



Virginia Register of Regulations

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THE VIRGINIA REGISTER INFORMATION PAGE

THE VIRGINIA REGISTER OF REGULATIONS is an official state publication issued every other week throughout the year. Indexes are published quarterly, and are cumulative for the year. The *Virginia Register* has several functions. The new and amended sections of regulations, both as proposed and as finally adopted, are required by law to be published in the *Virginia Register*. In addition, the *Virginia Register* is a source of other information about state government, including petitions for rulemaking, emergency regulations, executive orders issued by the Governor, the Virginia Tax Bulletin issued periodically by the Department of Taxation, and notices of public hearings and open meetings of state agencies.

ADOPTION, AMENDMENT, AND REPEAL OF REGULATIONS

An agency wishing to adopt, amend, or repeal regulations must first publish in the *Virginia Register* a notice of intended regulatory action; a basis, purpose, substance and issues statement; an economic impact analysis prepared by the Department of Planning and Budget; the agency's response to the economic impact analysis; a summary; a notice giving the public an opportunity to comment on the proposal; and the text of the proposed regulation.

Following publication of the proposal in the *Virginia Register*, the promulgating agency receives public comments for a minimum of 60 days. The Governor reviews the proposed regulation to determine if it is necessary to protect the public health, safety and welfare, and if it is clearly written and easily understandable. If the Governor chooses to comment on the proposed regulation, his comments must be transmitted to the agency and the Registrar no later than 15 days following the completion of the 60-day public comment period. The Governor's comments, if any, will be published in the *Virginia Register*. Not less than 15 days following the completion of the 60-day public comment period, the agency may adopt the proposed regulation.

The Joint Commission of Administrative Rules (JCAR) or the appropriate standing committee of each house of the General Assembly may meet during the promulgation or final adoption process and file an objection with the Registrar and the promulgating agency. The objection will be published in the *Virginia Register*. Within 21 days after receipt by the agency of a legislative objection, the agency shall file a response with the Registrar, the objecting legislative body, and the Governor.

When final action is taken, the agency again publishes the text of the regulation as adopted, highlighting all changes made to the proposed regulation and explaining any substantial changes made since publication of the proposal. A 30-day final adoption period begins upon final publication in the *Virginia Register*.

The Governor may review the final regulation during this time and, if he objects, forward his objection to the Registrar and the agency. In addition to or in lieu of filing a formal objection, the Governor may suspend the effective date of a portion or all of a regulation until the end of the next regular General Assembly session by issuing a directive signed by a majority of the members of the appropriate legislative body and the Governor. The Governor's objection or suspension of the regulation, or both, will be published in the *Virginia Register*. If the Governor finds that changes made to the proposed regulation have substantial impact, he may require the agency to provide an additional 30-day public comment period on the changes. Notice of the additional public comment period required by the Governor will be published in the *Virginia Register*.

The agency shall suspend the regulatory process for 30 days when it receives requests from 25 or more individuals to solicit additional public comment, unless the agency determines that the changes have minor or inconsequential impact.

A regulation becomes effective at the conclusion of the 30-day final adoption period, or at any other later date specified by the promulgating agency, unless (i) a legislative objection has been filed, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the 21-day objection period; (ii) the Governor exercises his authority to require the agency to

provide for additional public comment, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the period for which the Governor has provided for additional public comment; (iii) the Governor and the General Assembly exercise their authority to suspend the effective date of a regulation until the end of the next regular legislative session; or (iv) the agency suspends the regulatory process, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the 30-day public comment period and no earlier than 15 days from publication of the readopted action.

Proposed regulatory action may be withdrawn by the promulgating agency at any time before the regulation becomes final.

FAST-TRACK RULEMAKING PROCESS

Section 2.2-4012.1 of the Code of Virginia provides an exemption from certain provisions of the Administrative Process Act for agency regulations deemed by the Governor to be noncontroversial. To use this process, Governor's concurrence is required and advance notice must be provided to certain legislative committees. Fast-track regulations will become effective on the date noted in the regulatory action if no objections to using the process are filed in accordance with § 2.2-4012.1.

EMERGENCY REGULATIONS

If an agency demonstrates that (i) there is an immediate threat to the public's health or safety; or (ii) Virginia statutory law, the appropriation act, federal law, or federal regulation requires a regulation to take effect no later than (a) 280 days from the enactment in the case of Virginia or federal law or the appropriation act, or (b) 280 days from the effective date of a federal regulation, it then requests the Governor's approval to adopt an emergency regulation. The emergency regulation becomes operative upon its adoption and filing with the Registrar of Regulations, unless a later date is specified. Emergency regulations are limited to addressing specifically defined situations and may not exceed 12 months in duration. Emergency regulations are published as soon as possible in the *Register*.

During the time the emergency status is in effect, the agency may proceed with the adoption of permanent regulations through the usual procedures. To begin promulgating the replacement regulation, the agency must (i) file the Notice of Intended Regulatory Action with the Registrar within 60 days of the effective date of the emergency regulation and (ii) file the proposed regulation with the Registrar within 180 days of the effective date of the emergency regulation. If the agency chooses not to adopt the regulations, the emergency status ends when the prescribed time limit expires.

STATEMENT

The foregoing constitutes a generalized statement of the procedures to be followed. For specific statutory language, it is suggested that Article 2 (§ 2.2-4006 et seq.) of Chapter 40 of Title 2.2 of the Code of Virginia be examined carefully.

CITATION TO THE VIRGINIA REGISTER

The *Virginia Register* is cited by volume, issue, page number, and date. **23:7 VA.R. 1023-1140 December 11, 2006**, refers to Volume 23, Issue 7, pages 1023 through 1140 of the *Virginia Register* issued on December 11, 2006.

The Virginia Register of Regulations is published pursuant to Article 6 (§ 2.2-4031 et seq.) of Chapter 40 of Title 2.2 of the Code of Virginia.

Members of the Virginia Code Commission: **R. Steven Landes**, Chairman; **John S. Edwards**, Vice Chairman; **Ryan T. McDougle**; **Robert Hurt**; **Robert L. Calhoun**; **Frank S. Ferguson**; **E.M. Miller, Jr.**; **Thomas M. Moncure, Jr.**; **James F. Almand**; **S. Bernard Goodwyn**.

Staff of the Virginia Register: **Jane D. Chaffin**, Registrar of Regulations; **June T. Chandler**, Assistant Registrar.

PUBLICATION SCHEDULE AND DEADLINES

This schedule is available on the *Register's* Internet home page (<http://register.state.va.us>).

