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Administrative Law Division

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**This week's publication includes documents submitted
by the following agencies:**

Attorney General
Dentistry, WV Bd. of
Health Care Authority
Higher Education Policy Commission
Human Services
Bureau for Family Assistance
Insurance Commission
Professional Surveyors, WV Bd. of

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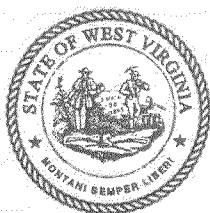
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RULES FILED FOR PUBLIC COMMENT THIS WEEK

AGENCY	RULE/TYPE	AUTHORITY	HEARING/COMMENT PERIOD/LOCATION
Dentistry (5-13)	Expanded Duties of Dental Hygienists and Dental Assistants Legislative	§30-4-6	Written Comments Only: March 16, 2026, 12:00 pm WV Board of Dentistry PO Box 1447 Crab Orchard, WV 25827 wvdentalboard@wvdentalboard.org

NO EMERGENCY RULES FILED THIS WEEK

AGENCY/RULE	RULE NAME	AUTHORITY	EFFECTIVE DATE	COMMENT END DATE



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GUIDE FOR USING THE RULE MONITOR IN THE STATE REGISTER

- Column 1. Agency Name, (Title and Series Number)
- Column 2. Rule Title and Type
- Column 3. Date Notice of Public Hearing or Comment Period Filed
- Column 4. Date of Public Hearing or Last Date Comments Will Be Received
- Column 5. Date Emergency Rule Filed, Emergency Amendment Filed, Emergency Rule Decision Date (ERD), and Effective Date of Emergency Rule
- Column 6. Date Agency Approved Rule Filed (Legislative Rules Only)
- Column 7. Review date by the Legislative Rule-Making Review Committee or Legislative Oversight Commission on Education Accountability, and Action Taken
- Column 8. Legislative Action
- Column 9. Date Agency Final Files the Rule
- Column 10. Date Rule is Effective

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- Emergency rules will not have a "Notice" date until the agency files one, but the rule will appear in Columns 1, 2, & 5. An Agency must file for a public comment period either before filing as an emergency or no more than 30 days after filing the rule as an emergency
 - If more than one date appears in a column, it means the agency has repeated that step (example: holding an additional comment period)

CROSS REFERENCE OF RULE MONITOR TITLE NUMBERS AND AGENCIES

<u>TITLE NUMBER</u>	<u>NAME OF AGENCY</u>
TITLE 1	ACCOUNTANCY
TITLE 2	ARCHITECTS
TITLE 3	BARBERS AND COSMETOLOGISTS
TITLE 4	CHIROPRACTIC EXAMINERS
TITLE 5	DENTISTRY
TITLE 6	FUNERAL SERVICE EXAMINERS
TITLE 7	PROFESSIONAL ENGINEERS
TITLE 10	LICENSED PRACTICAL NURSES
TITLE 11	MEDICINE
TITLE 14	OPTOMETRY
TITLE 15	PHARMACY
TITLE 16	PHYSICAL THERAPY
TITLE 17	PSYCHOLOGISTS
TITLE 19	REGISTERED NURSES
TITLE 20	SANITARIANS
TITLE 22	FORESTRY
TITLE 24	OSTEOPATHIC MEDICINE
TITLE 25	SOCIAL WORK EXAMINERS
TITLE 26	VETERINARY MEDICINE
TITLE 27	COUNSELING
TITLE 29	SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY
TITLE 30	RESPIRATORY CARE
TITLE 31	DIETITIANS
TITLE 32	ACUPUNCTURE
TITLE 33	WASTE MANAGEMENT, DIV. OF WATER AND WASTE MGMT.
TITLE 35	OIL AND GAS
TITLE 36	COAL MINE HEALTH AND SAFETY
TITLE 38	MINING AND RECLAMATION
TITLE 42	LABOR
TITLE 45	AIR QUALITY
TITLE 47	WATER RESOURCES, DIV. OF WATER AND WASTE MGMT.
TITLE 53	PUBLIC ENERGY AUTHORITY
TITLE 56	MINERS' HEALTH, SAFETY AND TRAINING
TITLE 58	NATURAL RESOURCES
TITLE 60	ENVIRONMENTAL PROTECTION – SECRETARY'S OFFICE
TITLE 61	AGRICULTURE
TITLE 64	HEALTH
TITLE 65	HEALTH CARE AUTHORITY
TITLE 71	OFFICE OF THE INSPECTOR GENERAL
TITLE 76	SENIOR SERVICES
TITLE 78	HUMAN SERVICES
TITLE 81	STATE POLICE
TITLE 87	FIRE COMMISSION
TITLE 89	PUBLIC DEFENDER SERVICES
TITLE 90	CORRECTIONS
TITLE 91	MOTOR VEHICLES
TITLE 103	FIRE MARSHAL
TITLE 110	TAX DEPARTMENT
TITLE 112	TREASURER
TITLE 114	INSURANCE COMMISSION
TITLE 126	EDUCATION
TITLE 127	SECONDARY SCHOOLS ACTIVITIES COMMISSION
TITLE 133	HIGHER EDUCATION POLICY COMMISSION
TITLE 135	COMMUNITY AND TECHNICAL COLLEGE EDUCATION
TITLE 143	PERSONNEL
TITLE 144	TOURISM
TITLE 145	DEVELOPMENT OFFICE
TITLE 146	STATE ELECTION COMMISSION
TITLE 148	ADMINISTRATION
TITLE 149	CRIME, DELINQUENCY AND CORRECTIONS
TITLE 150	PUBLIC SERVICE COMMISSION
TITLE 153	SECRETARY OF STATE
TITLE 155	AUDITOR
TITLE 157	HIGWAYS
TITLE 164	SCHOOL BUILDING AUTHORITY
TITLE 174	REAL ESTATE COMMISSION
TITLE 175	ALCOHOL BEVERAGE CONTROL COMMISSION
TITLE 176	ALCOHOL BEVERAGE CONTROL COMMISSION - BEER
TITLE 177	ATHLETIC COMMISSION
TITLE 178	RACING COMMISSION
TITLE 179	LOTTERY COMMISSION
TITLE 190	REAL ESTATE APPRAISER LICENSING & CERTIFICATION BOARD
TITLE 220	MULTIMODAL TRANSPORTATION FACILITIES

