, is affixed to any portion of the plate or clear cover.
7. The registration plate light does not illuminate the plate or is not securely fastened to the vehicle.
8. Any violation of any requirement of this Section.

**15.3 Windshields or Windscreens.**

If the ATV is equipped with a windshield or windscreen, the Inspector Mechanic is only required to examine the windshield or windscreen to ensure it is firmly secured to the vehicle.

**15.4 Mirrors. WV CODE 17C-15-44**

The ATV shall be equipped with a rearview mirror on the right and left side of the driver. The mirrors shall be adjustable by tilting in both the horizontal and vertical directions. The mirrors shall be securely mounted in its originally designed location and provide an unobstructed view to the rear for a distance of 200 feet.

**Inspect and reject if:**

1. The mirrors are not securely mounted.
2. A mirror(s) is cracked, pitted, or discolored.
3. A mirror does not provide a clear view to the rear for a distance of 200 feet.

4. A mirror is missing.
5. Mirrors originally equipped by the manufacturer are not present. OER/OEM replacements permitted.
6. A mirror cannot be adjusted.
7. Any violation of any requirement of this section.

### **15.5 Horn. WV CODE 17C-15-33**

The ATV shall be equipped with a horn in good working order and audible from a distance not less than 200 feet. No horn or warning device shall emit an unreasonably loud or harsh sound or whistle. OER horns are permitted if they meet or exceeds original manufacturer's specifications.

#### **Inspect and reject if:**

1. The ATV is equipped with a siren and is not classified as an Emergency Vehicle.
2. The horn does not meet or exceed original manufacturer's specifications.
3. Horn is not securely mounted.
4. Horn does not work.
5. ATV is not equipped with a horn.
6. Horn emits unreasonably loud or harsh sound or whistle.
7. Any violation of any requirement of this Section.
- 8.

### **15.6 Speedometers**

The ATV shall be equipped with a Speedometer that meets or exceeds the original manufacture's specifications. The speedometer shall be illuminated for nighttime operation.

The ATV shall be **rejected** if the speedometer does not indicate speed.

### **15.7 Lighting, Reflectors, Electrical Systems. FMVSS 108.**

**WV CODE 17C-15-4, 17C-15-5, and 17C-15-23.**

All original equipment lights and reflectors are legal and shall be present and meet or exceed the original manufacturer's specifications, and/or be of an equivalent type (OEM) to be approved for a certificate of Inspection. When activated, all lights must function as originally designed.

- a. A self-constructed ATV properly titled and registered shall be equipped with:
  1. One or two head lamps,
  2. One or more tail lamps,
  3. One or more brake lamps,
  4. A tail lamp or other lamp constructed and placed to illuminate the registration plate with a white light,
  5. One or more reflectors on the rear,
  6. Two amber electric turn signals with one on each side of the front and
  7. Two amber or red electric turn signals with one on each side of the rear.

**See Auxiliary lighting.**

- b. Head lamps shall be approved for highway use and meet the requirements of the Federal Motor Vehicle Safety Standards.
- c. ATV'S may have no more than two (2) head lamps and shall be no more than 54 inches in height nor less than 24 inches from level ground.

1. Any lighting installed by the original manufacturer is legal.
2. Lights and reflectors shall be mounted at the positions and/or locations as designed by the original manufacturer.
3. All switches must be in safe operating condition and function as originally designed.
4. All wiring must be present, shielded and securely attached to the frame.
5. If the ATV is equipped with LED lighting, at least 75% of the LEDS must function as originally designed at the time of Inspection.

**Inspect and reject if:**

- a. Any required lighting is missing, not mounted securely, or not functioning as originally designed.
- b. Any required lighting lens is cracked or broken and prevents proper illumination or proper color
- c. The ATV has other than white, red, or amber lighting to the rear. **Exception: Emergency vehicles**

- d. The ATV has other than white or amber lighting to the front.  
**Exception: Emergency vehicles.**
- e. A device, not installed by the original manufacturer, is installed, and prohibits the light or reflector to function as originally designed.
- f. Any LED lighting system has less than 75% of the LEDs functioning.
- g. Defective switches or wiring. Not firmly attached or bare wires exposed.
- h. Any type of flashing light or sign is present.
- i. Any violation of any requirement of this Section.