December 2007 through September 2008

| <u>Volume: Issue</u> | <u>Material Submitted By Noon*</u> | <u>Will Be Published On</u> |
|--------------------------|--------------------------------------|-----------------------------|
| INDEX 1 Volume 24 | | January 2008 |
| 24:8 | December 5, 2007 | December 24, 2007 |
| 24:9 | December 18, 2007 (Tuesday) | January 7, 2008 |
| 24:10 | January 2, 2008 | January 21, 2008 |
| 24:11 | January 16, 2008 | February 4, 2008 |
| 24:12 | January 30, 2008 | February 18, 2008 |
| 24:13 | February 13, 2008 | March 3, 2008 |
| 24:14 | February 27, 2008 | March 17, 2008 |
| INDEX 2 Volume 24 | | April 2008 |
| 24:15 | March 12, 2008 | March 31, 2008 |
| 24:16 | March 26, 2008 | April 14, 2008 |
| 24:17 | April 9, 2008 | April 28, 2008 |
| 24:18 | April 23, 2008 | May 12, 2008 |
| 24:19 | May 7, 2008 | May 26, 2008 |
| 24:20 | May 21, 2008 | June 9, 2008 |
| INDEX 3 Volume 24 | | July 2008 |
| 24:21 | June 4, 2008 | June 23, 2008 |
| 24:22 | June 18, 2008 | July 7, 2008 |
| 24:23 | July 2, 2008 | July 21, 2008 |
| 24:24 | July 16, 2008 | August 4, 2008 |
| 24:25 | July 30, 2008 | August 18, 2008 |
| 24:26 | August 13, 2008 | September 1, 2008 |

*Filing deadlines are Wednesdays unless otherwise specified.

CUMULATIVE TABLE OF VIRGINIA ADMINISTRATIVE CODE SECTIONS ADOPTED, AMENDED, OR REPEALED

The table printed below lists regulation sections, by Virginia Administrative Code (VAC) title, that have been amended, added or repealed in the *Virginia Register* since the regulations were originally published or last supplemented in VAC (the Fall 2007 VAC Supplement includes final regulations published through *Virginia Register* Volume 23, Issue 21, dated June 25, 2007). Emergency regulations, if any, are listed, followed by the designation "emer," and errata pertaining to final regulations are listed. Proposed regulations are not listed here. The table lists the sections in numerical order and shows action taken, the volume, issue and page number where the section appeared, and the effective date of the section.

| SECTION NUMBER | ACTION | CITE | EFFECTIVE DATE |
|--|----------|-----------------------|----------------|
| Title 1. Administration | | | |
| 1 VAC 55-30-10 through 1 VAC 55-30-90 | Added | 23:26 VA.R. 4413-4416 | 10/3/07 |
| 1 VAC 55-30-10 through 1 VAC 55-30-90 | Erratum | 24:7 VA.R. 940 | -- |
| Title 2. Agriculture | | | |
| 2 VAC 5-110 (Forms) | Amended | 23:26 VA.R. 4452 | -- |
| 2 VAC 5-580-10 through 2 VAC 5-580-310 | Repealed | 24:2 VA.R. 72 | 10/16/07 |
| 2 VAC 5-585-10 through 2 VAC 5-585-4070 | Added | 24:2 VA.R. 72-133 | 10/16/07 |
| Title 3. Alcoholic Beverages | | | |
| 3 VAC 5-50-40 | Amended | 23:25 VA.R. 4107 | * |
| 3 VAC 5-50-50 | Amended | 23:25 VA.R. 4108 | * |
| 3 VAC 5-50-80 | Amended | 23:25 VA.R. 4108 | * |
| 3 VAC 5-50-100 | Amended | 23:25 VA.R. 4108 | * |
| 3 VAC 5-50-130 | Amended | 23:25 VA.R. 4109 | * |
| 3 VAC 5-50-140 | Amended | 23:25 VA.R. 4110 | * |
| Title 4. Conservation and Natural Resources | | | |
| 4 VAC 5-36-50 | Amended | 24:6 VA.R. 638 | 1/1/08 |
| 4 VAC 5-36-60 | Amended | 24:6 VA.R. 644 | 1/1/08 |
| 4 VAC 5-36-70 | Amended | 24:6 VA.R. 645 | 1/1/08 |
| 4 VAC 5-36-90 | Amended | 24:6 VA.R. 647 | 1/1/08 |
| 4 VAC 5-36-100 | Amended | 24:6 VA.R. 649 | 1/1/08 |
| 4 VAC 5-36-110 | Amended | 24:6 VA.R. 654 | 1/1/08 |
| 4 VAC 5-36-120 | Amended | 24:6 VA.R. 655 | 1/1/08 |
| 4 VAC 5-36-130 | Amended | 24:6 VA.R. 656 | 1/1/08 |
| 4 VAC 5-36-140 | Amended | 24:6 VA.R. 657 | 1/1/08 |
| 4 VAC 5-36-150 | Amended | 24:6 VA.R. 659 | 1/1/08 |
| 4 VAC 5-36-200 | Amended | 24:6 VA.R. 662 | 1/1/08 |
| 4 VAC 5-36-210 | Amended | 24:6 VA.R. 670 | 1/1/08 |
| 4 VAC 5-36-220 | Amended | 24:6 VA.R. 675 | 1/1/08 |
| 4 VAC 15-200-10 | Amended | 24:6 VA.R. 676 | 10/26/07 |
| 4 VAC 15-270-40 | Amended | 24:6 VA.R. 676 | 7/1/08 |
| 4 VAC 15-270-80 | Added | 24:6 VA.R. 676 | 10/26/07 |
| 4 VAC 15-270-90 | Added | 24:6 VA.R. 677 | 1/1/08 |
| 4 VAC 20-20-50 | Amended | 24:5 VA.R. 555 | 11/1/07 |
| 4 VAC 20-252-90 | Amended | 24:4 VA.R. 471 | 10/1/07 |
| 4 VAC 20-252-100 | Amended | 24:4 VA.R. 471 | 10/1/07 |
| 4 VAC 20-260-10 | Amended | 24:4 VA.R. 472 | 10/1/07 |
| 4 VAC 20-260-20 | Amended | 24:4 VA.R. 472 | 10/1/07 |
| 4 VAC 20-260-30 | Amended | 24:4 VA.R. 473 | 10/1/07 |