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE APPROVED	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Administration (148-25)	One-Stop-Shop Permitting Program Legislative	6/10/2025	7/25/2025	6/9/2025 Approved 6/10/2025	8/22/2025	Modified & Approved 10/2/2025 Filed 10/23/2025	HB4200 SB251 Bundled SB251		
Agriculture (61-01B) Sunset Provision	Registration Forms and Tags for Dogs of Dogs Legislative				6/23/2025	Modified & Approved 10/8/2025 Filed 10/21/2025	HB4265 SB312		
Agriculture (61-08) Sunset Provision	West Virginia Grades and Standards for Apples Legislative				6/24/2025	Modified & Approved 8/13/2025 Filed 8/18/2025	HB4266 SB313		
Agriculture (61-11)	Regulations Governing Public Markets Legislative	6/25/2025	7/25/2025		7/25/2025	Modified & Approved 9/7/2025 Filed 9/24/2025	HB4267 SB314		
Agriculture (61-11H) Sunset Provision	Licensing of Livestock Dealers Legislative				6/23/2025	Modified & Approved 8/5/2025 Filed 8/18/2025	HB4268 SB315		
Agriculture (61-15)	Grade "A" Pasteurized Milk Legislative	6/4/2025	7/14/2025	6/4/2025 Approved 6/10/2025	7/8/2025	Modified & Approved 9/7/2025 Filed 9/24/2025	HB4269 SB316		
Agriculture (61-30)	Select Plant-Based Derivatives and Select Plant-Based Derivative Products-Hemp and Kratom Legislative	6/10/2025	7/10/2025	6/10/2025 Approved 6/10/2025	7/25/2025	Modified & Approved 10/8/2025 Filed 12/4/2025	HB4270 SB317		
Agriculture (61-37)	Agritourism Legislative	6/25/2025	7/25/2025		7/25/2025	Modified & Approved 9/7/2025 Filed 9/24/2025	HB4271 SB318		
Agriculture (61-40) Sunset Provision	WV Exempted Dairy Farms and Milk and Milk Products Processing Rules Legislative				3/6/2025	Modified & Approved 8/5/2025 Filed 8/20/2025	HB4272 SB310		
Air Quality (45-01)	Alternative Emission Limitations During Startup and Shutdown Legislative	5/30/2025	7/1/2025		7/22/2025	Approved 10/8/2025	HB4205 SB256 Bundled SB256		
Air Quality (45-08)	Ambient Air Quality Standards Legislative	5/30/2025	7/1/2025		7/23/2025	Approved 10/8/2025	HB4206 SB257 Bundled SB256		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	5/30/2025	7/1/2025		7/23/2025	Approved 10/8/2025	HB4207 SB258 Bundled SB256		
Air Quality (45-18)	Control of Air Pollution from Combustion of Solid Waste Legislative	5/30/2025	7/1/2025		7/23/2025	Approved 10/8/2025	HB4208 SB259 Bundled SB256		
Air Quality (45-25)	Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities Legislative	5/30/2025	7/1/2025		7/23/2025	Approved 9/7/2025	HB4209 SB260 Bundled SB256		
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	5/30/2025	7/1/2025		7/23/2025	Approved 9/7/2025	HB4210 SB261 Bundled SB256		
Air Quality (45-43)	Cross-State Air Pollution Rule to Control Annual Nitrogen Oxide Emissions, Annual Sulfur Dioxide Emissions, and Ozone Season Nitrogen Oxides Emissions Legislative	5/30/2025	7/1/2025		7/23/2025	Approved 9/7/2025	HB4211 SB262 Bundled SB256		
Alcohol Beverage Control Commission (175-02)	Private Club Licensing Legislative	6/18/2025	7/18/2025		7/22/2025	Modified & Approved 9/7/2025 Filed 9/11/2025	HB4236 SB287		
Architects (2-01)	Registration of Architects Legislative	6/12/2025	7/12/2025		7/25/2025	Modified & Approved 10/2/2025 Filed 11/25/2025	HB4273 SB325		
Architects (2-03)	Fees for Registration of Architects Legislative	6/12/2025	7/12/2025		7/24/2025	Modified & Approved 10/2/2025 Filed 10/8/2025	HB4274 SB326		
Attorney General (142-03)	Legislative Rule Pertaining to the Establishment and Qualification of Third-Party Dispute Mechanisms Legislative					Authorized w/Certain Amendments 10/8/2025	HB4275 SB320		
Attorney General (142-04)	Fair Treatment of Crime Victims and Witnesses Legislative					Authorized w/Certain Amendments 10/8/2025	HB4276 SB321		
Attorney General (142-05)	Prevention of Unfair or Deceptive Acts or Practices in Home Improvement Transactions Legislative					Authorized w/Certain Amendments 10/8/2025	HB4277 SB322		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/OCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Attorney General (142-06)	Legislative Rule Pertaining to the Prevention of Unfair or Deceptive Acts or Practices in Sale of Damaged Goods or Damaged Products Legislative					Authorized w/Certain Amendments 10/8/2025	HB4278 SB323		
Attorney General (142-08)	Administration of Preneed Burial Contracts Legislative					Authorized w/Certain Amendments 10/8/2025	HB4279 SB324		
Auditor (155-01)	Standards for Requisitions for Payment Issued by State Officers on the Auditor Legislative	1/2/2025	2/3/2025		2/7/2025	Modified & Approved 10/2/2025 Filed 10/17/2025	HB4280 SB327		
Barbers and Cosmetologists (3-02)	Qualifications, Training, Examination, and Certification of Instructors in Barbering, Hair Styling, Nail Technology, Aesthetics, Waxing, and Cosmetology Legislative	6/17/2025	7/25/2025		7/28/2025	Modified & Approved 9/5/2025 Filed 9/19/2025	HB4281 SB328		
Barbers and Cosmetologists (3-04)	Operational Standards for Schools of Barbering, Cosmetology, Hair Styling, Nail Technology, Waxing, and Aesthetics Legislative	6/17/2025	7/25/2025		7/28/2025	Modified & Approved 9/5/2025 Filed 9/19/2025	HB4282 SB329		
Barbers and Cosmetologists (3-13)	Barber Apprenticeship Legislative	6/17/2025	7/25/2025		7/28/2025	Modified & Approved 9/5/2025 Filed 9/23/2025	HB4283 SB330		
Barbers and Cosmetologists (3-14)	Waxing Specialist Legislative	6/18/2025	7/25/2025		7/28/2025	Approved 9/5/2025	HB4284 SB331		
Community and Technical College Education (135-28)	Skilled Trades Apprenticeship Nontraditional Degree (STAND) Program Legislative	6/2/2025	7/3/2025	6/2/2025 Approved 7/9/2025 Amendment 8/5/2025 Effective 9/16/2025	7/18/2025	Modified & Approved 9/8/2025 Filed 9/9/2025	HB5354		
Community and Technical College Education (135-30)	Purchasing Procedural	1/23/2026	2/23/2026						
Community and Technical College Education (135-43, repeal)	Purchasing Efficiencies Legislative	6/3/2025	7/7/2025		7/18/2025	Approved 12/8/2025	HB5354		

