

**WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION**

Do Not Mark In This Box

FILED

JUL 1 1 39 PM '98

Form #2

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: West Virginia State Police TITLE NUMBER: 81

RULE TYPE: Legislative CITE AUTHORITY: 15-2-25

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: 12

TITLE OF RULE BEING PROPOSED: Written Directive System

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON July ³¹~~30~~, 1998 AT 5:00pm ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

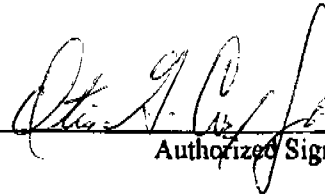
Superintendent

West Virginia State Police

725 Jefferson Rd.

So Charleston, WV 25309

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



Authorized Signature

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

\$3.40

West Virginia State Police
Title 81
Series 12

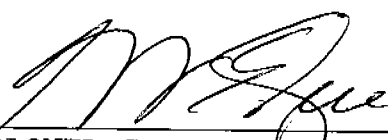
Summary of Proposed Rule

This rule describes the components of the written directive system of the West Virginia State Police.

West Virginia State Police
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Circumstances Requiring Filing of Rule

The written directive system was originally contained in another legislative rule that has subsequently been made obsolete due to changes in W.Va. Code and administrative practices within the West Virginia State Police. This rule was developed to codify the written directive system of the State Police into a separate legislative rule.



COLONEL G. L. EDGEELL
SUPERINTENDENT

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Written Directive System

Type of Rule: Legislative Interpretive Procedural

Agency: West Virginia State Police

Address: 725 Jefferson Rd

So Charleston

West Virginia 25309

1. Effect of Proposed rule:

	ANNUAL FISCAL YEAR				
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
ESTIMATED TOTAL COST	-0-	-0-	-0-	-0-	-0-
PERSONAL SERVICES					
CURRENT EXPENSE					
REPAIRS & ALTERATIONS					
EQUIPMENT					
OTHER					

2. Explanation of Above Estimates:

There is no cost identified with this rule.

3. Objectives of These Rules:

This rule describes the written directive system of the West Virginia State Police.

4. Explanation of Overall Economic Impact of Proposed Rule:

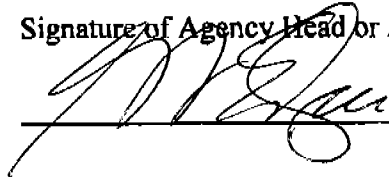
A. Economic Impact on State Government: None

B. Economic Impact on Political Subdivisions; Specific Industries; Specific Groups of Citizens:
None

C. Economic Impact on Citizens/Public at Large.
None

Date: 6/30/98

Signature of Agency Head or Authorized Representative:



FILED

TITLE 81
LEGISLATIVE RULE
WEST VIRGINIA STATE POLICE

JUL 1 1 39 PM '98

SERIES 12
WRITTEN DIRECTIVE SYSTEM

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

§81-12-1. General.

- 1.1. Scope. - This rule governs the written directive system of the West Virginia State Police.
- 1.2. Authority. - W. Va. Code §15-2-25
- 1.3. Filing Date -
- 1.4. Effective Date -

§81-12-2 Definitions

2.1. Superintendent means the Superintendent of the West Virginia State Police or a duly authorized representative.

2.2. Member means an employee of the West Virginia State Police empowered under the provisions of W. Va. Code §15-2-12 with statewide law enforcement powers and who has taken and subscribed to the oath of office as required by W.Va. Code §15-2-14.

§81-12-3 Written Directives of the West Virginia State Police.

3.1. Policies and procedures governing the internal management and operation of the West Virginia State Police shall be contained within the Operational Policy and Procedure Manual.

3.2. Each member of the West Virginia State Police shall be issued a copy of the Operational Policy and Procedure Manual and shall ensure the currency of their individual manuals.

3.3. To ensure the continued efficient operation of the organization, a memorandum or teletype issued by authority of the Superintendent may temporarily amend or rescind any operational policy or procedure until a revised policy is issued. Each member shall receive a copy of the amended policy upon its issuance.

3.4. Special Orders shall be issued by the Superintendent to effect a change in the employment status of a member or civilian

employee, direct the presence of a member or civilian employee at a certain event or location, initiate the internal investigation of a member or civilian employee or facilitate other internal administrative matters where the power to act rests with the Superintendent.

3.5. Troop Special Orders shall be issued at the direction of the Troop Commander for the purposes of temporary, intra-troop transfers; permanent intra-troop transfers and to mandate the attendance of members and civilian employees assigned to that troop at a specific event or location.

3.5.1. In the event that a Troop Special Order should conflict with a Special order issued by the Superintendent, the latter shall take precedence over the former.

3.6. Memoranda and notices shall be issued by the Superintendent.

3.6.1. Memoranda shall temporarily amend or rescind operational policies and procedures until a revision may be issued or disseminate other information to members constituting official direction in the performance of their assigned duties.

3.6.2 Notices shall serve to disseminate information of interest to members and civilian employees that does not directly affect the performance of their assigned duties.