



KEN HECHLER
Secretary of State

MARY P. RATLIFF
Deputy Secretary of State

BARBARA STARCHER
Deputy Secretary of State

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Deputy Secretary of State

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Chief of Staff

RICH O. HARTMAN
Director, Administrative Law

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Director, Corporations

VIRGINIA SKEEN
Special Assistant

(Plus all the volunteer
help we can get)

STATE OF WEST VIRGINIA

SECRETARY OF STATE

Charleston 25305

PROPOSED RULES

STATE REGISTER FILING

=====

AGENCY Department of Motor Vehicles

CONTACT PERSON Steven O. Dale PHONE 348-3981

TYPE OF RULE Legislative

TITLE OF RULE Motor Vehicle Inspection Manual

CHAPTER 17A ARTICLE 2 SERIES XII

AUTHORITY 17A-2-9

CHECK APPLICABLE ITEMS BELOW TO SHOW KIND OF ACTION BEING TAKEN

NEW RULE

NOTICE OF HEARING

AMENDMENTS TO EXISTING RULE

NOTICE OF AGENCY APPROVAL
(legislative rules only)

REPEAL OF EXISTING RULE

NOTICE OF AGENCY ADOPTION
(interpretive & procedural
rules only)

NOTE: ALL FILINGS REQUIRE ONLY
ONE COPY, EXCEPT FINAL
FILING OF RULES WHICH
REQUIRES AN ORIGINAL AND
A COPY.

FINAL FILING

FIRST EMERGENCY FILING

SECOND EMERGENCY FILING



DEPARTMENT OF MOTOR VEHICLES
STATE OFFICE BUILDING
CHARLESTON, W. VA.
25317

ARCH A. MOORE, JR.
Governor

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SECRETARY OF STATE
L. W. BECHTOLD
Commissioner

June 7, 1985

The Honorable Ken Hechler
Secretary of State
State Capitol Building
Charleston, WV 25317

Dear Mr. Secretary:

Please find attached proposed legislative rules which are being filed pursuant to §29A-3-5. The proposed rules are designated; Series XII, Motor Vehicle Inspection Manual.

Please also find attached a fiscal note on these rules being filed pursuant to §29A-3-4 as well as a notice of Public Hearing or Comment pursuant to §29A-3-7.

I certify that the attached constitutes the legislative rules being proposed for promulgation by the Department of Motor Vehicles.

Very truly yours,


L. W. Bechtold
Commissioner

LWB:SOD/lsk



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STATE OFFICE BUILDING
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25317

OFFICE OF THE
SECRETARY OF STATE

ARCH A. MOORE, JR.
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L. W. BECHTOLD
Commissioner

NOTICE OF PUBLIC HEARING OR COMMENT ON A PROPOSED RULE

PUBLIC HEARING

AGENCY: Department of Motor Vehicles
RULE TYPE: Legislative
RULE TITLE: Motor Vehicle Inspection Manual

A Public Hearing on the above proposed rule will be held at 10:00 a.m. on July 24, 1985 at 1800 Washington Street East, Room 522, Conference Room.

Comments are limited to: Oral Written Both

Comments may also be mailed to: Department of Motor Vehicles, 1800 Washington Street East, Room 124, Charleston, West Virginia 25317, to the attention of Steven O. Dale. The deadline for comments is the date of the Public Hearing.

The Department requests that persons wishing to make comments at the hearing submit written comments in order to facilitate a review of these comments.

The issues to be heard shall be limited to the proposed rule.

L. W. Bechtold
Commissioner

FISCAL NOTE FOR PROPOSED RULES

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Rule Title: Motor Vehicle Inspection Manual

SECRETARY OF STATE

Type of Rule: Legislative Interpretive Procedural

Agency Department of Motor Vehicles Address 1800 Washington St., East
Charleston, WV 25317

1. Effect of Proposed Rule	ANNUAL		FISCAL YEAR		
	Increase	Decrease	Current	Next	Thereafter
Estimated Total Cost	\$	\$	\$	\$	\$
Personal Services					
Current Expense					
Repairs and Alterations					
Equipment					
Other					

2. Explanation of above estimates.
Implementation of these rules will have no fiscal impact on the State. The Motor Vehicle Inspection Program is already in place. These rules only amend existing rules.

