



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

ARCH A. MOORE, JR.
Governor

FILED
1986 JUL -7 AM 9 26
DEPARTMENT OF MOTOR VEHICLES
SECRETARY OF STATE

L. W. BECHTOLD
Commissioner

NOTICE OF AGENCY ADOPTION

Rule Title: Approval of Motor Vehicle Accident Prevention Course

Rule Type: Interpretive

The attached rule constitutes the official rule adopted by the Department of Motor Vehicles on July 7, 1986 and filed with the Secretary of State.



L. W. Bechtold
Commissioner

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Approval of Motor Vehicle Accident Prevention Course

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: July 7, 1986

Signature of Agency Head or Authorized Representative

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



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PUBLIC COMMENT ON PROPOSED RULES

Rule Title: Approval of Motor Vehicle Accident Prevention Course

Rule Type: Interpretive

Comment Period Expiration: July 1, 1986

Persons/Groups notified of intent to promulgate rules.

1. Superintendent of Public Safety, South Charleston
2. Capitol Press Service
3. Sgt. J. R. Bias, DPS, Planning and Research
4. Corp. Gray, DPS, Planning and Research
5. WV Safety Council
6. Deloras Martin, AAA State Association
7. AARP, Washington, D.C.
8. Insurance Commissioner
9. Harry Rutherford, Insurance Department
10. James Clair Jarvis, AARP
11. Insurance Information Institute, New York, NY
12. Roy L. Born, All State Insurance Company
13. John R. Shropshire, JC Penney Casualty Insurance Company

Comments received for the Record: Comments submitted by Mr. John F. Bennett, Executive Director, the West Virginia Safety Council.

1) Section 3. Application for Course Approval

3.1 "Application" An item that should be added is "A Manual of Rules and Procedures". Definite guidelines for program administration should be provided.

2) Section 4. Criteria for Course Approval

4.1 "No more than four (4) hours of instruction may be given in any one day." It is felt by this agency, and with the course we propose, that the course may be given in one day. For the past 20 years that the West Virginia Safety Council has sponsored this program, most of the classes are on one day for the convenience of the participant. We feel this language should be struck from the rule allowing more flexibility in structuring the classes. With this language omitted, the course could be taught in one 8 hour session, two 4 hour sessions or four 2 hour sessions.

3) 4.3. "Enrollment - A Course session shall have an enrollment of no more than thirty students." Since a class maximum is defined it is felt that a minimum

of 10 should be added. The rationale for this number is to have better class participation and exchange of dialogue.

4) Section 5. Course Administration

5.7 "Record Keeping" No time limit is designated for maintaining records. It is felt that after three years, the records should be retired.

Basically, no fault is found with the proposed interpretive rule, and once accepted, this agency would appreciate the opportunity of application for course approval.

Amendments Prior to Agency Adoption:

Section 5.7 was amended to read "The course sponsor shall maintain records for a period of three years which....."

This amendment was made as a result of the comments of Mr. John Bennett of the West Virginia Safety Council.



L. W. Bechtold
Commissioner