



WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

Senator Patricia Rucker, Co-Chair
Delegate Jonathan Kyle, Co-Chair

Jennifer McPherson, Director

August 12, 2026

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

To: Kris Warner, Secretary of State, State Register

To: Adam Holley
Motor Vehicles, WV Division of
5707 MacCorkle Avenue, SE
Charleston, WV 25317

From: Legislative Rule-Making Review Committee

Proposed Rule: Dealer Licensing, 91-06

Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature

1. Authorize the agency to promulgate the Legislative rule:

(A) as originally filed

(B) as modified by the agency

2. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached.

X

3. Authorize the agency to promulgate the Legislative rule as modified with certain amendments; amendments and a statement of reasons for such recommendation is attached.

4. Recommends that the Legislative rule be withdrawn; a statement of reasons for the recommendation is attached.

5. Recommends that the Legislative rule be rejected; a statement of reasons for the recommendation is attached.

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

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FILED

Delegate Hornby moved to amend rule 91 CSR 06 on page 6 by striking the entirety of 5.1.3.a., and inserting in lieu thereof the following:

5.1.3.a. To comply with the above paragraph, the dealership shall inform the Division of its hours of operation and the hours shall be posted at the dealership location. If the dealership changes the hours of operation or plans to be closed for an extended period of time, the licensee shall inform the Division: *Provided*, that for Class DUC, the Division shall schedule a date and time for inspection by the commissioner between the hours of 9:30 a.m. and 5:00 p.m., Monday through Friday. The division shall provide at least 48 hours' advance electronic or telephonic notice of an inspection.

AND

on page 7, by striking 5.2.8 and inserting in lieu thereof the following:

5.2.8. If a licensee fails to be present for a scheduled inspection of the dealership premises thereby preventing the division from inspecting records, and is not reachable electronically, and fails to maintain the display lot and place of business in such a way that by all appearances the business is not active, it shall be considered abandoned and the license certificate may be revoked.

Statement of Reason for Amendment on 91 CSR 6:

The committee does not approve of the change in policy as contemplated by the proposed modification.