**15.8 Auxiliary Lighting, Aftermarket lighting. FMVSS 108.**

**WV CODE 17C-15-17, 17C-15-18, 17C-15-19.**

This section applies to Auxiliary lighting not installed by the original manufacturer but installed by the vehicle owner or his designee.

**For highway use** all auxiliary lighting must meet or exceed any requirement, rule, regulation, or recommendations established or required by the U.S. Department of Transportation, Federal Motor Vehicle Safety Standards, National Traffic Highway Administration, and the Society of Automotive Engineers International.

- a. All auxiliary lighting must be securely attached to the vehicle and function as originally designed.
- b. No more than six (6) white lights, including headlamps, forward facing, are permitted to the front of the vehicle.
- c. May be equipped with two (2) fog lamps securely mounted on the front at a height of not less than sixteen (16) inches nor more than forty-two (42) inches from the ground.
- d. May be equipped with two (2) passing lamps securely mounted on the front at a height of not less than twenty-four (24) inches nor more than forty-two (42) inches from the ground.

- e. Any vehicle may be equipped with a roof mounted off-road light bar lighting device comprised of multiple lights. Any vehicle so equipped may not have more than six (6) white lights to the front of the vehicle. Roof mounted lights which are of a type that contain multiple LED lights within a sealed unit are permitted. Such lights in a sealed LED unit ten (10) inches or less in width, shall be considered as one (1) light. Lights in a sealed LED unit more than ten (10) inches in width shall be considered two (2) lights.
- f. All auxiliary lighting must be installed in a professional manner.
- g. Flashing lights of any color, shape or form are prohibited.
- h. Neon lights are prohibited.
- i. Ornamental lighting is prohibited.

**Inspect and reject if:**

1. Not an approved type.
2. Lens cracked or broken and prevents proper illumination or proper color.
3. Not securely mounted or functioning as originally designed.
4. Defective wiring and/or switches.
5. Ornamental lighting is present.
6. Lighting does not comply with minimum and maximum height requirements.
7. Any violation of any requirement of this section.

**15.9 Frame/Chassis, Steering, Steering Wheel.**

All parts of the ATV frame, installed by the original manufacturer, must be present and function as originally designed. No part of the frame shall be cracked, broken, rusted through, bent, buckled, or have poor quality welds.

- a. No more than two (2) frame repairs are permitted.
- b. All repairs must be performed in a professional manner.

- c. All parts of the ATV powertrain shall be present and function as designed by the original manufacturer; OEM replacement parts that meet or exceed the original manufacturers specifications are permitted.
- d. Handlebars shall be securely mounted and perform in a manner that allows the driver/rider to maneuver the vehicle without hindrance.
- e. Steering wheels shall be securely attached to the steering column assembly. Steering columns must be securely mounted, and function as originally designed by the manufacturer.

**Inspect and reject if:**

- 1. More than two (2) frame repairs are made.
- 2. Parts of the frame have been removed.
- 3. Frame is cracked, broken, rusted through, bent, or buckled.
- 4. Steering column is not securely mounted.
- 5. Any part of the steering linkage or steering components is defective or missing.
- 6. Handlebars are not securely mounted.
- 7. Steering wheel is not securely mounted.

**15.10 Muffler and Exhaust System. WV CODE 17C-15-34.**

All ATV'S shall be equipped with an Exhaust System, installed by the original manufacturer, or an aftermarket OEM replacement, that meets or exceeds the original manufacturer's specifications. All parts of the exhaust system shall be present at the time of Inspection and function as originally designed by the manufacturer. The Muffler is part of the exhaust system.