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Contractor Licensing Board (28-02)	West Virginia Contractor Licensing Act Legislative	6/25/2025	7/25/2025		7/25/2025	Approved 9/10/2025	HB4285 SB335		
Counseling (27-01)	Licensing Rule Legislative	6/25/2025	7/24/2025		7/28/2025	Modified & Approved 10/8/2025 Filed 10/21/2025	HB4286 SB332		
Counseling (27-03)	Licensed Professional Counselor License Requirements and Continuing Professional Education Requirements Legislative	6/25/2025	7/24/2025		7/28/2025	Modified & Approved 10/8/2025 Filed 10/21/2025	HB4287 SB333		
Counseling (27-08)	Marriage and Family Therapist Licensing Legislative	6/25/2025	7/24/2025		7/28/2025	Modified & Approved 10/8/2025 Filed 10/21/2025	HB4288 SB334		
Crime Delinquency and Correction (149-02)	Law Enforcement Training and Certification Standards Legislative	6/24/2025	7/24/2025		7/24/2025	Modified & Approved 9/5/2025 Filed 9/24/2025	HB4230 SB281 Bundled SB281		
Dentistry (5-13)	Expanded Duties of Dental Hygienists and Dental Assistants Legislative	2/12/2026	3/16/2026	2/3/2026 ERD by 3/17/2026					
Economic Development (145-16) Sunset Provision	Tourism Development Districts Legislative				10/8/2024	Approved 8/5/2025	HB4323 SB374 Bundled SB374		
Economic Development (145-20)	Rule to Petition the Department of Commerce for Certification of a Microgrid District or Certification as a High Impact Data Center Legislative	11/10/2025	12/10/2025	11/10/2025 Effective 12/22/2025	1/12/2026	Modified & Approved 1/28/2026 Filed 1/29/2026	HB4983 SB695		
Education (126-089)	West Virginia Design and Equipment Requirements for School Transportation Vehicles (4334) Legislative Exempt	5/14/2025	6/14/2025						
Environmental Protection Secretary's Office (60-09)	Voluntary Remediation and Redevelopment De Minimis Standards Interpretive	1/6/2026	2/10/2026						
Financial Institutions, Division of (106-05)	Rule Pertaining to Mortgage Lenders, Brokers, and Loan Originators Legislative	6/19/2025	7/21/2025		7/24/2025	Modified & Approved 9/5/2025 Filed 9/10/2025	HB4237 SB336		

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/OCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Financial Institutions, Division of (106-07)	Installation, Operation and Sharing of Customer Bank Communication Terminals and the Utilization of Nonexclusive Access Interchange System Legislative	6/19/2025	7/21/2025		7/23/2025	Approved 9/5/2025	HB4238 SB337		
Financial Institutions, Division of (106-17)	Notice and Treatment of Joint Accounts Legislative	6/19/2025	7/21/2025		7/23/2025	Approved 9/5/2025	HB4239 SB338		
Financial Institution (106-21) Sunset Provision	Rule Pertaining to the Fintech Regulatory Sandbox Legislative				2/3/2025	Approved 8/5/2025	HB4240 SB339		
Fire Commission (87-01)	Fire Code Legislative	3/6/2025 4/9/2025	4/7/2025 5/9/2025	3/6/2025 Approved 3/6/2025	6/3/2025	Modified & Approved 9/5/2025 Filed 10/6/2025	HB4231 SB282 Bundled SB281		
Foresters (200-04)	Schedule of Fees Legislative	1/27/2026	3/13/2026						
Forestry (22-06)	Rules for the Certification of Managed Timberland Legislative	6/24/2025	7/24/2025		7/25/2025	Modified & Approved 12/10/2025 Filed 12/10/2025	HB4324 SB375 Bundled SB374		
Funeral Service Examiners (6-01)	Funeral Director, Embalmer, Apprentice, Courtesy Card Holders and Funeral Establishment Requirements Legislative	6/19/2025	7/22/2025	6/19/2025 Approved 7/9/2025	7/25/2025	Modified & Approved 9/5/2025 Filed 9/10/2025	HB4289 SB340		
Health (64-19)	Water Well Regulations Legislative					Authorized w/Certain Amendments 9/5/2025	HB4215 SB266 Bundled HB4215		
Health (64-45)	Lead Abatement Licensing Legislative	6/24/2025	7/24/2025		7/25/2025	Modified & Approved 10/2/2025 Filed 10/17/2025	HB4216 SB267 Bundled HB4215		
Health (64-48)	Emergency Medical Services Legislative	6/23/2025	7/23/2025		7/24/2025	Modified & Approved 9/10/2025 Filed 9/18/2025	HB4217 SB268 Bundled HB4215		
Health (64-51)	Fees for Services Legislative	6/24/2025	7/24/2025		7/25/2025	Authorized as Modified w/Certain Amendments 10/8/2025 Filed 12/5/2025	HB4218 SB269 Bundled HB4215		

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-57)	Clinical Laboratory Practitioner Licensure Legislative	6/23/2025	7/23/2025		7/24/2025	Modified & Approved 10/8/2025 Filed 10/17/2025	HB4219 SB270 Bundled HB4215		
Health (64-59)	Patient Rights at State-Operated Mental Health Facilities Legislative	6/25/2025	7/25/2025		7/25/2025	Approved 9/10/2025	HB4229 SB280 Bundled HB4215		
Health (64-67, repeal)	Distribution of State Funds for Support of Local Boards of Health Legislative	6/23/2025	7/23/2025		7/24/2025	Approved 10/8/2025	HB4220 SB271 Bundled HB4215		
Health (64-73)	Basic Public Health Service Standards for Local Boards of Health Legislative	6/23/2025	7/23/2025		7/25/2025	Authorized as Modified w/Certain Amendments 10/8/2025 Filed 12/5/2025	HB4221 SB272 Bundled HB4215		
Health (64-115)	Diabetes Self-Management Education Legislative	6/24/2025	7/24/2025		7/25/2025	Approved 10/8/2025	HB4222 SB273 Bundled HB4215		
Health Care Authority (65-29) Sunset Provision	Exemption from Certificate of Need Legislative				7/21/2025	Approved 8/12/2025	HB4223 SB274 Bundled HB4215		
Higher Education Policy Commission (133-30)	Purchasing Procedural	1/6/2026	2/6/2026					2/9/2026	3/9/2026
Higher Education Policy Commission (133-41)	Health Sciences Service Program Procedural	6/30/2025	7/30/2025					1/22/2026	2/22/2026
Higher Education Policy Commission (133-43, repeal)	Purchasing Efficiencies Legislative	6/30/2025	7/30/2025		7/31/2025	12/8/2025 Approved	HB5354		
Higher Education Policy Commission (133-48, repeal)	Research Trust Fund Legislative	6/30/2025	7/30/2025		7/31/2025	Approved 9/12/2025	HB5354		
Higher Education Policy Commission (133-63)	Mental Health Loan Repayment Program Legislative	6/30/2025	7/30/2025		7/31/2025	Approved 9/12/2025	HB5354		
Higher Education Policy Commission (133-64)	Administrative Exemption Legislative	6/30/2025	7/30/2025		7/31/2025	Modified & Approved 12/8/2025 Filed 12/10/2025	HB5354		

