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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-2023 Amendments -EO19 Review- FINAL
Final agency action date	25 September 2023
Date this document prepared	17 October 2023

This information is required for executive branch review pursuant to Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19. In addition, this information is required by the Virginia Registrar of Regulations pursuant to the Virginia Register Act (§ 2.2-4100 et seq. of the Code of Virginia). Regulations must conform to the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), 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 eliminates some sections from the Motor Vehicle Safety Inspection Rules and Regulations following a full review of the Regulation as mandated by Executive Order 19. This Action amends sections 19VAC30-70-9, 19VAC30-70-9.1, 19VAC30-70-10, 19VAC30-70-20, 19VAC30-70-40, 19VAC30-70-80, 19VAC30-70-150, 19VAC30-70-160, 19VAC30-70-190, 19VAC30-70-290, 19VAC30-70-330, 19VAC30-70-530, 19VAC30-70-560 and 19VAC30-70-570. These updates resulted in the reduction of 73 regulatory mandates, more than a 27.5% overall reduction in regulatory mandates contained in this regulation.

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). For purposes of executive branch review, "mandate" has the same meaning as defined in the ORM procedures, "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."

As mandated by Executive Order 19 (2022) (EO 19), the Virginia State Police conducted an internal staff review of 19VAC30-70, Virginia Motor Vehicle Safety Inspection Rules and Regulations to ensure that the Regulation was adopted in accordance with the applicable statutory mandates and provided the necessary guidance to inspections stations in the least restrictive and burdensome means. This review focused on reducing unnecessary economic burdens on Virginia citizens and businesses while ensuring the regulations allowed the Department to carry out its highway safety mandate. The resulting amendments seek to balance public safety with the regulatory burden imposed.

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 September 25, 2023, the Virginia State Police adopted final amended regulations for 19VAC30-70, Virginia Motor Vehicle Safety Inspection Rules and Regulations. The amendments alter certain sections in 19VAC30-70 as follows:

- **19VAC30-70-9.** Inspector requirements. Clarified to allow practical experience in combination with mirroring a certified inspector will suffice as adequate training. No change in mandates.
- **19VAC30-70-9.1.** Inspector certification. Removed requirement for applicant to visit test site. Eliminated certain forms and routing and allows the supervising Trooper to issue the inspectors license directly. These changes eliminated one mandate.
- **19VAC30-70-10.** Official inspection station requirements. Eliminated the second mandatory annual shipment of supplies to inspection stations allowing stations to order additional supplies as often as needed. These changes eliminated one mandate.
- **19VAC30-70-20.** General inspection requirements. Amended to treat out of state vehicles the same as in state vehicles for inspection purposes. These changes eliminated one mandate.
- **19VAC30-70-40.** Fees. These amendments clarified and streamlined the process for inspection stations to process and submits fees collected and due. These changes eliminated four mandates.
- **19VAC30-70-80.** Service brakes. Amended, reduced, and clarified the rules relating to Brake pads and linings. These changes eliminated two mandates.

- **19VAC30-70-150.** Rear lamps: tail lamp; license plate lamps; and rear lamp combinations. This amendment streamlined the rules relating to lamps located on the rear of a vehicle. These changes eliminated two mandates.
- **19VAC30-70-160.** Auxiliary lamps: backup; cornering; driving; fog; spot and warning. These changes removed the requirement to inspect unapproved lights that remain unlight during the inspection and are not wired into a required lighting system. Streamlined and eliminated the inspection of emergency vehicle lights authorized by Code. The section was also revised to clarify which types of light covers and lenses are permissible. These changes eliminated fourteen mandates.
- **19VAC30-70-190.** Signal device (intention to stop or turn), hazard lights, stop lamp. Amended to remove an unnecessary reference to center, high mount, stop light. This change eliminated one mandate.
- **19VAC30-70-290.** Seat belts; definitions. This change removed the failure for airbag readiness light and instead focuses on the condition of the actual airbag. These changes eliminated four mandates.
- **19VAC30-70-330.** Motorcycle inspection. (Repealed.) This change eliminated separate requirements for motorcycles. These changes eliminated two mandates.
- **19VAC30-70-530.** Auxiliary lamps: backup; cornering; driving; fog; spot and warning. This change eliminated duplicative requirements for certain lights already addressed in section 19VAC30-70-160. These changes eliminated thirty-five mandates.
- **19VAC30-70-560.** Signal device (intention to stop or turn), hazard lights, stop lamps. Amended to eliminate the requirement for certain fender mounted lamps. It also streamlined and reduced requirements for trucks equipped with camper shells. These changes eliminated four mandates.
- **19VAC30-70-570.** Permissible lighting equipment. These amendments clarify that lighting equipment must comply with Code and removed mandates already set forth in Code or other portions of these regulations. These changes eliminated five mandates.