Emission Control Components (ECC) are part of the Exhaust System. **If required for the year of manufacture**, the ATV shall be equipped with the Emission Control Components, installed by the original manufacturer, or an aftermarket (OEM) replacement, that meets or exceeds the original manufacturer's specifications. All parts of the Emission Control Components shall be present at the time of Inspection and function as originally designed by the manufacturer. **Removal or alteration of any catalytic converter or any other part of the Emission Control Components is a violation of Federal Law.**

- a. The exhaust system shall be securely attached to the frame as originally designed by the manufacturer.
- b. The muffler may not be altered from its original design and specifications.
- c. No part of the exhaust system shall have any loose or leaking joints, holes, missing parts, or patches on the muffler.

**Inspect and reject if:**

- 1. The ATV is not equipped with an exhaust system originally installed by the manufacturer or Aftermarket replacement (OEM) that meets or exceeds the original manufacturer's specifications.
- 2. Any part of the exhaust system is not securely mounted.
- 3. Muffler has been altered from its original design.
- 4. Loose and/or leaking joints present.
- 5. Any violation of any requirement in this section.

### **15.11 Suspension**

All suspension components shall be present and assembled to function as designed by the original manufacturer, or an aftermarket (OEM) replacement that meets or exceeds the original manufacturer's specifications may be used.

- a. Front and rear shock absorbers shall be securely mounted and free of severe or excessive leakage.
- b. Welding of coil springs is prohibited.

**Inspect and reject if:**

- 1. Coil springs are broken.
- 2. Any weld on a coil spring.
- 3. Shock absorber is severely or excessively leaking.
- 4. Any part of the suspension is not securely mounted.
- 5. Any part of the suspension system is missing.
- 6. Any movement of the suspension components that is more than the original manufacturer's specifications.

7. Any violation of any requirement of this Section.

**15.12 Tires and Wheels. FMVSS 119-120, 49 CFR 574.**

- a. Tires and wheels shall meet or exceed original manufacturer's specifications.
- b. Tires and/or wheels smaller than the original manufacturer's specifications are prohibited.
- c. Wheels shall be in safe operating condition and all parts used for attachment of the wheel shall be present and function as originally designed.
- d. Tire tread shall not be less than 2mm.

**Inspect and reject if:**

1. Tire tread is less than 2mm.
2. Tires are not of a size recommended by the original manufacturer.
3. Any part of the wheel is bent, cracked, welded, or damaged.
4. Valve stems are defective.
5. Tire has visible bump, bulges, cuts, exposed cords or is rotted.
6. Parts for securing the wheel are damaged or missing.
7. Any violation of any requirement of this Section.

**15.13 Brakes FMVSS 105, 116, 122. WV CODE 17C-15-32.**

When presented for Inspection, the ATV shall be equipped with a Brake System installed by the original manufacturer, or aftermarket (OEM) replacement parts, that meets or exceeds the original manufacturer's specifications for the year and model of the ATV.

- a. The Brake System shall be Inspected for missing parts, cracks, leaks, or contamination from fluids or rust.
- b. Master Cylinder(s), hoses, tubing, and/or cables, shall be Inspected for leaks, restrictions, proper mounting, and securing.
- c. Brake pads shall not be less than 2mm.

- d. If the ATV was originally equipped with a parking brake, it must be present, and function, as originally designed.
- e. If the ATV was originally equipped with Anti-Lock Braking System (ABS), it shall function as originally designed.

**Inspect and Reject if:**

- 1. Master cylinder(s) leaks, has poor connections, or is defective.
- 2. Hoses, tubing, or cables are cracked, chafed, or flattened.
- 3. Brake pad is less than 2mm.
- 4. Brake pad is not making full contact and/or worn unevenly.
- 5. ATV was originally equipped with a parking brake system, but system is now missing or defective.

