

Form #4

OFFICE WEST VIRGINIA
SECRETARY OF STATE



WEST VIRGINIA
DEPARTMENT OF TRANSPORTATION
1900 Kanawha Boulevard East • Building Five • Room 109
Charleston, West Virginia 25305-0440 • 304/558-0444

Bob Wise
Governor

Fred VanKirk, P. E.
Secretary

June 19, 2001

The Honorable Joe Manchin III
Secretary of State
State Capitol Building
Charleston, WV 25305

Dear Mr. Secretary:

The Commissioner of Motor Vehicles is hereby authorized to promulgate proposed amendments to 91 CSR 12, Motor Vehicle Inspection Manual.

Very truly yours,

A handwritten signature in black ink, appearing to read "Fred VanKirk", with a stylized flourish at the end.

Fred VanKirk, P.E.
Secretary/Highways Commissioner

FV:sd

Enclosure

FILED

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

(PROPOSED)
WEST VIRGINIA LEGISLATIVE RULES
DIVISION OF MOTOR VEHICLES
91 CSR 12

Title: Motor Vehicle Inspection Manual

§91-12-1 General

1.1. Scope - This legislative rule relates to the Motor Vehicle Inspection Manual.

1.2. Authority- West Virginia Code §17A-2-9, §17C-16-4.

1.3. Filing Date -

1.4. Effective Date-

~~1.5. Repeal of Former Rule- This legislative rule repeals and replaces West Virginia Legislative Rules, Division of Motor Vehicles, 91 CSR 6, Vehicle Inspection Manual, as filed April 2, 1986 and effective April 2, 1986. .~~

~~1.6.~~ 1.5. Application and Enforcement - This legislative rule applies to the administration and enforcement of the motor vehicle inspection laws of this state. Enforcement to this rule is vested with the Commissioner of Motor Vehicles and the Superintendent of the State Police.

§91-12-2 Motor Vehicle Inspection Manual

2.1. Incorporation by reference- The Commissioner of Motor Vehicles hereby incorporates by reference the Official Motor Vehicle Inspection Manual as promulgated by the Superintendent of the West Virginia State Police, and as revised ~~April, 1996.~~ July, 2001.



WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

*Building 1, Room MB-49
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(304) 347-4840
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*Senator Mike Ross, Cochair
Delegate Virginia Mahan, Cochair
Debra A. Graham, Counsel*

August 08, 2001

*Joseph A. Altizer, Associate Counsel
Rita Pauley, Associate Counsel
Teri Anderson, Administrative Assistant*

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Joe Manchin, Secretary of State, State Register

TO: Steven O. Dale
Motor Vehicles, Division of
Capitol Complex
Building 3, Room 113

FROM: Legislative Rule-Making Review Committee

Proposed Rule: **Motor Vehicle Inspection Manual, 91CSR12**

The Legislative Rule-Making Review Committee recommends that the West Virginia Legislature:

1. Authorize the agency to promulgate the Legislative rule
 - (a) as originally filed
 - (b) as modified by the agency
2. Authorize the agency to promulgate part of the Legislative rule; a statement of reasons for such recommendation is attached.
3. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached.
4. Authorize the agency to promulgate the Legislative rule as modified with certain amendments; amendments and a statement of reasons for such recommendation is attached.
5. Recommends that the Legislative rule be withdrawn; a statement of reasons for such recommendation is attached.

Steven O. Dale
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August 08, 2001

If the first page of this form indicates that your agency has agreed to modify the proposed rule in accordance with a motion adopted by the Committee, your agency should consult with the Committee's counsel on the preparation of the modifications. By Wednesday, August 22, 2001, your agency must file **1 copy** of your modified rule with the Secretary of State's office and **10 copies** with the Legislative Rule-Making Review Committee.

W.Va. Code §29A-3-12 requires that this Committee submit its report to the full Legislature by the Twentieth Day of the Regular Session, and by that time all bills of authorization must be ready for introduction. The date that you filed your modified rule in the Secretary of State's office must be included in the Bill of Authorization.

Please disregard this notice if you have already filed your final, modified rule. Committee rules state that a copy of this letter must be on file for each agency filing a rule.

Very truly yours,



Teri Anderson
Administrative Assistant