

From: **Jared Wyrick** <jwyrick@wvcar.com>

Date: Mon, Jul 27, 2026 at 12:12 PM

Subject: WVADA Comments: 91 CSR 06

To: Holley, Adam <adam.holley@wv.gov>

Adam,

Please see attached comments WVADA wishes to file with proposed 91-06.

Thank you,

Jared

Jared Wyrick

President

WV Automobile Dealers Association

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West Virginia Automobile Dealers Association



JARED WYRICK
PRESIDENT
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CHARLESTON, WEST VIRGINIA 25327
TELEPHONE 304 343-4158

July 27, 2026

Via Email Only: *adam.holley@wv.gov*
Adam Holley
5707 MacCorkle Ave SE Suite
Charleston, WV 25304

Re: West Virginia Automobile Dealer Association comments on Proposed Rule 9106

Dear Mr. Holley:

On behalf of the West Virginia Automobile Dealers Association ("Association"), I wish to provide you the Association's comments to the proposed rule changes.

I wish to express our strong objection to the proposed changes contained within Section 91-6-5. Association members are stakeholders in these specific regulations, and the Association is disappointed that we were not consulted about these proposed changes, nor was this rule discussed at the West Virginia Dealer Advisory Board meeting.

The legislature amended this rule two years ago by adding language in 5.1.3.a and 5.2.8 that now the Division of Motor Vehicles proposes to strike. The legislature believed that this policy decision was appropriate and necessary. Why is there a need to strike a commonsense proposal that any inspection be between normal business hours and with a 48-hour notice? This certainly gives the licensee time to gather the requested information and have ready for the inspector. The licensee can schedule his business time as opposed to being interrupted by an unannounced visit. In fact, the DMV prides itself with their online appointment system that they require dealers and citizens to use.

There is no explanation of why inspections must be unannounced. There is no specific guidance on what factors should be evaluated when considering such strong sanctions and penalties, or that such penalties should be stayed pending an appeal. Such broad ambiguous language should not be used when a state agency is seeking to impose such extraordinary penalties.

Furthermore, the Association would incorporate its objections above about not being consulted or if there is any factual support or case study to even indicate such a provision needed to allow the Commissioner such power to shut down the operation of a business. We understand that there are sometimes circumstances that should allow this, but they need to be narrow and better delineated.

West Virginia Automobile Dealers Association



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For clarity, we do not object to the addition of the new definition contained in 91-6-2.10 for a "Straw Party Applicant," and the then resulting change in Section 91-6-3.1.

The Association is willing to further discuss these changes, but as written, strongly oppose the changes proposed within the above reference rule.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jared Wyrick", with a large, stylized loop at the end.

Jared Wyrick
President, WVADA



Wd: WVADA Comments: 91 CSR 06

Holley, Adam <adam.holley@wv.gov>
o: Adam F Young <adam.f.young@wv.gov>

Wed, Jul 29, 2026 at 9:38 AM

----- Forwarded message -----

From: **Holley, Adam** <adam.holley@wv.gov>
Date: Tue, Jul 28, 2026 at 2:58 PM
Subject: Re: WVADA Comments: 91 CSR 06
To: Jared Wyrick <jwyrick@wvcar.com>
Cc: Frazier, Everett J <everett.j.frazier@wv.gov>

Thanks Jared. I spoke to Commissioner Frazier about your comments yesterday and he asked me to reach out to you. As you may be aware, DMV has restructured and the responsibility for dealer inspections was moved to our Investigations and Compliance section. The Director in that section was trying to find a solution for a couple of issues on opposite ends of the spectrum: 1) DUCs that aren't open within the 9:30 to 5:00 pm timeframe specified in the rules. He wants to have the option of accommodating inspections at different times when the dealer would normally be open. 2) DUCs that do not show up when the inspection is scheduled. He experienced dealers that would not easily commit to an inspection date and then would not show up at the agreed upon time. He also had some general concern that providing prior notice for an inspection to some DUCs that are engaged in criminal conduct made it easier for the dealer to hide the criminal conduct. Would WVADA be amenable with DMV trying to address those issues with different language?

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