* Objection to Fast-Track Rulemaking 24:1

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

| SECTION NUMBER | ACTION | CITE | EFFECTIVE DATE |
|--|----------|-----------------------|-----------------|
| 4 VAC 20-260-35 | Added | 24:4 VA.R. 474 | 10/1/07 |
| 4 VAC 20-260-40 | Amended | 24:4 VA.R. 474 | 10/1/07 |
| 4 VAC 20-260-60 | Amended | 24:4 VA.R. 474 | 10/1/07 |
| 4 VAC 20-650-20 | Amended | 24:4 VA.R. 474 | 10/1/07 |
| 4 VAC 20-650-30 | Amended | 24:4 VA.R. 475 | 10/1/07 |
| 4 VAC 20-650-40 | Amended | 24:4 VA.R. 475 | 10/1/07 |
| 4 VAC 20-720-20 | Amended | 24:4 VA.R. 475 | 10/1/07 |
| 4 VAC 20-720-20 | Erratum | 24:5 VA.R. 621 | -- |
| 4 VAC 20-720-40 through 4VAC20-720-80 | Amended | 24:4 VA.R. 478-480 | 10/1/07 |
| 4 VAC 20-720-95 | Added | 24:4 VA.R. 480 | 10/1/07 |
| 4 VAC 20-720-110 | Amended | 24:4 VA.R. 480 | 10/1/07 |
| 4 VAC 20-755-10 | Amended | 24:2 VA.R. 133 | 9/1/07 |
| 4 VAC 20-755-20 | Amended | 24:2 VA.R. 133 | 9/1/07 |
| 4 VAC 20-755-30 | Amended | 24:2 VA.R. 136 | 9/1/07 |
| 4 VAC 20-910-45 | Amended | 24:5 VA.R. 556 | 11/1/07 |
| 4 VAC 20-1120-20 | Amended | 23:23 VA.R. 3871 | 6/28/07 |
| 4 VAC 25-20 (Forms) | Amended | 23:24 VA.R. 3968 | -- |
| 4 VAC 25-50-10 through 4 VAC 25-50-110 | Repealed | 23:22 VA.R. 3696 | 8/8/07 |
| 4 VAC 25-130-777.17 | Amended | 23:22 VA.R. 3696 | 8/8/07 |
| Title 5. Corporations | | | |
| 5 VAC 5-30-10 | Amended | 23:23 VA.R. 3872 | 7/1/07 |
| 5 VAC 5-30-20 | Amended | 23:23 VA.R. 3872 | 7/1/07 |
| 5 VAC 5-30-30 | Amended | 23:23 VA.R. 3873 | 7/1/07 |
| 5 VAC 5-30-40 | Amended | 23:23 VA.R. 3873 | 7/1/07 |
| 5 VAC 5-30-50 | Amended | 23:23 VA.R. 3874 | 7/1/07 |
| 5 VAC 5-30-60 | Amended | 23:23 VA.R. 3874 | 7/1/07 |
| 5 VAC 5-30-70 | Amended | 23:23 VA.R. 3875 | 7/1/07 |
| Title 6. Criminal Justice and Corrections | | | |
| 6 VAC 15-20-10 through 6 VAC 15-20-230 | Amended | 23:22 VA.R. 3697-3703 | 8/9/07 |
| 6 VAC 20-120-40 | Amended | 23:25 VA.R. 4177 | 9/19/07 |
| 6 VAC 35-20-37 emer | Amended | 23:25 VA.R. 4178 | 8/1/07-7/31/08 |
| 6 VAC 35-180-10 through 6 VAC 35-180-170 | Added | 24:5 VA.R. 557-561 | 1/1/08 |
| 6 VAC 35-190-10 through 6VAC35-190-110 | Added | 24:2 VA.R. 137-139 | 10/31/07 |
| 6 VAC 40-50-10 through 6VAC40-50-80 emer | Added | 23:23 VA.R. 3876 | 7/1/06-12/29/07 |
| Title 8. Education | | | |
| 8 VAC 20-21-10 through 8 VAC 20-21-730 | Repealed | 23:25 VA.R. 4179 | 9/21/07 |
| 8 VAC 20-22-10 through 8 VAC 20-22-760 | Added | 23:25 VA.R. 4179-4214 | 9/21/07 |
| 8 VAC 20-160-10 | Amended | 23:23 VA.R. 3876 | 8/27/07 |
| 8 VAC 20-160-20 | Amended | 23:23 VA.R. 3878 | 8/27/07 |
| 8 VAC 20-160-30 | Amended | 23:23 VA.R. 3878 | 8/27/07 |
| 8 VAC 20-160-40 | Amended | 23:23 VA.R. 3879 | 8/27/07 |
| 8 VAC 20-160-50 | Amended | 23:23 VA.R. 3879 | 8/27/07 |
| 8 VAC 20-160-60 | Amended | 23:23 VA.R. 3879 | 8/27/07 |
| 8 VAC 20-190-10 | Repealed | 24:5 VA.R. 562 | 1/1/08 |
| 8 VAC 20-500-10 | Repealed | 24:5 VA.R. 563 | 1/1/08 |
| 8 VAC 20-541-10 through 8 VAC 20-541-60 | Repealed | 23:25 VA.R. 4214 | 9/21/07 |
| 8 VAC 20-542-10 through 8 VAC 20-542-600 | Added | 23:25 VA.R. 4214-4270 | 9/21/07 |
| 8 VAC 35-60-10 | Added | 24:1 VA.R. 25 | 8/28/07 |
| 8 VAC 35-60-20 | Added | 24:1 VA.R. 25 | 8/28/07 |
| 8 VAC 35-60-30 | Added | 24:1 VA.R. 25 | 8/28/07 |
| 8 VAC 40-140-10 through 8 VAC 40-140-90 | Added | 23:22 VA.R. 3704-3706 | 7/1/07 |

