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Exempt Action Final Regulation Agency Background Document

Agency name	Virginia State Police
Virginia Administrative Code (VAC) citation(s)	19 VAC 30-70
Regulation title(s)	19VAC30-70. VIRGINIA MOTOR VEHICLE SAFETY INSPECTION RULES AND REGULATIONS
Action title	Motor Vehicle Safety Inspection Rules and Regulations – Summer 2018 Amendments
Final agency action date	1 August 2018
Date this document prepared	1 August 2018

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA) or an agency's basic statute, the agency is not required, however, is encouraged to provide information to the public on the Regulatory Town Hall using this form. Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, Executive Orders 17 (2014) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Brief summary

Please provide a brief summary of the proposed new regulation, proposed amendments to the existing regulation, or the regulation proposed to be repealed. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

Makes technical corrections to, and enacts changes mandated by legislation enacted during the 2018 regular session of the General Assembly to, the Motor Vehicle Safety Inspection Rules and Regulations. The Amendments alter sections 19VAC30-70-3, 19VAC30-70-4, 19VAC30-70-5, 19VAC30-70-6, 19VAC30-70-9.1, 19VAC30-70-10, 19VAC30-70-11, 19VAC30-70-30, 19VAC30-70-50, 19VAC30-70-60, 19VAC30-70-90, 19VAC30-70-120, 19VAC30-70-160, 19VAC30-70-210, 19VAC30-70-290, 19VAC30-70-350, 19VAC30-70-360, 19VAC30-70-580, and 19VAC30-70--660 in the Inspection Manual pertaining to the procedures and requirements for motor vehicle inspections.

Statement of final agency action

Please provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.

On August 1, 2018, the Virginia State Police adopted final amended regulations for 19 VAC 30-70, the Virginia Motor Vehicle Safety Inspection Rules and Regulations. The Amendments alter sections 19VAC30-70—3, 19VAC30-70—4, 19VAC30-70—5, 19VAC30-70—6, 19VAC30-70—9.1, 19VAC30-70—10, 19VAC30-70—11, 19VAC30-70—30, 19VAC30-70—50, 19VAC30-70—60, 19VAC30-70—90, 19VAC30-70—120, 19VAC30-70—160, 19VAC30-70—210, 19VAC30-70—290, 19VAC30-70—350, 19VAC30-70—360, 19VAC30-70—580, and 19VAC30-70—660 in the Inspection Manual as follows:

1. 19VAC30-70-3 through 19VAC30-70-6, Offenses – Amends Class I, II, III, IV offenses. Each section was updated to reflect the renumbering of other sections within the regulation and to clarify and make consistent various types of discipline applicable to each offense level.
2. 19VAC30-70-9.1 Official Inspection Station Appointment – Amended to address issues relating to procedures that must be followed when a change in ownership of an inspection station occurs.
3. 19VAC30-70-10 Official Inspection Station Requirements – Amended to comply with the enactment of Chapter 400, Acts of Assembly 2018 (regular session) dealing with inspection appointments. Removes the requirements that any official inspection station that accepts prescheduled appointments shall have two or more inspection lanes and leave one reserved for first-come, first-served inspections.
4. 19VAC30-70-11 Automated Motor Vehicle Inspection Program (MVIP) and 19VAC30-70-50 Approval Stickers and Decals – Made technical corrections to address procedures to follow in the conducting of inspections when the MVIP system is not available.
5. 19VAC30-70-30 Inspector Requirements – Amended to allow non-resident military dependents to present an out of state driver's license for identification purposes during the inspection process. Currently only the military service member may do so.
6. 19VAC30-70-60 Rejection Stickers- Amended to add require inspection stations to retain receipt copies of rejection stickers for six months.
7. 19VAC30-70-90 Brakes: Emergency, Parking, or Holding; Batteries: Amended to clarify which contaminates on brake components will result in failure.
8. 19VAC30-70-120 Frame, Engine Mounts, Coupling Devices and Emergency Chains - Amended to clarify requirements relating to body mounts and mounting hardware.

9. 19VAC30-70-160 Auxiliary Lamps: Backup; Cornering; Driving; Fox; Spot and Warning - Amended to comply with Chapter 72 Acts of Assembly 2018 (regular session) to provide that if certain lighting devices are unlit, have a clear lens, and have a clear reflector if the lighting device has a reflector, then a vehicle equipped with such lighting device may be operated on the highways without covering the lighting device.
10. 19VAC30-70-210 Glass and Glazing – Amended to clarify requirements for windshield sun shading and to update and clarify restrictions on objects that obstruct the operators field of vision through the windshield.
11. 19VAC30-70-290 Seat belts; Definitions and 19VAC30-70-350 Motorcycle Airbag, Seat, Steering, and Suspension - Both were amended to reflect that airbags cannot be disabled or removed from a vehicle equipped with them.
12. 19VAC30-70-360 Motorcycle Lights: Auxiliary, Headlamp, Rear, Signal, Warning - Amended to comply with Chapter 763 Acts of Assembly 2018 (regular session) to provide that motorcycles and autocycles may be equipped with red or amber standard bulb running lights or light-emitting diode (LED) pods or strips as auxiliary lighting. Such lights must (i) be directed at the ground, (ii) be designed for vehicular use, (iii) not emit a beam of light greater than 25 candlepower per bulb, (iv) not be attached to wheels, and (v) not be blinking, flashing, oscillating, or rotating.
13. 19VAC30-70-580 Glass and Glazing – Amended to clarify restrictions on objects that obstruct the operators field of vision through the windshield.
14. 19VAC30-70-660 Seat belts - Amended to reflect that airbags cannot be disabled or removed from a vehicle equipped with them.

Family impact

Please assess the impact of this regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

The changes to the Regulations are to ensure the Regulations are consistent with the controlling Virginia laws and to ensure the safety of Virginia families as they travel the highways throughout the Commonwealth.