RULE MONITOR									
AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Highways (157-03)	Construction and Reconstruction of State Roads Legislative	6/24/2025	7/24/2025		8/7/2025				
Highways (157-05)	Traffic and Safety Rules Legislative	11/10/2025	12/10/2025	11/10/2025 Effective 12/22/2025	12/11/2025				
Insurance Comm. (114-02A) Sunset Provision	Fingerprinting Requirements for Applicants for Insurance Producer and Insurance Adjuster License Legislative				4/16/2025	Approved 8/5/2025	HB4241 SB288		
Insurance Comm. (114-07, repeal)	Premium Financing of Life Insurance for College Students Legislative	6/19/2025	7/19/2025		7/22/2025	Approved 8/5/2025	HB4242 SB289		
Insurance Comm. (114-09, repeal)	Mass Marketing of Property and Liability Insurance Legislative	6/25/2025	7/25/2025		7/25/2025	Approved 8/5/2025	HB4243 SB290		
Insurance Comm. (114-10, repeal)	Advertisement of Accident and Sickness Insurance Legislative	6/19/2025	7/19/2025		7/22/2025	Approved 8/5/2025	HB4244 SB291		
Insurance Comm. (114-25) Sunset Provision	Insurance Adjusters Legislative				4/16/2025	Approved 8/5/2025	HB4245 SB292		
Insurance Comm. (114-35)	Insurance Holding Company Systems Legislative	6/19/2025	7/19/2025		7/22/2025	Modified & Approved 8/12/2025 Filed 8/21/2025	HB4246 SB293		
Insurance Comm. (114-40) Sunset Provision	Credit for Reinsurance Legislative				4/16/2025	Modified & Approved 8/13/2025 Filed 8/21/2025	HB4247 SB294		
Insurance Comm. (114-64) Sunset Provision	Mental Health Parity Legislative				4/16/2025	Approved 8/5/2025	HB4248 SB295		
Labor (42-09)	Child Labor Legislative	6/23/2025	7/23/2025		7/24/2025	Modified & Approved 9/5/2025 Filed 9/10/2025	HB4325 SB376 Bundled SB374		
Landscape Architects (9-03)	Fees Legislative	6/25/2025	7/25/2025		7/25/2025	Approved 10/8/2025	HB4290 SB341		
Landscape Architects (9-04) Sunset Provision	Application for Waiver of Initial Licensing Fees for Certain Individuals Legislative				7/25/2025	Approved 8/5/2025	HB4291 SB342		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/OCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Lottery Commission (179-10) Sunset Provision	West Virginia Lottery Interactive Wagering Rule Legislative				6/25/2025	Approved 8/5/2025	HB4249 SB296		
Medicine (11-01B)	Licensure, Practice Requirements, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants Legislative	6/24/2025	7/24/2025		7/25/2025	Approved 10/8/2025	HB4292 SB343		
Medicine (11-06)	Continuing Education for Physicians and Podiatric Physicians Legislative	6/24/2025	7/24/2025		7/25/2025	Approved 10/8/2025	HB4293 SB344		
Medical Imaging and Radiation Therapy Tech. Board of Examiners (18-01)	WV Medical Imaging and Radiation Therapy Tech. Board of Examiners Legislative	4/11/2025	5/31/2025		6/3/2025	Modified & Approved 8/5/2025 Filed 8/13/2025	HB4294 SB345		
Medical Imaging and Radiation Therapy Tech. Board of Examiners (18-02, repeal)	Continuing Education Legislative	4/1/2025	5/31/2025		6/3/2025	Approved 8/5/2025	HB4295 SB346		
Medical Imaging and Radiation Therapy Tech. Board of Examiners (18-05)	Standard of Ethics Legislative	6/13/2025	7/15/2025		7/16/2025	Modified & Approved 8/5/2025 Filed 8/13/2025	HB4296 SB347		
Miners' Health Safety and Training (56-03)	Rule Governing the Safety of Those Employed in and Around Surface Mines in West Virginia Legislative	12/15/2025	1/16/2026	12/15/2025 Effective 1/26/2026	1/23/2026				
Miners' Health Safety and Training (56-08) Sunset Provision	Rule Governing the Submission and Approval of a Comprehensive Mine Safety Program for Coal Mining Operations in the State of West Virginia Legislative				9/24/2024	Approved 8/5/2025	HB4326 SB377 Bundled SB374		
Motor Vehicles (91-11, repeal)	Motor Vehicle Equipment Legislative	6/23/2025	7/23/2025		7/24/2025	Approved 8/5/2025	HB4262 SB309 Bundled SB309		
Motor Vehicles (91-13)	Compulsory Motor Vehicle Liability Insurance Legislative	6/23/2025	7/23/2025		7/24/2025	Modified & Approved 9/5/2025 Filed 9/22/2025	HB4263 SB310 Bundled SB309		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Motor Vehicles (91-25) Sunset Provision	Special Purpose Vehicles Legislative				6/23/2025	Approved 8/5/2025	HB4264 SB311 Bundled SB309		
Municipal Pensions Oversight Board (211-02) Sunset Provision	Exempt Purchasing Legislative				10/9/2024	Approved 8/5/2025	HB4297 SB348		
Natural Resources (58-14, repeal)	Rules Governing Small Arms Hunting Legislative	6/24/2025	7/24/2025		7/25/2025	Approved 8/5/2025	HB4327 SB378 Bundled SB374		
Natural Resources (58-21)	Wildlife Rehabilitation Legislative	6/24/2025	7/24/2025		7/25/2025	Modified & Approved 10/8/2025 Filed 12/11/2025	HB4328 SB379 Bundled SB374		
Natural Resources (58-26)	Special Boating Rules Legislative	6/24/2025	7/24/2025		7/25/2025	Approved 10/8/2025	HB4329 SB380 Bundled SB374		
Natural Resources (58-46) Sunset Provision	Defining the Terms Used in All Hunting and Trapping Legislative				3/31/2025	Approved 8/5/2025	HB4330 SB381 Bundled SB374		
Natural Resources (58-47)	Prohibitions When Hunting and Trapping Legislative	6/24/2025	7/24/2025		7/25/2025	Approved 10/8/2025	HB4331 SB382 Bundled SB374		
Natural Resources (58-50) Sunset Provision	Deer Hunting Rule Legislative				3/31/2025	Approved 8/5/2025	HB4332 SB383 Bundled SB374		
Natural Resources (58-56) Sunset Provision	Special Migratory Game Bird Hunting Legislative				3/31/2025	Approved 8/5/2025	HB4333 SB384 Bundled SB374		
Occupational Therapy (13-04)	Continuing Education and Competence Legislative	4/17/2025	6/1/2025		6/3/2025	Approved 8/5/2025	HB4298 SB349		
Office of Technology (163-03) Sunset Provision	Cyber Reporting Legislative				7/18/2025	Modified & Approved 8/5/2025 Filed 8/14/2025	HB4201 SB252 Bundled SB251		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Office of the Inspector General (71-15)	Nursing Home Licensure Legislative	6/24/2025	7/24/2025		7/25/2025	Modified & Approved 12/10/2025 Filed 12/23/2025	HB4224 SB275 Bundled HB4215		
Office of the Inspector General (71-17)	Delegation of Medication Administration and Health Maintenance Tasks to Approved Medication Assistive Personnel Legislative	6/23/2025	7/23/2025		7/25/2025	Authorized with Certain Amendments 12/10/2025	HB4225 SB276 Bundled HB4215		
Office of the Inspector General (71-21)	Assisted Living Residences Legislative					Authorized with Certain Amendments 12/10/2025	HB4226 SB277 Bundled HB4215		
Office of the Inspector General (71-24)	Syringe Services Program Licensure Legislative	6/23/2025	7/23/2025		7/25/2025	Modified & Approved 12/10/2025 Filed 12/23/2025	HB4227 SB278 Bundled HB4215		
Office of the Inspector General (71-25)	Behavioral Health Centers Licensure Legislative					Authorized with Certain Amendments 12/10/2025	HB4228 SB279 Bundled HB4215		
Optometry (14-01)	Rules of the West Virginia Board of Optometry Legislative	6/10/2025	7/10/2025	6/10/2025 Approved 7/9/2025	7/23/2025	Modified & Approved 9/5/2025 Filed 9/18/2025	HB4299 SB350		