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

| SECTION NUMBER | ACTION | CITE | EFFECTIVE DATE |
|---|----------|--------------------|----------------|
| Title 9. Environment | | | |
| 9 VAC 5-20-203 | Amended | 24:5 VA.R. 564 | 12/12/07 |
| 9 VAC 5-20-204 | Amended | 24:5 VA.R. 565 | 12/12/07 |
| 9 VAC 5-40-20 | Amended | 24:5 VA.R. 566 | 12/12/07 |
| 9 VAC 5-50-20 | Amended | 24:5 VA.R. 570 | 12/12/07 |
| 9 VAC 5-50-400 | Amended | 24:5 VA.R. 573 | 12/12/07 |
| 9 VAC 5-50-410 | Amended | 24:5 VA.R. 573 | 12/12/07 |
| 9 VAC 5-60-60 | Amended | 24:5 VA.R. 579 | 12/12/07 |
| 9 VAC 5-60-90 | Amended | 24:5 VA.R. 579 | 12/12/07 |
| 9 VAC 5-60-92 | Added | 24:5 VA.R. 579 | 12/12/07 |
| 9 VAC 5-60-95 | Amended | 24:5 VA.R. 579 | 12/12/07 |
| 9 VAC 5-60-100 | Amended | 24:5 VA.R. 580 | 12/12/07 |
| 9 VAC 5-91-20 | Amended | 24:5 VA.R. 587 | 12/12/07 |
| 9 VAC 5-140-1061 | Added | 24:6 VA.R. 679 | 12/26/07 |
| 9 VAC 5-140-1062 | Added | 24:6 VA.R. 680 | 12/26/07 |
| 9 VAC 5-140-2061 | Added | 24:6 VA.R. 681 | 12/26/07 |
| 9 VAC 5-140-2062 | Added | 24:6 VA.R. 682 | 12/26/07 |
| 9 VAC 5-140-3061 | Added | 24:6 VA.R. 683 | 12/26/07 |
| 9 VAC 5-140-3062 | Added | 24:6 VA.R. 683 | 12/26/07 |
| 9 VAC 5-140-3400 | Amended | 24:5 VA.R. 594 | 12/12/07 |
| 9 VAC 20-130-10 | Amended | 24:4 VA.R. 480 | 11/28/07 |
| 9 VAC 20-130-40 | Amended | 24:4 VA.R. 484 | 11/28/07 |
| 9 VAC 20-130-60 | Amended | 24:4 VA.R. 484 | 11/28/07 |
| 9 VAC 20-130-70 | Amended | 24:4 VA.R. 484 | 11/28/07 |
| 9 VAC 20-130-90 | Amended | 24:4 VA.R. 485 | 11/28/07 |
| 9 VAC 20-130-110 | Amended | 24:4 VA.R. 485 | 11/28/07 |
| 9 VAC 20-130-120 | Amended | 24:4 VA.R. 486 | 11/28/07 |
| 9 VAC 20-130-120 | Erratum | 24:6 VA.R. 889 | -- |
| 9 VAC 20-130-125 | Added | 24:4 VA.R. 488 | 11/28/07 |
| 9 VAC 20-130-125 | Erratum | 24:6 VA.R. 889 | -- |
| 9 VAC 20-130-130 | Amended | 24:4 VA.R. 489 | 11/28/07 |
| 9 VAC 20-130-140 | Repealed | 24:4 VA.R. 489 | 11/28/07 |
| 9 VAC 20-130-150 | Repealed | 24:4 VA.R. 489 | 11/28/07 |
| 9 VAC 20-130-165 | Amended | 24:4 VA.R. 489 | 11/28/07 |
| 9 VAC 20-130-175 through 9VAC20-130-230 | Amended | 24:4 VA.R. 490-493 | 11/28/07 |
| 9 VAC 20-130-200 | Erratum | 24:6 VA.R. 889 | -- |
| 9 VAC 25-20-10 | Amended | 24:6 VA.R. 701 | 1/1/08 |
| 9 VAC 25-20-20 | Amended | 24:6 VA.R. 702 | 1/1/08 |
| 9 VAC 25-20-30 | Repealed | 24:6 VA.R. 702 | 1/1/08 |
| 9 VAC 25-20-40 | Amended | 24:6 VA.R. 702 | 1/1/08 |
| 9 VAC 25-20-50 | Amended | 24:6 VA.R. 703 | 1/1/08 |
| 9 VAC 25-20-60 | Amended | 24:6 VA.R. 703 | 1/1/08 |
| 9 VAC 25-20-90 | Amended | 24:6 VA.R. 704 | 1/1/08 |
| 9 VAC 25-20-100 | Amended | 24:6 VA.R. 704 | 1/1/08 |
| 9 VAC 25-20-110 | Amended | 24:6 VA.R. 705 | 1/1/08 |
| 9 VAC 25-20-120 | Amended | 24:6 VA.R. 706 | 1/1/08 |
| 9 VAC 25-20-130 | Amended | 24:6 VA.R. 708 | 1/1/08 |
| 9 VAC 25-20-146 | Added | 24:6 VA.R. 708 | 1/1/08 |
| 9 VAC 25-20-147 | Added | 24:6 VA.R. 709 | 1/1/08 |
| 9 VAC 25-20-148 | Added | 24:6 VA.R. 709 | 1/1/08 |

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

| SECTION NUMBER | ACTION | CITE | EFFECTIVE DATE |
|---|---------|--------------------|----------------|
| 9 VAC 25-20-149 | Added | 24:6 VA.R. 709 | 1/1/08 |
| 9 VAC 25-31-100 | Amended | 24:3 VA.R. 313 | 11/14/07 |
| 9 VAC 25-31-100 | Amended | 24:6 VA.R. 711 | 1/1/08 |
| 9 VAC 25-31-120 | Amended | 24:3 VA.R. 309 | 11/14/07 |
| 9 VAC 25-31-165 | Amended | 24:3 VA.R. 333 | 11/14/07 |
| 9 VAC 25-31-220 | Amended | 24:6 VA.R. 731 | 1/1/08 |
| 9 VAC 25-31-290 | Amended | 24:6 VA.R. 735 | 1/1/08 |
| 9 VAC 25-31-460 | Amended | 24:6 VA.R. 738 | 1/1/08 |
| 9 VAC 25-31-475 | Added | 24:6 VA.R. 738 | 1/1/08 |
| 9 VAC 25-31-485 | Added | 24:6 VA.R. 738 | 1/1/08 |
| 9 VAC 25-31-505 | Added | 24:6 VA.R. 739 | 1/1/08 |
| 9 VAC 25-32-40 | Amended | 24:6 VA.R. 739 | 1/1/08 |
| 9 VAC 25-32-60 | Amended | 24:6 VA.R. 739 | 1/1/08 |
| 9 VAC 25-32-80 | Amended | 24:6 VA.R. 740 | 1/1/08 |
| 9 VAC 25-32-100 | Amended | 24:6 VA.R. 743 | 1/1/08 |
| 9 VAC 25-32-140 | Amended | 24:6 VA.R. 743 | 1/1/08 |
| 9 VAC 25-32-210 | Amended | 24:6 VA.R. 744 | 1/1/08 |
| 9 VAC 25-32-220 | Amended | 24:6 VA.R. 745 | 1/1/08 |
| 9 VAC 25-32-240 | Amended | 24:6 VA.R. 745 | 1/1/08 |
| 9 VAC 25-32-300 | Amended | 24:6 VA.R. 745 | 1/1/08 |
| 9 VAC 25-32-310 through 9 VAC 25-32-760 | Added | 24:6 VA.R. 746-781 | 1/1/08 |
| 9 VAC 25-260-5 | Amended | 24:4 VA.R. 536 | 8/14/07 |
| 9 VAC 25-260-30 | Amended | 24:2 VA.R. 139 | 9/11/07 |
| 9 VAC 25-260-30 | Amended | 24:2 VA.R. 140 | 9/11/07 |
| 9 VAC 25-260-30 | Amended | 24:7 VA.R. 908 | ** |
| 9 VAC 25-260-50 | Amended | 24:4 VA.R. 536 | 8/14/07 |
| 9 VAC 25-260-187 | Added | 24:4 VA.R. 536 | 8/14/07 |
| 9 VAC 25-260-310 | Amended | 24:4 VA.R. 536 | 8/14/07 |
| 9 VAC 25-260-480 | Amended | 24:4 VA.R. 536 | 8/14/07 |
| 9 VAC 25-720-50 | Amended | 23:23 VA.R. 3881 | 10/22/07 |
| 9 VAC 25-720-50 | Amended | 23:23 VA.R. 3888 | 10/22/07 |
| 9 VAC 25-720-50 | Amended | 23:23 VA.R. 3895 | 10/22/07 |
| 9 VAC 25-720-50 | Amended | 24:2 VA.R. 140 | 11/15/07 |
| 9 VAC 25-720-80 | Amended | 23:23 VA.R. 3901 | 10/22/07 |
| 9 VAC 25-720-90 | Amended | 24:2 VA.R. 147 | 11/15/07 |
| 9 VAC 25-790-10 | Amended | 24:6 VA.R. 784 | 1/1/08 |
| 9 VAC 25-790-50 | Amended | 24:6 VA.R. 787 | 1/1/08 |
| 9 VAC 25-790-60 | Amended | 24:6 VA.R. 787 | 1/1/08 |
| 9 VAC 25-790-120 | Amended | 24:6 VA.R. 788 | 1/1/08 |
| 9 VAC 25-790-130 | Amended | 24:6 VA.R. 790 | 1/1/08 |
| 9 VAC 25-790-150 | Amended | 24:6 VA.R. 790 | 1/1/08 |
| 9 VAC 25-790-180 | Amended | 24:6 VA.R. 791 | 1/1/08 |
| 9 VAC 25-790-200 | Amended | 24:6 VA.R. 791 | 1/1/08 |
| 9 VAC 25-790-240 | Amended | 24:6 VA.R. 791 | 1/1/08 |
| 9 VAC 25-790-540 | Amended | 24:6 VA.R. 792 | 1/1/08 |
| 9 VAC 25-790-550 | Amended | 24:6 VA.R. 792 | 1/1/08 |
| 9 VAC 25-790-570 | Amended | 24:6 VA.R. 795 | 1/1/08 |
| 9 VAC 25-790-580 | Amended | 24:6 VA.R. 797 | 1/1/08 |
| 9 VAC 25-790-590 | Amended | 24:6 VA.R. 797 | 1/1/08 |

