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Exempt Action: Final Regulation Agency Background Document

Agency name	Virginia State Police
Virginia Administrative Code (VAC) Chapter citation(s)	19 VAC 30-70
VAC Chapter title(s)	19VAC30-70. VIRGINIA MOTOR VEHICLE SAFETY INSPECTION RULES AND REGULATIONS
Action title	Motor Vehicle Safety Inspection Rules and Regulations – Summer 2020 Amendments (FINAL)
Final agency action date	23 April 2020
Date this document prepared	11 June 2020

Although a regulatory action may be exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the *Code of Virginia*, the agency is still encouraged to provide information to the public on the Regulatory Town Hall using this form. However, the agency may still be required to comply with the Virginia Register Act, Executive Order 14 (as amended, July 16, 2018), the Regulations for Filing and Publishing Agency Regulations (1VAC7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

Makes technical corrections to, and enacts changes mandated by legislation enacted during the 2019 regular session of the General Assembly to, the Motor Vehicle Safety Inspection Rules and Regulations. This Action amends sections 19VAC30-70-1, 19VAC30-70-9, 19VAC30-70-9.1, 19VAC30-70-9.2, 19VAC30-70-9.3, 19VAC30-70-10.1, 19VAC30-70-25, 19VAC30-70-40, 19VAC30-70-80, 19VAC30-70-140, 19VAC30-70-160, 19VAC30-70-190, and 19VAC30-70-580.

Mandate and Impetus

Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, internal staff review, petition for rulemaking, periodic review, or board decision). "Mandate" is defined as "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

These regulations are mandated by § 46.2-1163 of the Code of Virginia.

Statement of Final Agency Action

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 April 23, 2020, the Virginia State Police adopted final amended regulations for 19 VAC 30-70, the Virginia Motor Vehicle Safety Inspection Rules and Regulations The Amendments: (i) alter sections 19VAC30-70-1, 19VAC30-70-9, 19VAC30-70-9.1, 19VAC30-70-9.2, 19VAC30-70-9.3, 19VAC30-70-10.1, 19VAC30-70-25, 19VAC30-70-40, 19VAC30-70-80, 19VAC30-70-140, 19VAC30-70-160, 19VAC30-70-190, and 19VAC30-70-580 in the Inspection Manual as follows:

1. 19VAC30-70-1 updated to waive the requirement for Superintendents approval of certain equipment under specified conditions.
2. 19VAC30-70-9.1 was updated to change "Inspector Certification" to the term "Safety Inspector" and to distinguish between the voluntary withdrawal of an application and a rejection of an application.
3. 19VAC30-70-9.2 updated the forms and procedures for applying for an Inspector's License.
4. 19VAC30-70-9.3 was changed to update reinstatement process.
5. 19VAC30-70-10.2 eliminated the requirement that requests for application materials must be in writing.
6. 19VAC30-70-25 paragraphs A(11) and A(22) were updated to reflect changes in inspection requirements related to vehicles obtained at auctions and military surplus vehicles.
7. 19VAC30-70-40 changed the fee forwarded to VSP set forth in paragraph B(1) from \$.50 to \$.70.
8. 19VAC30-70-80 numerous paragraphs were updated to address wear, damage, and foreign materials on brakes.
9. 19VAC30-70-140 updated requirements for headlamps.

10. 19VAC30-70-160 was corrected to reflect the 2019 statutory change regarding the color and placement of various lights on the specified emergency vehicles.

11. 19VAC30-70-190 paragraph D(1) now requires vehicles not originally equipped with a stop lamp to have two brake lights.

12. 19VAC30-70-580 Note 2, paragraph B(5), clarifies the permissible position of certain devices on windshields of vehicles with a gross vehicle weight of 10,001 pounds or greater.