Optometry (14-02)	Oral Pharmaceutical Certificate Legislative	6/10/2025	7/10/2025		7/23/2025	Modified & Approved 9/5/2025 Filed 9/18/2025	HB4300 SB351		
Optometry (14-05)	Schedule of Fees Legislative	6/10/2025	7/10/2025	6/10/2025 Approved 7/9/2025	7/23/2025	Modified & Approved 9/5/2025 Filed 9/18/2025	HB4301 SB352		
Optometry (14-06, repeal)	Interview Evaluation Legislative	11/19/2025	12/19/2025		12/23/2025				
Optometry (14-08)	Licensure by Reciprocity Legislative	6/10/2025	7/10/2025	6/10/2025 Approved 7/9/2025	7/23/2025	Modified & Approved 9/5/2025 Filed 9/18/2025	HB4302 SB353		
Optometry (14-10)	Continuing Education Legislative	6/10/2025	7/10/2025		7/23/2025	Modified & Approved 9/5/2025 Filed 9/18/2025	HB4303 SB354		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/OCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Osteopathic Medicine (24-01)	Licensing Procedures for Osteopathic Physicians Legislative	6/25/2025	7/25/2025		7/28/2025	Modified & Approved 10/8/2025 Filed 12/9/2025	HB4304 SB355		
Osteopathic Medicine (24-02)	Osteopathic Physician Assistants Legislative	6/25/2025	7/25/2025		7/28/2025	Modified & Approved 10/8/2025 Filed 12/9/2025	HB4305 SB356		
Osteopathic Medicine (24-09) Sunset Provision	Emergency Temporary Permits to Practice During States of Emergency or States of Preparedness Legislative				3/27/2025	Approved 8/5/2025	HB4306 SB357		
Pharmacy (15-01)	Licensure and Practice of Pharmacy Legislative	6/19/2025	7/19/2025		7/24/2025	Modified & Approved 10/2/2025 Filed 11/24/2025	HB4307 SB358		
Pharmacy (15-06)	Mail-Order and Non-Resident Pharmacies Legislative	6/19/2025	7/19/2025		7/24/2025	Modified & Approved 10/2/2025 Filed 11/24/2025	HB4308 SB359		
Pharmacy (15-07)	Board of Pharmacy Rules for Registration of Pharmacy Technicians Legislative	6/19/2025	7/19/2025		7/24/2025	Modified & Approved 10/2/2025 Filed 11/24/2025	HB4309 SB360		
Pharmacy (15-10)	Board of Pharmacy Rules for Pharmacist Recovery Networks Legislative	6/19/2025	7/19/2025		7/24/2025	Modified & Approved 10/2/2025 Filed 11/24/2025	HB4310 SB361		
Pharmacy (15-12)	Board of Pharmacy Rules for Immunizations Administered by Pharmacists, Pharmacy Interns, and Pharmacy Technicians Legislative	6/19/2025	7/19/2025		7/24/2025	Modified & Approved 10/2/2025 Filed 10/22/2025	HB4311 SB362		
Pharmacy (15-15)	Rules Governing Pharmacy Permits Legislative	6/19/2025	7/19/2025		7/24/2025	Modified & Approved 10/8/2025 Filed 11/24/2025	HB4312 SB363		
Pharmacy (15-16)	Rules Governing Pharmacist Legislative	6/19/2025	7/19/2025		7/24/2025	Modified & Approved 10/2/2025 Filed 11/24/2025	HB4313 SB364		
Pharmacy (15-19)	Inspections Legislative	6/19/2025	7/19/2025		7/24/2025	Modified & Approved 10/2/2025 Filed 10/22/2025	HB4314 SB365		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/OCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Physical Therapy (16-01)	General Provisions for Physical Therapist and Physical Therapist Assistants Legislative	2/25/2025 6/17/2025	3/28/2025 7/17/2025	2/21/2025 Approved 2/25/2025	4/1/2025 7/24/2025	Modified & Approved 10/8/2025 Filed 10/21/2025	HB4315 SB366		
Physical Therapy (16-05)	General Provisions for Athletic Trainers Legislative	6/17/2025	7/17/2025		7/24/2025	Modified & Approved 10/8/2025 Filed 10/21/2025	HB4316 SB367		
Psychologists (17-03)	Requirements for Licensure as a Psychologist And/Or a School Psychologist Legislative	7/16/2025	8/16/2025	7/9/2025 Effective 8/20/2025	8/18/2025	Modified & Approved 12/10/2025 Filed 12/19/2025	HB4317 SB368		
Public Service Commission (150-37) Sunset Provision	Rules Governing the Occupancy of Customer-Provided Conduit Legislative				3/12/2025	Approved 8/5/2025	HB4318 SB369		
Racing Commission (178-01)	Thoroughbred Racing Legislative	6/23/2025	7/23/2025		7/24/2025	Modified & Approved 10/8/2025 Filed 11/5/2025	HB4250 SB297		
Racing Commission (178-10) Sunset Provision	Advance Deposit Account Wagering (ADW) Legislative				7/22/2025	Approved 8/5/2025	HB4251 SB298		
Real Estate Commission (174-01)	Licensing Real Estate Brokers, Associate Brokers, and Salespersons and the Conduct of Brokerage Business Legislative	7/1/2025	7/30/2025		7/31/2025	Modified & Approved 9/10/2025 Filed 9/18/2025	HB4319 SB370		
Rehabilitation Services (198-01) Sunset Provision	Ron Yost Personal Assistance Services Act Board Legislative				3/31/2025	Approved 8/5/2025	HB4334 SB385 Bundled SB374		
Risk and Insurance Management (115-01) Sunset Provision	Mine Subsidance Insurance Legislative				7/18/2025	Modified & Approved 8/5/2025 Filed 8/14/2025	HB4202 SB253 Bundled SB251		
Risk and Insurance Management (115-02)	Public Entites Insurance Program Legislative	6/2/2025	7/1/2025		7/8/2025	Modified & Approved 10/2/2025 Filed 10/10/2025	HB4203 SB254 Bundled SB251		
Risk and Insurance Management (115-06, repeal)	Preferred Medical Liability and High Risk Medical Liability Program Legislative	6/19/2025	7/20/2025		7/21/2025	Approved 8/5/2025	HB4204 SB255 Bundled SB251		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Secretary of State (153-10) Sunset Provision	Loan and Grant Programs Under the Help America Vote Act (HAVA) for the Purchase of Voting Equipment, Election Systems, Software, Services and Upgrades Legislative				6/24/2025	Approved 8/5/2025	HB4320 SB371		
Secretary of State (153-57)	Exempt Purchasing for Critical Election Infrastructure Procedural	12/15/2025	1/16/2026					1/21/2026	2/20/2026
Senior Services (76-06) Sunset Provision	Shared Table Initiative for Senior Citizens Legislative				7/21/2025	Approved 10/8/2025	HB4321 SB372		
Social Work Examiners (25-03) Sunset Provision	Fee Schedule Legislative				7/25/2025	Approved 8/5/2025	HB4322 SB373		
State Emergency Response Commission (55-01) Sunset Provision	Emergency Planning and Community Right-To-Know Legislative				1/8/2025	Modified & Approved 8/5/2025 Filed 8/13/2025	HB4232 SB283 Bundled SB281		
State Police (81-03)	West Virginia State Police Career Progression System Legislative				7/23/2025	Modified & Approved 9/5/2025 Filed 9/24/2025	HB4233 SB284 Bundled SB281		
State Police (81-05)	Contracted Police or Security Services Legislative				7/23/2025	Modified & Approved 9/5/2025 Filed 9/24/2025	HB4234 SB285 Bundled SB281		
State Police (81-08)	West Virginia State Police Member Grievance Procedure Legislative				7/23/2025	Modified & Approved 9/7/2025 Filed 9/24/2025	HB4235 SB286 Bundled SB281		
Tax (110-01H)	Valuation of Timberland and Managed Timberland Legislative				7/25/2025	Approved 9/7/2025	HB4252 SB299		
Tax (110-01M)	Valuation of Public Utility Property for Ad Valorem Property Tax Purposes Legislative				7/25/2025	Modified & Approved 9/7/2025 Filed 9/24/2025	HB4253 SB300		
Tax (110-13FF) Sunset Provision	Tax Credit for Providing Vehicles to Low-Income Workers Legislative				3/31/2025	Modified & Approved 8/5/2025 Filed 8/26/2025	HB4254 SB301		