** Effective upon filing notice of U.S. EPA approval with Registrar.

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

| SECTION NUMBER | ACTION | CITE | EFFECTIVE DATE |
|--|----------|-----------------------|-------------------|
| 9 VAC 25-790-600 | Amended | 24:6 VA.R. 798 | 1/1/08 |
| 9 VAC 25-790-660 | Amended | 24:6 VA.R. 799 | 1/1/08 |
| 9 VAC 25-790-880 | Amended | 24:6 VA.R. 799 | 1/1/08 |
| Title 11. Gaming | | | |
| 11 VAC 10-45-10 | Amended | 24:5 VA.R. 595 | 12/12/07 |
| 11 VAC 10-45-25 | Added | 24:5 VA.R. 596 | 12/12/07 |
| Title 12. Health | | | |
| 12 VAC 5-31-2300 through 12VAC5-31-2970 | Added | 24:6 VA.R. 806-818 | 1/1/08 |
| 12 VAC 5-40-10 through 12VAC5-40-190 | Repealed | 24:6 VA.R. 806 | 1/1/08 |
| 12 VAC 5-90-80 emer | Amended | 24:5 VA.R. 597 | 10/24/07-10/23/08 |
| 12 VAC 5-125-10 through 12 VAC 5-125-180 | Added | 23:23 VA.R. 3904-3919 | 9/1/07 |
| 12 VAC 5-421-10 | Amended | 24:2 VA.R. 149 | 10/16/07 |
| 12 VAC 5-421-90 | Amended | 24:2 VA.R. 157 | 10/16/07 |
| 12 VAC 5-421-100 | Amended | 24:2 VA.R. 157 | 10/16/07 |
| 12 VAC 5-421-120 | Amended | 24:2 VA.R. 158 | 10/16/07 |
| 12 VAC 5-421-140 | Amended | 24:2 VA.R. 158 | 10/16/07 |
| 12 VAC 5-421-160 | Amended | 24:2 VA.R. 159 | 10/16/07 |
| 12 VAC 5-421-170 | Amended | 24:2 VA.R. 159 | 10/16/07 |
| 12 VAC 5-421-180 | Amended | 24:2 VA.R. 159 | 10/16/07 |
| 12 VAC 5-421-190 | Amended | 24:2 VA.R. 159 | 10/16/07 |
| 12 VAC 5-421-200 | Amended | 24:2 VA.R. 160 | 10/16/07 |
| 12 VAC 5-421-230 | Amended | 24:2 VA.R. 160 | 10/16/07 |
| 12 VAC 5-421-250 | Amended | 24:2 VA.R. 160 | 10/16/07 |
| 12 VAC 5-421-270 | Amended | 24:2 VA.R. 160 | 10/16/07 |
| 12 VAC 5-421-295 | Added | 24:2 VA.R. 160 | 10/16/07 |
| 12 VAC 5-421-300 | Amended | 24:2 VA.R. 160 | 10/16/07 |
| 12 VAC 5-421-330 | Amended | 24:2 VA.R. 161 | 10/16/07 |
| 12 VAC 5-421-340 | Amended | 24:2 VA.R. 161 | 10/16/07 |
| 12 VAC 5-421-350 | Amended | 24:2 VA.R. 161 | 10/16/07 |
| 12 VAC 5-421-360 | Amended | 24:2 VA.R. 161 | 10/16/07 |
| 12 VAC 5-421-430 | Amended | 24:2 VA.R. 162 | 10/16/07 |
| 12 VAC 5-421-440 | Amended | 24:2 VA.R. 162 | 10/16/07 |
| 12 VAC 5-421-450 | Amended | 24:2 VA.R. 162 | 10/16/07 |
| 12 VAC 5-421-460 | Added | 24:2 VA.R. 162 | 10/16/07 |
| 12 VAC 5-421-500 | Amended | 24:2 VA.R. 162 | 10/16/07 |
| 12 VAC 5-421-520 | Amended | 24:2 VA.R. 163 | 10/16/07 |
| 12 VAC 5-421-530 | Amended | 24:2 VA.R. 163 | 10/16/07 |
| 12 VAC 5-421-550 | Amended | 24:2 VA.R. 163 | 10/16/07 |
| 12 VAC 5-421-560 | Amended | 24:2 VA.R. 163 | 10/16/07 |
| 12 VAC 5-421-570 | Amended | 24:2 VA.R. 163 | 10/16/07 |
| 12 VAC 5-421-580 | Amended | 24:2 VA.R. 163 | 10/16/07 |
| 12 VAC 5-421-590 | Amended | 24:2 VA.R. 164 | 10/16/07 |
| 12 VAC 5-421-600 | Amended | 24:2 VA.R. 164 | 10/16/07 |
| 12 VAC 5-421-620 | Amended | 24:2 VA.R. 164 | 10/16/07 |
| 12 VAC 5-421-670 | Amended | 24:2 VA.R. 164 | 10/16/07 |
| 12 VAC 5-421-680 | Amended | 24:2 VA.R. 164 | 10/16/07 |
| 12 VAC 5-421-700 | Amended | 24:2 VA.R. 164 | 10/16/07 |
| 12 VAC 5-421-720 | Amended | 24:2 VA.R. 166 | 10/16/07 |
| 12 VAC 5-421-760 | Amended | 24:2 VA.R. 166 | 10/16/07 |
| 12 VAC 5-421-765 | Added | 24:2 VA.R. 166 | 10/16/07 |