3. Objectives of these rules:
Implementation of these rules will provide.

1. General updating of the Manual (Last revision 1975)
2. Enhanced penalties for inspection station violations to protect vehicle owners.
3. Guidelines for construction and equipment of special motor vehicles.

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.
None

B. Economic Impact on Political Subdivisions; Specific Industries;
Specific groups of citizens.

Inspection stations licensed after the effective dates of these rules will be required to have heating, telephone, and restroom facilities.

C. Economic Impact on Citizens/Public at Large.

These rules will provide the general public with more protection against fraud and abuse of the Motor Vehicle Inspection Program by inspection stations.

Date June 7, 1985

Signature of Agency Head or Authorized Representative



L. W. Bechtold
Commissioner

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SECRETARY OF STATE



(Proposed)
WEST VIRGINIA LEGISLATIVE RULES
DEPARTMENT OF MOTOR VEHICLES
CHAPTER 17A-2
SERIES XII

Subject: Motor Vehicle Inspection Manual

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(Proposed)
WEST VIRGINIA LEGISLATIVE RULES
DEPARTMENT OF MOTOR VEHICLES
CHAPTER 17A-2
SERIES XII

FILED

1985 JUN -7 AM 10: 52

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Title: Motor Vehicle Inspection Manual

Section 1. General

1.1 Scope - These legislative rules relate to the Motor Vehicle Inspection Manual.

1.2 Authority - §17A-2-9.

1.3 Filing Date -

1.4 Effective Date -

1.5 Repeal of Former Rule - These legislative rules repeal West Virginia Legislative Rules "Department of Motor Vehicles, Chapter 17A-2, Series XII, Motor Vehicle Inspection Manual, (1964) amended," as filed May 19, 1965.

Section 2. Application and Enforcement

2.1 Application - These legislative rules apply to the administration and enforcement of the motor vehicle inspection laws of this State.

2.2 Enforcement - Enforcement of these legislative rules is vested with the Commissioner of Motor Vehicles or lawful designee.

Section 3. Motor Vehicle Inspection Manual

3.1 Incorporate by Reference - The Commissioner of Motor Vehicles hereby incorporates by reference the Official Motor Vehicle Inspection Manual as promulgated by the Superintendent of Public Safety revised, 1986.



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DEPARTMENT OF MOTOR VEHICLES

STATE OFFICE BUILDING
CHARLESTON, W. VA.
25317

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Governor

SECRETARY OF STATE
L. W. BECHTOLD
Commissioner

PUBLIC HEARING SUMMARY

MOTOR VEHICLE INSPECTION MANUAL

LEGISLATIVE RULE: Chapter 17A-2, Series XII, Motor Vehicle
Inspection Manual.

NOTICE OF PUBLIC HEARING FILED: June 7, 1985

PUBLIC HEARING HELD: July 24, 1985.

ATTENDANCE: Debbie Phillips - House of Delegates
Ruth R. Lemmon - WV Auto & Truck Dealers Assoc.
Deloras Martin - AAA WV State Association

COMMENTS RECEIVED: Ms. Lemmon and Ms. Martin made oral
comments in favor of the proposed
legislative rules.

AMENDMENTS: Minor change to page 39 deleting advisory note
on license plate.



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STATE OFFICE BUILDING
CHARLESTON, W. VA.
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SECRETARY OF STATE

ARCH A. MOORE, JR.
Governor

L. W. BECHTOLD
Commissioner

PERSONS NOTIFIED OF PUBLIC HEARING

MOTOR VEHICLE INSPECTION MANUAL

WV Auto Truck Dealers Association

Sgt. J. R. Bias
Department of Public Safety
Planning and Research

Capitol Press Service

Mr. Wayne Buckalew, Director
Winfield Office, DMV

Marvin Z. Grey
WV Gasoline Dealers and
Automotive Repair Association

Mr. Harlan Tetrick, Director
Martinsburg Office - DMV

Sgt. Grey
Department of Public Safety
Planning and Research

American Automobile Association

WV Safety Council

Superintendent of Public Safety

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WEST VIRGINIA LEGISLATIVE RULES
DEPARTMENT OF MOTOR VEHICLES
CHAPTER 17A-2
SERIES XII

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SECRETARY OF STATE

Title: Motor Vehicle Inspection Manual

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(Proposed)
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DEPARTMENT OF MOTOR VEHICLES
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SERIES XII

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