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Tax (110-13GG) Sunset Provision	Downstream Natural Gas Manufacturing Investment Tax Credit Legislative				3/31/2025	Approved 8/5/2025	HB4255 SB302		
Tax (110-13I) Sunset Provision	High-Wage Growth Business Tax Credit Legislative				3/31/2025	Approved 8/5/2025	HB4256 SB303		
Tax (110-13Q, repeal)	Commerical Patent Incentives Tax Credit Legislative	6/24/2025	7/24/2025		7/25/2025	Approved 9/7/2025	HB4257 SB304		
Tax (110-16A)	On-Line Bingo and Raffles Legislative	6/24/2025	7/24/2025		7/25/2025	Modified & Approved 9/7/2025 Filed 9/24/2025	HB4258 SB305		
Tax (110-19, repeal)	Soft Drinks Tax Legislative	6/24/2025	7/24/2025		7/25/2025	Approved 8/5/2025	HB4259 SB306		
Tax (110-21H)	Income Tax Credits for Property Taxes Paid Legislative	6/24/2025	7/24/2025		7/25/2025	Modified & Approved 9/7/2025 Filed 9/24/2025	HB4260 SB307		
Tax (110-36)	Preneed Cemetery Companies Legislative	6/24/2025	7/24/2025		7/25/2025	Approved 9/10/2025	HB4261 SB308		
Water Mgmt. Div. of Water & Waste Mgmt. (33-20)	Hazardous Waste Management System Legislative	5/30/2025	7/15/2025		7/23/2025	Approved 10/8/2025	HB4212 SB263 Bundled SB256		
Water Resources, Division of Water & Waste Mgmt. (47-02)	Requirements Governing Water Quality Standards Legislative	5/30/2025	7/15/2025 Extended to 7/21/2025		7/24/2025	Modified & Approved 12/10/2025 Filed 1/8/2026	HB4213 SB264 Bundled SB256		
Water Resources, Division of Water & Waste Mgmt. (47-09B)	Carbon Dioxide Sequestration Fee Schedule Legislative	5/30/2025	7/15/2025		7/24/2025	Modified & Approved 12/10/2025 Filed 1/8/2026	HB4214 SB265 Bundled SB256		