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| SECTION NUMBER | ACTION | CITE | EFFECTIVE DATE |
|-------------------|---------|----------------|----------------|
| 12 VAC 5-421-780 | Amended | 24:2 VA.R. 166 | 10/16/07 |
| 12 VAC 5-421-790 | Amended | 24:2 VA.R. 166 | 10/16/07 |
| 12 VAC 5-421-800 | Amended | 24:2 VA.R. 167 | 10/16/07 |
| 12 VAC 5-421-820 | Amended | 24:2 VA.R. 167 | 10/16/07 |
| 12 VAC 5-421-830 | Amended | 24:2 VA.R. 167 | 10/16/07 |
| 12 VAC 5-421-840 | Amended | 24:2 VA.R. 169 | 10/16/07 |
| 12 VAC 5-421-850 | Amended | 24:2 VA.R. 169 | 10/16/07 |
| 12 VAC 5-421-860 | Amended | 24:2 VA.R. 170 | 10/16/07 |
| 12 VAC 5-421-870 | Amended | 24:2 VA.R. 170 | 10/16/07 |
| 12 VAC 5-421-880 | Added | 24:2 VA.R. 171 | 10/16/07 |
| 12 VAC 5-421-890 | Added | 24:2 VA.R. 171 | 10/16/07 |
| 12 VAC 5-421-900 | Added | 24:2 VA.R. 171 | 10/16/07 |
| 12 VAC 5-421-910 | Added | 24:2 VA.R. 171 | 10/16/07 |
| 12 VAC 5-421-920 | Added | 24:2 VA.R. 171 | 10/16/07 |
| 12 VAC 5-421-930 | Added | 24:2 VA.R. 171 | 10/16/07 |
| 12 VAC 5-421-940 | Amended | 24:2 VA.R. 172 | 10/16/07 |
| 12 VAC 5-421-950 | Amended | 24:2 VA.R. 172 | 10/16/07 |
| 12 VAC 5-421-960 | Amended | 24:2 VA.R. 173 | 10/16/07 |
| 12 VAC 5-421-970 | Amended | 24:2 VA.R. 173 | 10/16/07 |
| 12 VAC 5-421-990 | Amended | 24:2 VA.R. 173 | 10/16/07 |
| 12 VAC 5-421-1000 | Amended | 24:2 VA.R. 173 | 10/16/07 |
| 12 VAC 5-421-1010 | Amended | 24:2 VA.R. 173 | 10/16/07 |
| 12 VAC 5-421-1020 | Amended | 24:2 VA.R. 173 | 10/16/07 |
| 12 VAC 5-421-1030 | Amended | 24:2 VA.R. 173 | 10/16/07 |
| 12 VAC 5-421-1040 | Amended | 24:2 VA.R. 173 | 10/16/07 |
| 12 VAC 5-421-1070 | Amended | 24:2 VA.R. 174 | 10/16/07 |
| 12 VAC 5-421-1090 | Amended | 24:2 VA.R. 174 | 10/16/07 |
| 12 VAC 5-421-1120 | Amended | 24:2 VA.R. 174 | 10/16/07 |
| 12 VAC 5-421-1200 | Amended | 24:2 VA.R. 174 | 10/16/07 |
| 12 VAC 5-421-1260 | Amended | 24:2 VA.R. 174 | 10/16/07 |
| 12 VAC 5-421-1270 | Amended | 24:2 VA.R. 174 | 10/16/07 |
| 12 VAC 5-421-1300 | Amended | 24:2 VA.R. 174 | 10/16/07 |
| 12 VAC 5-421-1310 | Amended | 24:2 VA.R. 174 | 10/16/07 |
| 12 VAC 5-421-1320 | Amended | 24:2 VA.R. 175 | 10/16/07 |
| 12 VAC 5-421-1330 | Amended | 24:2 VA.R. 175 | 10/16/07 |
| 12 VAC 5-421-1340 | Amended | 24:2 VA.R. 175 | 10/16/07 |
| 12 VAC 5-421-1350 | Amended | 24:2 VA.R. 175 | 10/16/07 |
| 12 VAC 5-421-1360 | Amended | 24:2 VA.R. 175 | 10/16/07 |
| 12 VAC 5-421-1370 | Amended | 24:2 VA.R. 176 | 10/16/07 |
| 12 VAC 5-421-1460 | Amended | 24:2 VA.R. 176 | 10/16/07 |
| 12 VAC 5-421-1510 | Amended | 24:2 VA.R. 176 | 10/16/07 |
| 12 VAC 5-421-1520 | Amended | 24:2 VA.R. 176 | 10/16/07 |
| 12 VAC 5-421-1530 | Amended | 24:2 VA.R. 177 | 10/16/07 |
| 12 VAC 5-421-1540 | Amended | 24:2 VA.R. 177 | 10/16/07 |
| 12 VAC 5-421-1620 | Amended | 24:2 VA.R. 177 | 10/16/07 |
| 12 VAC 5-421-1640 | Amended | 24:2 VA.R. 177 | 10/16/07 |
| 12 VAC 5-421-1660 | Amended | 24:2 VA.R. 177 | 10/16/07 |
| 12 VAC 5-421-1670 | Amended | 24:2 VA.R. 178 | 10/16/07 |
| 12 VAC 5-421-1680 | Amended | 24:2 VA.R. 178 | 10/16/07 |
| 12 VAC 5-421-1690 | Amended | 24:2 VA.R. 178 | 10/16/07 |
| 12 VAC 5-421-1700 | Amended | 24:2 VA.R. 178 | 10/16/07 |

