



DEPARTMENT OF MOTOR VEHICLES

STATE OFFICE BUILDING
CHARLESTON, W. VA.
25317

ARCH A. MOORE, JR.
Governor

L. W. BECHTOLD
Commissioner

NOTICE OF PUBLIC HEARING OR COMMENT PERIOD ON PROPOSED RULE

COMMENT PERIOD

AGENCY: Department of Motor Vehicles

RULE TYPE: Interpretive

RULE TITLE: Approval of Motor Vehicle Accident Prevention Courses

A COMMENT PERIOD ON THE ABOVE PROPOSED RULE HAS BEEN SCHEDULED
AND WILL END ON July 1, 1986 AT 4:30 P.M. WRITTEN COMMENTS
ARE TO BE MAILED TO THE FOLLOWING ADDRESS: Department
of Motor Vehicles, 1800 Washington Street East, Room 124, Charleston, West
Virginia 25317 Attention: Steven O. Dale

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THE PROPOSED RULE.

L. W. Bechtold
L. W. Bechtold,
Commissioner

FILED
MAY 29 PM 1:37
OFFICE OF THE
SECRETARY OF STATE

FISCAL NOTE FOR PROPOSED RULES

FILED

1936 MAY 29 PM 1:37

Rule Title: Approval of Motor Vehicle Accident Prevention Course

SECRETARY OF STATE

Type of Rule: Legislative X Interpretive Procedural Agency Department of Motor Vehicles Address 1800 Washington Street
East, Charleston, West Virginia

1. Effect of Proposed Rule	ANNUAL		FISCAL YEAR		
	Increase	Decrease	Current	Next	Thereafter

Estimated Total Cost	\$	\$	\$	\$	\$
----------------------	----	----	----	----	----

Personal Services

Current Expenses

Repairs and Alterations N O T A P P L I C A B L E

Equipment

Other

2. Explanation of above estimate:

No significant expense other than employee time to review proposed programs and occasional on-site monitoring of courses is expected to accrue on the part of the Department.

3. Objectives of these rules:

These rules establish the Commissioner's standards for approval of motor vehicle accident prevention courses as provided in §33-20-18(a).

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

Very little

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

These rules will ensure that only quality programs will be offered to senior citizens for the purposes of insurance premium reduction.

C. Economic Impact on Citizens/Public at Large.

None

Date: May 29, 1986

Signature of Agency Head or Authorized Representative



L. W. Bechtold, Commissioner

(PROPOSED)
WEST VIRGINIA INTERPRETIVE RULES
DEPARTMENT OF MOTOR VEHICLES
CHAPTER 17A-2
SERIES 19

FILED

1983 MAY 29 PM 1:37

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

INDEX

Title: Approval of Motor Vehicle Accident Prevention Courses

	Page
Section 1. General	1
2. Application and Enforcement	1
3. Application for Course Approval	1
4. Criteria for Course Approval	2
5. Course Administration	2
6. Course Approval Withdrawal	3
7. Severability	3

(PROPOSED)
WEST VIRGINIA INTERPRETIVE RULES
DEPARTMENT OF MOTOR VEHICLES
CHAPTER 17A-2
SERIES 19

FILED

1985 MAY 29 PM 1:37

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Title: Approval of Motor Vehicle Accident Prevention Courses

Section 1. General

1.1. Scope - These interpretive rules relate to the standards for approval of motor vehicle accident prevention courses.

1.2. Authority - §17A-2-9 related to §33-20-18(a)

1.3. Filing Date -

1.4. Effective Date -

Section 2. Application and Enforcement

2.1. Application - These interpretive rules apply to any person or organization offering or proposing to offer a motor vehicle accident prevention course for the purposes of motor vehicle liability insurance personal injury protection and collision coverage premium reduction in accordance with the provisions of §33-20-18.

2.2. Enforcement - Enforcement of these interpretive rules is vested with the Commissioner or lawful designee.

Section 3. Application for Course Approval

3.1. Application - An application for course approval shall include the following: (1) Name and address of person or organization offering the course, (2) Name and address of course administrator, (3) Outline of course curriculum, (4) Sample certificate of completion, (5) Outline of instructor training curriculum, (6) Level of compensation for course instructors and, (7) Amount of fees to be charged to participant.