WEST VIRGINIA SECRETARY OF STATE
KRIS WARNER
ADMINISTRATIVE LAW DIVISION

FILED
 2/12/2026 3:23:07 PM
 Office of West Virginia
 Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Dentistry WV Board of Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No
 TITLE-SERIES: 5-13
 RULE NAME: Expanded Duties of Dental Hygienists and Dental Assistants

CITE STATUTORY AUTHORITY: 30-4-6

COMMENTS LIMITED TO:
 Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 03/16/2026 12:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: WV Board of Dentistry
 ADDRESS: PO Box 1447
 Crab Orchard, WV 25827
 EMAIL: wvdentalboard@wvdentalboard.org

PLEASE INDICATE IF THIS FILING INCLUDES:
 RELEVANT FEDERAL STATUTES OR REGULATIONS: No
 (IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)
 INCORPORATED BY REFERENCE: No
 (IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

WEST VIRGINIA SECRETARY OF STATE MAC WARNER ADMINISTRATIVE LAW DIVISION <small>INCOME MAINTENANCE MANUAL CHANGE FORM</small> <small>OFFICE OF THE SECRETARY OF STATE</small>		Please Stamp Filing Date FILED 2026 FEB 12 A 10:08 <small>OFFICE OF THE SECRETARY OF STATE</small>
NOTICE OF FILING CHANGES TO PUBLIC ASSISTANCE MANUAL WITH THE SECRETARY OF STATE		
AGENCY: West Virginia Department of Human Services	BUREAU: Family Assistance	
TITLE OF MANUAL TO WHICH POLICY IS BEING FILED: Income Maintenance Manual		
STATE RULE:	FEDERAL RULE:	EFFECTIVE DATE: March 1, 2026
CHANGE NUMBER: Updated New Income Maintenance Manual 874		
CHAPTERS/SECTIONS EFFECTED: 4 Appendices, 10, 22		
SEE DW-17 FORM FOR SPECIFIC CHANGES / MODIFICATIONS <small>Effective March 1, 2026 a change is made to update the income guidelines based on the Federal Poverty Level (FPL). Updates are made to Chapter 4 Appendix A, Appendix E, and Appendix F. The Indigent Burial Program updated with 2026 133% FPL income limits. A change is also made to update the Cost-of-Living Adjustment (COLA) for 2026. The COLA increased by 2.8% effective January 2026. All automatic updates through the data system are effective March 2026. Updates are made to Chapter 10 Appendix A and B. Chapter 22 Appendix B for WVCHIP and Medicaid. The PATH COLA Mass change occurred January 24, 2026. PATH reports for the COLA update became available January 24, 2026. Case updates that are required to be manually updated by a worker must be complete by the adverse action date deadline in February, effective March 2026, PATH notified designated Supervisors electronically regarding Pickle Assistance Groups affected by COLA.</small>		
REASON FOR MANUAL CHANGE:		

THIS IS PART OF AN EXISTING LEGISLATIVE RULE

The above policy is hereby filed as an incorporated portion of an existing legislative rule.

CONTACT:
 Office of the Secretary
 West Virginia Department of Health and Human Resources
 State Capitol Complex, Building 3, Room 206
 Charleston, West Virginia 25305
 304.558.7899 Telephone

Marsha Jowers
 Authorized Signature



WEST VIRGINIA SECRETARY OF STATE

KRIS WARNER

ADMINISTRATIVE LAW DIVISION

eFILED

2/9/2026 10:31 AM

Office of West Virginia
Secretary Of State

PROCEDURAL

**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE EXEMPT, INTERPRETIVE OR PROCEDURAL
RULE**

AGENCY: Higher Education Policy Commission TITLE-SERIES: 133-30
RULE TYPE: Procedural Amendment to Existing Rule: Yes Repeal of existing rule: Yes
RULE NAME: Purchasing
CITE STATUTORY AUTHORITY: 18B-1-6

This rule is filed with the Secretary of State. This rule becomes effective on the following date:
March 9, 2026

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Cindy L Anderson -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

Orders Report

Docket Number	Agency	Respondent	Date Rendered
25-1C-184317	Insurance Commission	National General Assurance Company	2/5/2026
25-1C-183828	Insurance Commission	Municipal Mutual Insurance Company	2/11/2026
25-1C-182630	Insurance Commission	Erie Insurance Company	2/11/2026

FILED

2026 FEB 11 A 11:47

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE



State of West Virginia
Office of the Attorney General

Phone: (304) 558-2021
Fax: (304) 558-0140

February 10, 2026

John B. McCuskey
Attorney General

The Honorable Joseph R. Canestraro
Marshall County Prosecuting Attorney
Marshall County Courthouse
600 7th Street
Moundsville, West Virginia 26041

Dear Prosecutor Canestraro:

You have asked for an Opinion of the Attorney General about whether police may use an unmarked law enforcement vehicle without tinted windows to conduct radar enforcement and issue speeding citations.

We are issuing this Opinion under West Virginia Code § 5-3-2, which provides that the Attorney General “may consult with and advise the several prosecuting attorneys in matters relating to the official duties of their office.” When this Opinion relies on facts, it depends solely on the factual assertions in your correspondence and discussions with the Office of the Attorney General.

You explain that a local police department within Marshall County is using a gold Dodge Charger to “run radar and conduct routine traffic stops,” including stops for “speeding offenses,” on a stretch of West Virginia Route 2. The vehicle has no lightbar or side decal but bears front and back police license plates. The vehicle’s windows are not tinted. A dispute has arisen between “law enforcement officers of other [county] agencies” and the municipality’s police officers about whether West Virginia Code § 17C-15-36a bars the use of this vehicle.

With these facts in mind, your letter raises the following legal question:

Does West Virginia Code § 17C-15-36a prohibit the local police department from using its vehicle to run radar and issue citations to speeders?

We conclude that West Virginia Code § 17C-15-36a does not prohibit the patrol activity you described, in the vehicle you described. Section 17C-15-36a restricts only unmarked law

enforcement vehicles used primarily for covert or undercover enforcement with tinted windows from engaging in routine traffic stops. Because the gold Charger does not have tinted windows, the routine traffic stop prohibition does not apply. Local police may use the vehicle to stop speeders.