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|-------------------|---------|----------------|----------------|
| 12 VAC 5-421-1710 | Amended | 24:2 VA.R. 179 | 10/16/07 |
| 12 VAC 5-421-1720 | Amended | 24:2 VA.R. 179 | 10/16/07 |
| 12 VAC 5-421-1730 | Amended | 24:2 VA.R. 179 | 10/16/07 |
| 12 VAC 5-421-1750 | Amended | 24:2 VA.R. 179 | 10/16/07 |
| 12 VAC 5-421-1760 | Amended | 24:2 VA.R. 179 | 10/16/07 |
| 12 VAC 5-421-1780 | Amended | 24:2 VA.R. 179 | 10/16/07 |
| 12 VAC 5-421-1810 | Amended | 24:2 VA.R. 180 | 10/16/07 |
| 12 VAC 5-421-1820 | Amended | 24:2 VA.R. 180 | 10/16/07 |
| 12 VAC 5-421-1880 | Amended | 24:2 VA.R. 180 | 10/16/07 |
| 12 VAC 5-421-1890 | Amended | 24:2 VA.R. 180 | 10/16/07 |
| 12 VAC 5-421-1900 | Amended | 24:2 VA.R. 180 | 10/16/07 |
| 12 VAC 5-421-1960 | Amended | 24:2 VA.R. 181 | 10/16/07 |
| 12 VAC 5-421-2010 | Amended | 24:2 VA.R. 181 | 10/16/07 |
| 12 VAC 5-421-2080 | Amended | 24:2 VA.R. 181 | 10/16/07 |
| 12 VAC 5-421-2190 | Amended | 24:2 VA.R. 181 | 10/16/07 |
| 12 VAC 5-421-2200 | Amended | 24:2 VA.R. 181 | 10/16/07 |
| 12 VAC 5-421-2210 | Amended | 24:2 VA.R. 181 | 10/16/07 |
| 12 VAC 5-421-2270 | Amended | 24:2 VA.R. 181 | 10/16/07 |
| 12 VAC 5-421-2310 | Amended | 24:2 VA.R. 182 | 10/16/07 |
| 12 VAC 5-421-2320 | Amended | 24:2 VA.R. 182 | 10/16/07 |
| 12 VAC 5-421-2520 | Amended | 24:2 VA.R. 182 | 10/16/07 |
| 12 VAC 5-421-2630 | Amended | 24:2 VA.R. 182 | 10/16/07 |
| 12 VAC 5-421-2680 | Amended | 24:2 VA.R. 182 | 10/16/07 |
| 12 VAC 5-421-2710 | Amended | 24:2 VA.R. 182 | 10/16/07 |
| 12 VAC 5-421-2790 | Amended | 24:2 VA.R. 182 | 10/16/07 |
| 12 VAC 5-421-2810 | Amended | 24:2 VA.R. 182 | 10/16/07 |
| 12 VAC 5-421-2820 | Amended | 24:2 VA.R. 183 | 10/16/07 |
| 12 VAC 5-421-2840 | Amended | 24:2 VA.R. 183 | 10/16/07 |
| 12 VAC 5-421-2850 | Amended | 24:2 VA.R. 183 | 10/16/07 |
| 12 VAC 5-421-2870 | Amended | 24:2 VA.R. 183 | 10/16/07 |
| 12 VAC 5-421-2880 | Amended | 24:2 VA.R. 183 | 10/16/07 |
| 12 VAC 5-421-2930 | Amended | 24:2 VA.R. 183 | 10/16/07 |
| 12 VAC 5-421-2990 | Amended | 24:2 VA.R. 184 | 10/16/07 |
| 12 VAC 5-421-3040 | Amended | 24:2 VA.R. 184 | 10/16/07 |
| 12 VAC 5-421-3120 | Amended | 24:2 VA.R. 184 | 10/16/07 |
| 12 VAC 5-421-3200 | Amended | 24:2 VA.R. 184 | 10/16/07 |
| 12 VAC 5-421-3210 | Amended | 24:2 VA.R. 184 | 10/16/07 |
| 12 VAC 5-421-3230 | Amended | 24:2 VA.R. 184 | 10/16/07 |
| 12 VAC 5-421-3310 | Amended | 24:2 VA.R. 184 | 10/16/07 |
| 12 VAC 5-421-3370 | Amended | 24:2 VA.R. 185 | 10/16/07 |
| 12 VAC 5-421-3380 | Amended | 24:2 VA.R. 185 | 10/16/07 |
| 12 VAC 5-421-3450 | Amended | 24:2 VA.R. 185 | 10/16/07 |
| 12 VAC 5-421-3510 | Amended | 24:2 VA.R. 185 | 10/16/07 |
| 12 VAC 5-421-3560 | Amended | 24:2 VA.R. 185 | 10/16/07 |
| 12 VAC 5-421-3580 | Amended | 24:2 VA.R. 185 | 10/16/07 |
| 12 VAC 5-421-3590 | Amended | 24:2 VA.R. 186 | 10/16/07 |
| 12 VAC 5-421-3620 | Amended | 24:2 VA.R. 186 | 10/16/07 |
| 12 VAC 5-421-3660 | Amended | 24:2 VA.R. 186 | 10/16/07 |
| 12 VAC 5-421-3700 | Amended | 24:2 VA.R. 186 | 10/16/07 |
| 12 VAC 5-421-3750 | Amended | 24:2 VA.R. 187 | 10/16/07 |