3.2. Approval - Upon receiving an application from a person or organization for approval of a motor vehicle accident prevention course, the Commissioner shall review the information submitted, and if approved, shall issue a certificate of approval which shall be valid for a period of two years.

3.3. Approval Withdrawal - The Commissioner may withdraw approval of a course upon receipt of evidence that an approved motor vehicle accident prevention course is being operated contrary to these interpretive rules. The Commissioner shall notify the sponsoring person or organization and course administrator in writing by certified mail, return receipt requested, of approval withdrawal. Upon such notice of approval withdrawal, any certificate of approval issued to such person or organization shall be returned.

Department of Motor Vehicles
Interpretive Rule 17A-2
Series 19, Sec. 3

Upon the effective date of such approval withdrawal, no certificate of completion issued by such person or organization shall be valid for motor vehicle liability insurance personal injury protection and collision coverage premium reduction in accordance with the provisions of §33-20-18.

3.4. Renewal of Approval - At least ninety days prior to the expiration of the certificate of approval, any person or organization wishing to renew a certificate of course approval shall submit the information required by Section 3.1 of these rules.

Section 4. Criteria for Course Approval

4.1. Course Length - A course shall have a minimum of seven (7) hours of classroom instruction. No more than four (4) hours of instruction may be given in any one day.

4.2. Course Curriculum - The curriculum of a course shall include, but not be limited to the following subjects:

4.2.1. Concept of accident preventability, proper following techniques and handling unexpected driving emergencies,

4.2.2. Driver fitness including the effects of aging on individual driving behavior, emotions, frustrations, attitudes, temporary disabilities, vision, hearing, chronic illness, drugs and alcohol,

4.2.3. Driving strategies, including factors affecting perception, identification and prediction of traffic situations, evaluation of traffic hazards, decision making, and defensive driving, and

4.2.4. West Virginia traffic laws, vehicle dynamic capabilities, limitations and highway environmental factors.

4.3. Enrollment - A course session shall have an enrollment of no more than thirty students.

Section 5. Course Administration

5.1. Approved Curriculum - The course shall be conducted in accordance with the curriculum approved by the Commissioner.

5.2. Changes - Any substantive additions to, deletions from or changes in an approved course curriculum shall be submitted to the Commissioner for approval prior to implementing any such proposed change.

5.3. Training - The person or organization sponsoring the course shall be responsible for maintaining instructor training standards established at the time of course approval.

5.4. Schedules - The person or organization sponsoring the course or course administrator shall provide the Commissioner with tentative proposed

Department of Motor Vehicles
Interpretive Rule 17A-2
Series 19, Sec. 5

class dates, times and locations on a monthly basis at least ten (10) days prior to the start of the month. The Commissioner shall be notified of any changes to the proposed class schedule as soon as possible.

5.5. Statement - The person or organization sponsoring the course shall provide each participant at the time of enrollment in the course with a printed statement which indicates that completion of the course does not in any way imply that the Department of Motor Vehicles certifies that the participant is a safe or competent driver.

5.6. Certificate of Course Completion - The course sponsor shall issue a certificate of completion to each participant successfully completing a course. This certificate shall be sent to the insurance company by the participant for the purposes of qualifying for premium reduction.

5.7. Record Keeping - The course sponsor shall maintain records which indicate the name, address and driver's license number of course participants as well as the date, place and name of instructor for all course sessions held.

5.8. Access - The course sponsor shall allow the Commissioner access to all records relating to the operation of the course, and shall allow the Commissioner to monitor and evaluate any and all elements or components of the course at any time.

Section 6. Course Approval Withdrawal

6.1. The Commissioner may, in accordance with Section 4.3, withdraw or refuse to renew course approval for, but not limited to, any of the following reasons:

6.1.1. Material changes to the course which have not been specifically approved by the Commissioner,

6.1.2. A determination that the course is being administered in an unsatisfactory manner,

6.1.3. After a review of comprehensive and qualified statistical data, the course is determined to be ineffective,

6.1.4. The course sponsor fails to comply with any of the provisions these rules, or

6.1.5. Fraud, misrepresentation, or other illegal conduct in the administration of the course.

Section 7. Severability

In the event any portion of these interpretive rules shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of these rules.