**15.14 Fuel System**

- a. Inspection of the Fuel System shall consist of examining the fuel tank, fuel tank mounting, fuel lines and filler cap.
- b. The fuel tank shall be securely mounted to the frame and free of any leakage. The filler cap shall be present and capable of sealing the fuel tank to prevent leakage. Any leakages in the fuel lines are prohibited.

**Inspect and reject if:**

- 1. Fuel tank is not securely mounted and/or is leaking fuel.
- 2. The filler cap is missing.
- 3. The filler cap is defective or does not seal the fuel tank.
- 4. Fuel is leaking from fuel lines.

# SECTION 16

## ADMINISTRATIVE HEARING PROCEDURES

### 16.1 Purpose

- a. The purpose of these Administrative Hearing Procedures is to provide a format for conducting Motor Vehicle Inspection Hearings. The following procedures are not intended to be published as Administrative Regulations and as such, do not have the force of law but shall be used to assist all parties who have hearings before the Board.

### 16.2 Venue

- a. Administrative Hearings shall be conducted at the State Police Traffic Records Office, 701 Jefferson Road, South Charleston, WV 25309-1698.

### 16.3 Definitions

- a. **Board:** a group of three (3) members of the State Police with the rank of Section Commander, Support Specialist V, or above, who will decide the case. Board Members shall be approved by the Superintendent or his/her designee.
- b. **Customer:** the person who presented the vehicle in question for Inspection and/or the person that has filed a complaint against an Inspection station.
- c. **Inspector Mechanic:** a person that has attended the Inspector Mechanic Training Class, successfully passed the examination, and has been certified as an Inspector Mechanic by the State Police.
- d. **Hearing Moderator:** shall be the Director or Deputy Director of the Traffic Records Section of the State Police. The Moderator shall act as a Bailiff and provide administrative support to the Board, Defense, and the State. The duties of the Moderator shall also include:
  - 1. Preserve and protect orderly conduct during the hearing proceedings.
  - 2. Provide a copy of this Section to the Board, State, and Defense within thirty (30) days of the Hearing.
  - 3. Ensure that the Board, State, and Defense are provided with all information pertinent to the hearing. This information shall include, but not be limited to, a list of the charges and violations alleged to have been committed by the Owner/Operator or Inspector Mechanic, copies of reports filed by the Area Supervisor, and copies of all

evidence the State will present during the hearing. This information shall be provided to all parties within thirty (30) days of the hearing.

4. The moderator shall call the hearing to order, close the hearing at the end of closing arguments, and retire the Board to render its decision.
  5. The Moderator is responsible to secure and file all transcripts and evidence at the conclusion of the hearing in the manner required in this Section.
  6. The Moderator shall not offer any testimony or advice to the State, Defense, or Board. However, the State, Defense, or Board may call the Director or Deputy Director (whichever is not the Moderator), to testify about any matter pertinent to the hearing.
- e. **Owner/Operator:** the person that owns the Inspection Station, or his/her designee that operates the Inspection station for the owner, or both. The Owner/Operator may also be referred to as “the defense.”
- f. **Preponderance of Evidence:** is described as just enough evidence to make it more likely than not that the fact the State or the Defense seeks to prove is true. The Preponderance of Evidence standard need not meet the evidentiary standard of “Beyond a Reasonable Doubt.”
- g. **State:** the West Virginia State Police. The State Police shall be represented by a member with the rank of Section Commander, Support Specialist V, or above, who will be responsible for preparing and presenting the State’s case before the Board, in prosecutorial manner, and in compliance with this Section. The member shall be appointed by the Superintendent or his/her designee. The Superintendent, at his discretion, may appoint any attorney employed by the State Police to represent the State.

#### 16.4 Transcripts

Formal transcripts shall not be made of the proceedings. An Owner/Operator may, at his/her own cost, provide a court reporter to record the proceedings. The Board shall record all proceedings on a tape recorder, or other such mechanical sound recording device, and this recording, along with any documentary evidence introduced during the hearing, shall constitute the official record of said proceedings.

