

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Enrolled

Senate Bill 588

BY SENATORS TRUMP, MAYNARD, FERNS, CARMICHAEL,
CLINE, KARNES, GAUNCH, LEONHARDT, ASHLEY, SNYDER,
PALUMBO, BEACH, MILLER, KIRKENDOLL, ROMANO,
WOELFEL AND WILLIAMS

[Passed March 12, 2016; in effect from passage]

1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §64-8-4, relating generally to repealing certain legislative, procedural and
3 interpretive rules promulgated by certain agencies under the Department of
4 Transportation; repealing certain legislative, procedural or interpretive rules promulgated
5 by certain agencies, boards and commissions which are no longer authorized or are
6 obsolete; repealing the Division of Motor Vehicles legislative rule relating to rules and
7 regulations; repealing the Division of Motor Vehicles legislative rule relating to special
8 permits; repealing the Division of Motor Vehicles legislative rule relating to a safety and
9 treatment program; repealing the Division of Motor Vehicles procedural rule relating to
10 dealer and financial institution applicant or licensee administrative hearings; repealing the
11 Division of Motor Vehicles legislative rule relating to seizure of driver's license, issuance
12 of the temporary driver's license; repealing the Division of Motor Vehicles legislative rule
13 relating to the Federal Safety Standards Inspection Program; and repealing the Division
14 of Motor Vehicles interpretive rule relating to dealer issuance of temporary registration
15 plates.

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
2 section, designated §64-8-4, to read as follows:

**ARTICLE 8. AUTHORIZATION FOR DEPARTMENT OF TRANSPORTATION TO
PROMULGATE LEGISLATIVE RULES AND REPEALING
UNAUTHORIZED AND OBSOLETE RULES OF THE DEPARTMENT OF
TRANSPORTATION.**

§64-8-4. Division of Motor Vehicles.

1 (a) The legislative rule effective on January 1, 1964, authorized under the authority of
2 section twelve, article two, chapter seventeen-a of this code, relating to the Division of Motor
3 Vehicles (rules and regulations, 91 CSR 2), is repealed.

4 (b) The legislative rule effective on October 24, 1971, authorized under the authority of
5 section nine, article two, chapter seventeen-a of this code, relating to the Division of Motor
6 Vehicles (special permits, 91 CSR 7), is repealed.

7 (c) The legislative rule effective on May 4, 1984, authorized under the authority of section
8 three, article five-a, chapter seventeen-c of this code, relating to the Division of Motor Vehicles
9 (safety and treatment program, 91 CSR 15), is repealed.

10 (d) The procedural rule effective on July 9, 1984, authorized under the authority of section
11 nine, article two, chapter seventeen-a of this code, relating to the Division of Motor Vehicles
12 (dealer and financial institution applicant or licensee administrative hearings, 91 CSR 17), is
13 repealed.

14 (e) The legislative rule effective on June 12, 1987, authorized under the authority of
15 section nine, article two, chapter seventeen-a of this code, relating to the Division of Motor
16 Vehicles (seizure of driver's license, issuance of the temporary driver's license, 91 CSR 20), is
17 repealed.

18 (f) The legislative rule effective on June 12, 1987, authorized under the authority of section
19 nine, article two, chapter seventeen-a of this code, relating to the Division of Motor Vehicles
20 (Federal Safety Standards Inspection Program, 91 CSR 21), is repealed.

21 (g) The interpretive rule effective on September 23, 1988, authorized under the authority
22 of section nine, article two, chapter seventeen-a, relating to the Division of Motor Vehicles (dealer
23 issuance of temporary registration plates, 91 CSR 18), is repealed.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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Chairman, Senate Committee

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Chairman, House Committee

Originated in the Senate.

In effect from passage.

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Clerk of the Senate

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Clerk of the House of Delegates

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President of the Senate

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Speaker of the House of Delegates

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Day of, 2016.

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Governor