DISCUSSION

Our analysis must “begin with the text” of West Virginia Code § 17C-15-36a. *Raymond H. v. Cammie H.*, 242 W. Va. 640, 644, 837 S.E.2d 701, 705 (2019). The statute regulates “[s]un-screening devices”—commonly known as “window tint”—and provides penalties for noncompliance. See W. Va. Code § 17C-15-36a; see also § 7,850 in *U.S. Currency v. State*, No. 13-0499, 2013 WL 6283823, at *3 (W. Va. Dec. 4, 2013) (memorandum decision) (describing how the statute generally criminalizes “window tinting”). It first lays out a broad prohibition: “no person may operate a motor vehicle” with “a sun-screening device” on the windshield, front side windows, and windows adjacent to the driver that does not comply with certain enumerated requirements. W. Va. Code § 17C-15-36a(a). But “unmarked law-enforcement vehicles primarily used for covert or undercover enforcement” are “exempt.” *Id.* And the statute includes a limitation on that exemption: “No unmarked law-enforcement vehicle, herein exempted, may engage in routine traffic stops.” *Id.*

The key phrase is “herein exempted.” This language limits the “routine traffic stop” prohibition to vehicles that fall within the preceding sun-screening exemption. In other words, the statute bars only unmarked law-enforcement vehicles that (1) have tinted windows and (2) are primarily used for covert or undercover enforcement, from conducting routine traffic stops. See, e.g., *United States v. Murphy*, No. 2:24-CR-00101, 2024 WL 4518292, at *3 (S.D.W. Va. Oct. 17, 2024) (holding that vehicle violated the statute where it was “an unmarked law-enforcement vehicle with tinted windows” that was assumed to be involved in a “routine traffic stop within the meaning of [West Virginia] Code § 17C-15-36a” (emphasis added)).

A vehicle without tinted windows never reaches the exemption. Such a vehicle is not exempted from the statute’s sun-screening device requirements; it simply satisfies them. Reading the routine traffic stop prohibition to apply to all unmarked vehicles—regardless of window tint—would render the phrase “herein exempted” meaningless. And it is a “cardinal rule of statutory construction” that “every section, clause, word or part of the statute” must be given “significance and effect.” *Syl. pt. 6, W. Va. Auto. v. Ford Motor Co.*, 251 W. Va. 352, 913 S.E.2d 534 (2025) (citation omitted).

More, the sun-screening exemption is limited to “unmarked law-enforcement vehicles primarily used for covert or undercover enforcement”—operations that may require the concealment that tinted windows provide. W. Va. Code § 17C-15-36a. In exchange for that privilege, the statute bars those same vehicles from conducting routine traffic stops. Extending the prohibition to all unmarked vehicles would untether it from the exemption for vehicles “primarily used for covert or undercover enforcement.” *Id.* And it would transform a narrow limitation on a specific exemption into a sweeping regulation of unmarked police vehicles generally. If the Legislature were interested in barring all uses of unmarked vehicles for traffic stops, then we expect it would not bury such a broad prohibition in an anti-sun-screening statute.

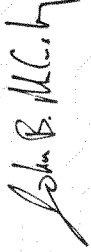
AG

Because the vehicle you describe does not have tinted windows, it is not "herein exempted," and the prohibition on routine traffic stops does not apply. We therefore need not reach whether the car, as described, is "unmarked."

* * *

We conclude that West Virginia Code § 17C-15-36a does not prohibit municipal police departments from using an unmarked vehicle without tinted windows to run radar and issue citations for speeding and other traffic offenses. The statute's restriction on "routine traffic stops" applies only to unmarked law-enforcement vehicles that are "herein exempted" from the sun-screening requirements—namely, those with tinted windows primarily used for covert or undercover enforcement.

Sincerely,



John B. McCuskey
West Virginia Attorney General

Holly J. Wilson
Principal Deputy Solicitor General

Mattie F. Shuler
Assistant Solicitor General

WEST VIRGINIA HEALTH CARE AUTHORITY
CERTIFICATE OF NEED
100 Dee Drive
Charleston, West Virginia 25311-1600

02/09/2026

LEGAL NOTICE

The West Virginia Health Care Authority announces the following Certificate of Need activities for the week ending **02/06/2026**.

LETTER OF INTENT RECEIVED

February 3, 2026 - Sunny Days In-Home Care West Virginia Northern Panhandle, LLC, d/b/a Sunny Days In-Home Care, CON File #26-10711-13516-PC, for the provision of in-home personal care services in Hancock, Brooke, Ohio and Marshall Counties in West Virginia. Capital Expenditure \$60,000.

CERTIFICATE OF NEED APPLICATION RECEIVED

February 6, 2026 - West Virginia Rehabilitation Hospital, Inc. CON File #26-6-1513-H, for the relocation, replacement and expansion of WVRH's satellite facility in Harrison County, West Virginia. Capital Expenditure \$58,140,000.

APPLICATIONS DECLARED COMPLETE AND UNDER REVIEW

An application declared complete is one in which there is sufficient information for the Authority to make an informed decision. It does not mean that the approval of the application is warranted.

EXPEDITED APPLICATIONS

January 21, 2026 - Elizabeth Care Center, CON File #25-5-13489-P, for the provision of outpatient Physical Therapy, Occupational Therapy and Speech Therapy services in Wirt County, West Virginia. Capital Expenditure \$10,500.

January 28, 2026 - United Physicians Care, Inc., CON File #26-6-13497-P, for the development of an ambulatory health care facility in Harrison County, West Virginia, through the acquisition of a physician practice. Capital Expenditure \$183,000.

The review cycle for the above-referenced projects is as follows:

January 30, 2026 – Review cycle begins;

March 2, 2026 – Last date for an affected person to request a public hearing on the project. If a public hearing is requested, notice of date, time and place will be issued to affected persons;

March 5, 2026 – If no public hearing is requested, the file will close and no further information or evidence will be accepted by the Authority for the remainder of the review of the application;

March 30, 2026 – Decision on the project will be issued by the Authority.

Further information may be obtained on any of the above-referenced projects by contacting The West Virginia Healthcare Authority Staff at 305.558.7000.

OTHER

FILED

2026 FEB 11 A 10:32

OTHER

STATE OF WEST VIRGINIA
BOARD OF PROFESSIONAL SURVEYORS
1124 Smith Street, Suite 1200, Charleston, West Virginia 25301
Telephone (604) 558-0350 Fax (604) 558-0352
Website: www.wvbps.wv.gov Email: wvbps@wv.gov



OFFICE OF THE CLERK OF THE SUPREME COURT OF WEST VIRGINIA
James H. Rayburn, P.S., SECRETARY
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Sara B. Short, Executive Director

February 9, 2026

The Honorable Kris Warner
West Virginia Secretary of State
State Capitol, Building 1, Suite 157-K
1900 Kanawha Boulevard,
Charleston, WV 25305

Dear Mr. Warner:

Pursuant to §30-1-12 of the West Virginia Code, enclosed please find a copy of the West Virginia Board of Professional Surveyors' 2025 Annual Report.

Respectfully submitted,

Sara B. Short

Sara B. Short
Executive Director