- a. The recording of the proceedings shall be retained for a period of two (2) years from the date of the hearings final disposition.
- b. The recording shall remain in the Stations file, maintained by the Traffic Records Section of the State Police, during the two (2) year period.

## 16.5 Procedure

- a. **Rules of Evidence and Civil Procedure:** The formal rules of evidence and civil procedure do not apply before the Board. The Board may, however, in its discretion, exclude evidence, which is immaterial, irrelevant, unduly prejudicial, unduly repetitious, or which would not otherwise assist the Board in reaching a determination as to the merits of the case. The Board will, upon proper objection or notice, exclude all evidence that is legally privileged.
- b. **Motions:** Any motion, on which a ruling is desired prior to commencement of the hearing, must be made at least five (5) working days prior to the hearing and must be accompanied by a certificate of service, verifying that said motion was served on both the Board and the other party or parties. The Board shall render a decision on any motion or submitted findings of fact and conclusions of law or Inspection regulations prior to opening statements.
- c. **Scope of the Hearing:** The Moderator shall call the hearing to order and read the following statement to all involved parties: *“This hearing shall be limited to consideration of whether sanctions were properly assessed against the Defendant. The severity of such sanctions shall not be an issue in the hearing.”*
- d. **Purpose of the Hearing:** The hearing shall commence with a short statement by the Board as to why the hearing is being conducted. The statement shall include all charges listed in the Suspension Order.
- e. **Opening Statement:** The Moderator shall call for opening statements from the State and the Defense. The State shall begin first followed by the Defense. The Defense may reserve its opening statement until after the presentation of the State’s case in chief. **In that event**, the Defense’s opening statement shall be limited to discussing evidence the Defense intends to introduce, as if the defense had made its opening statement immediately after the State’s opening Statement. Opening statements shall, except for good cause shown, be limited to ten (10) minutes for the State and ten (10) minutes for the Defense. Either party may waive opening statements.
- f. **Presentation of Evidence:** The State shall present its case in chief followed by the Defense case in chief, if any, and the State’s rebuttal evidence, if any. The State shall have the burden of proving, by a preponderance of the evidence, that the defendant was appropriately subjected to sanctions. In no event shall the Defense be required to present a case in chief. Each party shall be limited, except for good cause shown to the calling of three (3) witnesses. If a party intends to call more than three

(3) witnesses, it must give notice to the Board, and to the other party at least five (5) working days prior to the hearing. The Board shall rule on a motion to present more than three (3) witnesses prior to opening statements. After each party has had the opportunity to examine witnesses, the Board members shall have the right to examine witnesses. If the Board exercises this right, the parties shall have the opportunity to reexamine any witness so examined by the Board. The failure of a Customer to be a witness shall not be considered by the Board in rendering its decision. There shall be no limit on documentary evidence.

- g. **Closing Arguments:** The State shall present its closing argument followed by the Defense's closing argument and the State's rebuttal, if any. Closing arguments shall be limited to fifteen (15) minutes. The State may reserve a portion of its time for rebuttal but must reserve this time prior to beginning closing argument. Either party may waive closing argument.
- h. After closing arguments, the Moderator shall close the hearing and escort the parties from the hearing room, leaving the Board to render a decision which shall be unanimous. The Board may render one (1) of three (3) decisions:
  - 1. Sanctions were properly assessed, and the Suspension Order shall remain in effect.
  - 2. Sanctions were not properly assessed, and the Station shall be reinstated immediately.
  - 3. A unanimous decision could not be reached, and the Suspension Order is dismissed, with prejudice.
- i. When the Board has reached a decision, it shall notify the Moderator. Upon notification, the Moderator shall escort the parties to the hearing room and call the hearing to order.
  - 1. The Board will then read its decision into the record.
  - 2. The Moderator will then close the hearing and dismiss all the parties involved.
- j. If the Board fails to render a decision by the end of the business day on which the Board started its deliberations, the Moderator shall dismiss the parties. Within five days the Board shall render one of the three (3) decisions required and notify the Moderator. The Moderator shall immediately notify the State and Defense of the decision.

