

Obsolete



STATE OF WEST VIRGINIA  
OFFICE OF THE SECRETARY OF STATE  
CHARLESTON 25305

Emergency

A. JAMES MANCHIN  
SECRETARY OF STATE

STATE REGISTER FILING

I, Virginia L. Roberts, Commissioner,  
Title or Position

Department of Motor Vehicles, hereby submit to record in  
Department or Division

the State Register on 8 1/2 x 11" paper two (2) copies of

- proposed rules and regulations concerning topics of material not covered by existing rules and regulations;
- proposed rules and regulations superseding rules and regulations already on file;
- notice of hearing;
- findings and determinations;
- rules and regulations; or amendments to emergency legislative rules
- other - specify ( LEGISLATIVE ( ) PROCEDURAL ( ) INTERPRETIVE ( ) RULE

This filing pertains to

Chapter 17A  
 Article 2  
 Series XIII  
 Section 6  
 Page No. 7,8

FILED IN THE OFFICE OF  
A. JAMES MANCHIN  
SECRETARY OF STATE

THIS DATE 12-19-83  
Administrative Law Division

- proposed rules and regulations are required to go to Legislative Rule Making Committee;
- proposed rules and regulations are excluded from Legislative Rule Making Committee;

December 19, 1983  
Date Submitted

Virginia L. Roberts  
Signature of Person Authorizing  
this Filing



DEPARTMENT OF MOTOR VEHICLES  
STATE OFFICE BUILDING  
CHARLESTON, W. VA.  
25305

December 19, 1983

The Honorable A. James Manchin  
Secretary of State of West Virginia  
State Capitol Building, Suite 157-K  
Charleston, West Virginia 25305

FILED IN THE OFFICE OF  
A. JAMES MANCHIN  
SECRETARY OF STATE

THIS DATE Dec. 19, 1983  
Administrative Law Division

Dear Mr. Manchin:

Please be advised that this letter constitutes notice that the Department of Motor Vehicles is amending previously filed emergency rules entitled Compulsory Motor Vehicle Liability Insurance Regulations.

These amendments have been promulgated in order to prevent substantial harm to the public interest. These amendments will reduce the number of people subject to the vehicle registration suspension and reinstatement provisions of the Compulsory Insurance Law.

These amendments consist of a new section, designated Section 6, Suspension of Motor Vehicle Registration, pages 7 and 8.

I certify that the attached amendments constitute the amendments to the existing emergency rules, promulgated and filed on December 19, 1983.

Very truly yours,

A handwritten signature in cursive script that reads "Virginia L. Roberts".

Virginia L. Roberts  
Commissioner

VLR:jld

attachments

Department of Motor Vehicles  
Legislative Rule 17A-2  
Series XIII

FILED IN THE OFFICE OF  
A. JAMES MANCHIN -  
SECRETARY OF STATE  
THIS DATE 12-19-83  
Administrative Law Division

Sec. 6.00.

(Amendments to Emergency Rules)

Section 6. Suspension of Motor Vehicle Registration

6.01. Notice of Pending Suspension - In accordance with the provisions of §17D-2A-5, the Commissioner shall give notice of pending suspension of motor vehicle registration to the owner, when given notice of cancellation or termination of the policy pursuant to Section 5.02. The notice of pending suspension shall be sent by certified mail, return receipt requested. The notice shall require the owner to provide the Commissioner with a certificate of insurance or other proof of security as described in §17D-2A-4(b) within the twenty days stipulated in §17D-2A-5. No reinstatement fees shall be applicable if the certificate of insurance or other proof of security as described in §17D-2A-4(b) is provided within the twenty days following mailing of the notice of pending suspension.

6.02. Official Notice of Suspension - In accordance with the provisions of §17D-2A-7, if the owner has not met the requirements of §17D-2A-5, or has not requested a hearing pursuant to the provisions of §17D-3-15, the Commissioner shall suspend the motor vehicle registration. Three copies of the notice of suspension shall be forwarded to the Department of Public Safety, one for delivery to the owner. However, should the owner provide the Commissioner with a certificate of insurance or other proof of security as described in §17D-2A-4(b) within twenty days from the date of delivery, as certified by the Department of Public Safety,

*Emergency*

Department of Motor Vehicles  
Legislative Rule 17A-2  
Series XIII

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Sec. 6.02.

THIS DATE 12-19-83  
Administrative Law Division

none of the fees mandated in §17A-9-7 shall be applicable and no suspension shall be entered. The Department of Public Safety shall also advise the owner of the penalties for operating a motor vehicle without liability insurance, and the consequences of failure to provide the Commissioner with a certificate of insurance or other proof of security, within twenty days following delivery of the notice of suspension.

6.03. Notice to the Department of Public Safety to Secure Possession of Registration - In accordance with the provisions of §17A-9-7, if the owner fails to provide a certificate of insurance or other proof of security as described in §17D-2A-4(b), within the time limits prescribed in Sections 6.01 and 6.02, the registration shall be suspended. An order shall be directed to the Department of Public Safety to secure possession of the registration and return same to the Commissioner.

6.04. Reinstatement of Suspended Registration - A registration suspended under the provisions of §17D-2A-7(c) and as prescribed in Section 6.03, may be reinstated upon the payment of the fees prescribed in §17A-9-7 and providing the Commissioner with a current certificate of insurance or other proof of security as described in §17D-2A-4(b).