## DEFINITIONS

**Aftermarket:** The secondary market of the automotive industry, concerned with the manufacturing, remanufacturing, distribution, retailing, and installation of all vehicle parts, chemicals, equipment, and accessories, after the sale of the automobile by the original equipment manufacturer (OEM) to the consumer. The parts, accessories, etc., for sale may or may not be manufactured by the OEM.

- a. Aftermarket parts are divided into two categories:
  1. Replacement Parts: Automotive parts built or remanufactured to replace OEM parts as they become worn or damaged.
  2. Accessories: Parts made for comfort, convenience, performance, safety, or customization, and are designed to be an add-on after the original sale of the motor vehicle.

**ANSI:** American National Standards Institute.

**Autocycle:** A fully or partially enclosed motorcycle that is equipped with safety belts, rollover protection, a rearview mirror, automotive seating, a steering wheel, and equipment otherwise required on a motorcycle, and which has no more than three wheels in contact with the roadway at one time.

**Bona fide Employee:** A person who is hired by an Owner/Operator for a wage or salary to perform work and is covered under the Owner/Operators Workers' Compensation Insurance; authentic, genuine employee.

**Cancel:** To annul or invalidate.

**CFR:** Code of Federal Regulations.

**Chassis:** The metal frame, wheels, engine, and mechanical parts of a motor vehicle to which the body is attached.

**Common Space:** An area on which more than one telltale indicator, identifier, or message may be displayed, but not simultaneously; Dashboard.

**Customer:** The person presenting the vehicle for Inspection or the person that has filed a complaint against an Inspection station. The person need not be the owner of the vehicle.

**Emission Control Components (ECC):** Related to - Positive Crankcase Ventilation System (PVC), Exhaust Gas Recirculation System (ERG), Evaporative Emission System (EVP), Air Injection Systems (AIS), Catalytic Converter System (CAT) and Thermostatic Air Cleaner (TAC), Selective Catalytic Reduction (SCR) and Diesel Exhaust Fluid (DEF).

**FMCSR:** Federal Motor Carrier Safety Regulations.

**FMVSS:** Federal Motor Vehicle Safety Standards.

**GVW:** Gross Vehicle Weight. The weight of the vehicle equipped and ready for operation on the road.

**GVWR:** Gross Vehicle Weight Rating. The maximum operating weight of a vehicle as specified by the manufacturer including the vehicle's chassis, body, engine, engine fluids, fuel, accessories, driver, passengers, and cargo but excluding that of any trailers. The GVWR and other technical specifications is found on the Federal weight certification label that is usually located on the interior of the B-pillar.

**Horizontal Forward Projected Vision Area:** Allows vision capability 90 degrees to the right of the driver and 90 degrees to the left of the driver. The range of vision may be interrupted by the window framing and windshield-door post support areas; A- pillars.

**Industry Standards:** Generally accepted requirements followed by the members of an industry.

**Inspection Area:** The area of the Inspection Station designated by the Area Supervisor as to where Inspections shall be performed. Inspections may not be performed at any other location. Inspection area shall have a lift or hoist capable of lifting all wheels of the Inspected vehicle off the ground to permit an Inspector Mechanic to walk underneath the vehicle.

**Inspector Mechanic:** A person that has met all the requirements and successfully passed the examination and been certified as an Inspector Mechanic by the State Police. Once Certified an Inspector Mechanic employed at a Public or Fleet Station may inspect any vehicle, including Modified Vehicles. Inspector Mechanics employed at Motorcycle Only/Trailer Stations are restricted to Inspecting Motorcycles/Trailers.

**Manufacturer:** See Recognized Motor Vehicle Manufacturer.

**Motorcycle:** Every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground but excluding a tractor.

**Motor-Driven Cycle:** Every motorcycle having a piston displacement of more than fifty (50) cubic centimeters but not more than one hundred fifty (150) cubic centimeters, or with not more than five (5) brake horsepower.

**Motor Vehicle:** Every vehicle which is self-propelled. See Vehicle.

**Non-reflective:** A product or material designed to absorb light rather than reflect it. WV CODE 17C-15-36a.

**OEM:** Original Equipment Manufacturer. Parts manufactured by a Recognized Manufacturer, usually is used in the final assembly, or a vehicle part or component which performs the identical function as the part or component of the original vehicle but is supplied by a manufacturer other than the Recognized Manufacturer of the original vehicle.

**OER:** Original Equipment Replacement Part means any part or component of a vehicle which is:

1. Identical in fact or in performance to any part or component offered as an option for that vehicle by the original manufacturer of the vehicle when new.
2. Purchasable through auto parts stores or from manufacturers of Replacement or Reproduction Parts Manufacturers.

**Ornamental Lights:** Aftermarket lighting which is intended entirely as a decorative or ornamental addition to a vehicle, rather than lighting that is required for safety; lamps not required by the FMVSS.

**Pole Trailer:** Every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregularly shaped loads such as poles, pipes, trusses, or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

**Recognized Motor Vehicle Manufacturer:** A firm, corporation or association engaged in the business of manufacturing or assembling motor vehicles that has filed an identification statement with the U. S. Department of Transportation and is applying certification tags to the vehicles being manufactured in accordance with 49 CFR 567.4.

**SAE:** Society of Automotive Engineers.

**Scrub Line:** The horizontal plane measured between the bottom edges of the four tire rims; a straight line drawn from the bottom of one wheel lip to another.

**Semitrailer:** Every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor

vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

**Special Purpose Vehicle:** includes all-terrain vehicles, utility terrain vehicles, mini-trucks, pneumatic-tired military vehicles, and full-size special purpose-built vehicles, including those self-constructed or built by the Original Equipment manufacturer and those that have been modified. **Low speed vehicles are not Special Purpose Vehicles.**

**Street:** The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

**Trailer:** Every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

**Tread Width:** That part of the tire that makes contact with the road.

**U.S. DOT:** United States Department of Transportation.

**Vehicle:** Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks or wheelchairs.

**Wheelbase:** The distance in inches from the center of the front wheel to the center of the rear wheel as measured in a straight line from the front to rear wheel of the same side of the vehicle. Whenever referred to within this Official Motor Vehicle Inspection Manual, wheelbase will be the original manufacturer's specifications, with no modification.

**Wheel Track:** The distance in inches from the center of the tire of one axle to the center of the opposite tire of the same axle as measured in a straight line across the vehicle. Whenever referred to in the Official Motor Vehicle Inspection Manual, wheel track will be the original manufacturer's specification with no modification.

# APPENDIX – A

## INSPECTION STATION SIGN REQUIREMENTS

Specifications for Official Motor Vehicle Inspection Station Sign as reproduced above:

- Sign and Number Plate will be no less than 24 inches square.
- Outline of State of West Virginia, border, lettering and numerals to be gold in color on royal blue background.
- Outline of State of WV needs to be ¼ inch wide.
- Border needs to be ½ inch wide.
- Lettering “Motor Vehicle” should be 1 inch high.
- Lettering “Official” should be 2 inches high.
- Lettering “Inspection Station” should be 3 inches high.
- Lettering “West Virginia” Capital Letters should be 2 inches high while other letters are 1 ½ inch high.
- Station license number numerals should be 2 inches high.

## APPENDIX B

### SERVICE BRAKE ADJUSTMENT

#### CLAMP TYPE BRAKE CHAMBER

TYPE	OUTSIDE DIAMETER	BRAKE ADJUSTMENT LIMIT
6	4-1/2 (114mm)	1-1/4 (32mm)
9	5-1/4 (133mm)	1-3/8 (35mm)
12	5-11/16 (145mm)	1-3/8 (35mm)
16	6-3/8 (162mm)	1-3/4 (45mm)
20	6-25/32 (172mm)	1-3/4 (45mm)
24	7-7/32 (184mm)	1-3/4 (45mm)
30	8-3/32 (206mm)	2.0 (51mm)
36	9.0 (229mm)	2-1/4 (57mm)

**A BRAKE EXCEEDING THE ADJUSTMENT LIMIT SHALL BE REJECTED**

#### LONG STROKE CLAMP TYPE BRAKE CHAMBER

TYPE	OUTSIDE DIAMETER	BRAKE ADJUSTMENT LIMIT
12	5-11/16 (14.5mm)	1-3/4 (45mm)
16	6-3/8 (162mm)	2.0 (51mm)
20	6-25/32 (172mm)	2.0 (51mm)
24	7-7/32 (184mm)	2.0 (51mm)
24*	7-7/32 (184mm)	2.5 (64mm)
30	8-3/32 (206mm)	2.5 (64mm)

\*FOR 3 INCH MAXIMUM STROKE TYPE 24 CHAMBERS

**A BRAKE EXCEEDING THE ADJUSTMENT LIMIT SHALL BE REJECTED**

#### BOLT TYPE BRAKE CHAMBER

TYPE	OUTSIDE DIAMETER	BRAKE ADJUSTMENT LIMIT
A	6-15/16 (176mm)	1-3/8 (35mm)
B	9-3/16 (234mm)	1-3/4 (45mm)
C	8-1/16 (205mm)	1-3/4 (45mm)
D	5-1/4 (133mm)	1-1/4 (32mm)
E	6-3/16 (157mm)	1-3/8 (35mm)
F	11.0 (279mm)	2-1/4 (57mm)
G	9-7/8 (251mm)	2.0 (51mm)

**A BRAKE EXCEEDING THE ADJUSTMENT LIMIT SHALL BE REJECTED**  
**ROTORCHAMBER**

<b>TYPE</b>	<b>OUTSIDE DIAMETER</b>	<b>BRAKE ADJUSTMENT LIMIT</b>
9	4-9/32 (109mm)	1-1/2 (38mm)
12	4-13/16 (122mm)	1-1/2 (38mm)
16	5-13/32 (138mm)	2.0 (51mm)
20	5-15/16 (151mm)	2.0 (51mm)
24	6-13/32 (163mm)	2.0 (51mm)
30	7-1/16 (180mm)	2-1/4 (57mm)
36	7-5/8 (194mm)	2-3/4 (70mm)
50	8-7/8 (226mm)	3.0 (76mm)

**A BRAKE EXCEEDING THE ADJUSTMENT LIMIT SHALL BE REJECTED**

### **DD-3 BRAKE CHAMBER**

<b>TYPE</b>	<b>OUTSIDE DIAMETER</b>	<b>BRAKE ADJUSTMENT LIMIT</b>
30	8-1/8 (206mm)	2-1/4 (57mm)

**A BRAKE EXCEEDING THE ADJUSTMENT LIMIT SHALL BE REJECTED**

### **WEDGE BRAKE**

**The combined movement of both brake shoe lining scribe marks shall not exceed 1/8 inch (3.18mm)**

## **PROCEDURE FOR MEASURING CAM AND WEDGE BRAKES**

**On vehicles equipped with cam brakes, mark each brake chamber push rod at the face of the brake chamber with the brakes released. Apply the air brakes fully, minimum air pressure of 90 to 100 psi, and measure the distance the push rod travels from the face of the chamber to the mark previously made when the brakes were released. The measurement is the push rod stroke.**

**On vehicles equipped with wedge brakes, remove the Inspection hole cover at each dust shield and with the brakes released, scribe a line on the edge of the brake lining. Apply the air brakes fully and measure the distance the brake lining travels. Trucks with an Air Brake System manufactured on or after 10-20-94 shall be equipped with a functioning Automatic Brake Adjuster System and Brake Adjuster Indicator.**