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| 12 VAC 5-421-3760 | Amended | 24:2 VA.R. 188 | 10/16/07 |
| 12 VAC 5-421-3800 | Amended | 24:2 VA.R. 188 | 10/16/07 |
| 12 VAC 5-421-3815 | Added | 24:2 VA.R. 188 | 10/16/07 |
| 12 VAC 5-421-3860 | Amended | 24:2 VA.R. 188 | 10/16/07 |
| 12 VAC 5-421-3900 | Amended | 24:2 VA.R. 188 | 10/16/07 |
| 12 VAC 5-421-3960 | Amended | 24:2 VA.R. 189 | 10/16/07 |
| 12 VAC 5-421-3970 | Amended | 24:2 VA.R. 189 | 10/16/07 |
| 12 VAC 5-421-4000 | Amended | 24:2 VA.R. 189 | 10/16/07 |
| 12 VAC 5-421-4035 | Added | 24:2 VA.R. 190 | 10/16/07 |
| 12 VAC 5-421-4050 | Amended | 24:2 VA.R. 191 | 10/16/07 |
| 12 VAC 5-421-4070 | Amended | 24:2 VA.R. 191 | 10/16/07 |
| 12 VAC 5-585-70 | Amended | 24:5 VA.R. 602 | 12/17/07 |
| 12 VAC 5-585-510 | Amended | 24:5 VA.R. 602 | 12/17/07 |
| 12 VAC 5-585-600 | Amended | 24:5 VA.R. 607 | 12/17/07 |
| 12 VAC 5-585-610 | Amended | 24:5 VA.R. 607 | 12/17/07 |
| 12 VAC 5-585-620 | Amended | 24:5 VA.R. 612 | 12/17/07 |
| 12 VAC 5-585-630 | Amended | 24:5 VA.R. 614 | 12/17/07 |
| 12 VAC 5-585-760 through 12 VAC 5-585-830 | Added | 23:25 VA.R. 4298-4301 | 10/1/07 |
| 12 VAC 30-10-820 | Added | 24:2 VA.R. 191 | 10/31/07 |
| 12 VAC 30-60-500 emer | Added | 23:26 VA.R. 4427 | 8/8/07-8/7/08 |
| 12 VAC 30-80-40 emer | Amended | 24:3 VA.R. 377 | 10/1/07-9/30/08 |
| 12 VAC 30-120 | Erratum | 23:24 VA.R. 4080 | -- |
| 12 VAC 30-120-370 emer | Amended | 23:24 VA.R. 4029 | 9/1/07-8/31/08 |
| 12 VAC 30-120-380 emer | Amended | 23:24 VA.R. 4032 | 9/1/07-8/31/08 |
| 12 VAC 30-120-1500 through 12VAC30-120-1550 | Added | 24:6 VA.R. 819-829 | 12/26/07 |
| 12 VAC 30-135-100 through 12VAC30-135-360 | Added | 24:2 VA.R. 196-218 | 12/1/07 |
| 12 VAC 35-115-10 through 12 VAC 35-115-250 | Amended | 23:25 VA.R. 4301-4340 | 9/19/07 |
| 12 VAC 35-115-90 | Erratum | 24:6 VA.R. 889 | -- |
| 12 VAC 35-115-145 | Added | 23:25 VA.R. 4329 | 9/19/07 |
| 12 VAC 35-115-146 | Added | 23:25 VA.R. 4330 | 9/19/07 |
| 12 VAC 35-115-160 | Repealed | 23:25 VA.R. 4332 | 9/19/07 |
| Title 13. Housing | | | |
| 13 VAC 5-31 | Erratum | 23:24 VA.R. 4079 | -- |
| 13 VAC 5-91 | Erratum | 23:24 VA.R. 4080 | -- |
| 13 VAC 10-40-20 | Amended | 24:7 VA.R. 911 | 11/13/07 |
| 13 VAC 10-40-60 | Amended | 24:7 VA.R. 914 | 11/13/07 |
| 13 VAC 10-40-80 | Amended | 24:7 VA.R. 915 | 11/13/07 |
| 13 VAC 10-40-100 | Amended | 24:7 VA.R. 916 | 11/13/07 |
| 13 VAC 10-40-110 | Amended | 24:7 VA.R. 917 | 11/13/07 |
| 13 VAC 10-40-120 | Amended | 24:7 VA.R. 917 | 11/13/07 |
| 13 VAC 10-40-130 | Amended | 24:7 VA.R. 917 | 11/13/07 |
| 13 VAC 10-40-170 | Amended | 24:7 VA.R. 920 | 11/13/07 |
| 13 VAC 10-40-190 | Amended | 24:7 VA.R. 920 | 11/13/07 |
| 13 VAC 10-40-210 | Amended | 24:7 VA.R. 921 | 11/13/07 |
| 13 VAC 10-40-230 | Amended | 24:7 VA.R. 921 | 11/13/07 |
| Title 14. Insurance | | | |
| 14 VAC 5-215-20 | Amended | 23:22 VA.R. 3768 | 7/1/07 |
| 14 VAC 5-215-30 | Amended | 23:22 VA.R. 3768 | 7/1/07 |
| 14 VAC 5-215-50 | Amended | 23:22 VA.R. 3769 | 7/1/07 |
| 14 VAC 5-215-60 | Amended | 23:22 VA.R. 3770 | 7/1/07 |
| 14 VAC 5-215-80 | Amended | 23:22 VA.R. 3770 | 7/1/07 |

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| 14 VAC 5-420-10 through 14 VAC 5-420-60 | Added | 24:7 VA.R. 926-931 | 2/15/08 |
| Title 16. Labor and Employment | | | |
| 16 VAC 15-21-30 | Amended | 23:23 VA.R. 3933 | 8/23/07 |
| 16 VAC 25-90-1910.6 | Amended | 24:1 VA.R. 26 | 12/15/07 |
| 16 VAC 25-90-1910.66 Appendix D | Amended | 24:1 VA.R. 26 | 12/15/07 |
| 16 VAC 25-90-1910.302 through 16 VAC 25-90-1910.308 | Amended | 24:1 VA.R. 26 | 12/15/07 |
| 16 VAC 25-90-1910.399 Subpart S Appendix A | Amended | 24:1 VA.R. 26 | 12/15/07 |
| Title 18. Professional and Occupational Licensing | | | |
| 18 VAC 41-70-10 through 18 VAC 41-70-280 | Added | 23:25 VA.R. 4349-4359 | 9/20/07 |
| 18 VAC 50-30-10 | Amended | 24:3 VA.R. 416 | 11/15/07 |
| 18 VAC 50-30-40 | Amended | 24:3 VA.R. 418 | 11/15/07 |
| 18 VAC 50-30-90 | Amended | 24:3 VA.R. 419 | 11/15/07 |
| 18 VAC 50-30-100 | Amended | 24:3 VA.R. 419 | 11/15/07 |
| 18 VAC 50-30-120 | Amended | 24:3 VA.R. 419 | 11/15/07 |
| 18 VAC 50-30-130 | Amended | 24:3 VA.R. 420 | 11/15/07 |
| 18 VAC 50-30-190 | Amended | 24:3 VA.R. 421 | 11/15/07 |
| 18 VAC 50-30-200 | Amended | 24:3 VA.R. 422 | 11/15/07 |
| 18 VAC 50-30-220 | Amended | 24:3 VA.R. 422 | 11/15/07 |
| 18 VAC 60-20-17 | Amended | 24:3 VA.R. 424 | 11/29/07 |
| 18 VAC 60-20-71 | Amended | 23:23 VA.R. 3934 | 8/22/07 |
| 18 VAC 65-10-10 through 18VAC65-10-80 | Amended | 24:2 VA.R. 226-228 | 11/15/07 |
| 18 VAC 65-10-100 | Amended | 24:2 VA.R. 228 | 11/15/07 |
| 18 VAC 65-10-110 | Amended | 24:2 VA.R. 228 | 11/15/07 |
| 18 VAC 65-10-120 | Amended | 24:2 VA.R. 228 | 11/15/07 |
| 18 VAC 85-20-140 | Amended | 24:1 VA.R. 27 | 10/17/07 |
| 18 VAC 85-20-235 | Amended | 23:25 VA.R. 4360 | 9/20/07 |
| 18 VAC 85-20-235 | Amended | 23:25 VA.R. 4361 | 9/20/07 |
| 18 VAC 85-20-290 | Amended | 23:23 VA.R. 3934 | 8/22/07 |
| 18 VAC 85-20-400 through 18 VAC 85-20-420 | Adding | 23:25 VA.R. 4362-4363 | 9/20/07 |
| 18 VAC 85-40-61 | Amended | 24:1 VA.R. 28 | 10/17/07 |
| 18 VAC 85-40-61 | Amended | 24:1 VA.R. 29 | 10/18/07 |
| 18 VAC 85-40-65 | Amended | 24:1 VA.R. 28 | 10/17/07 |
| 18 VAC 85-50-58 | Amended | 24:1 VA.R. 29 | 10/18/07 |
| 18 VAC 85-80-72 | Amended | 24:1 VA.R. 29 | 10/18/07 |
| 18 VAC 85-101-152 | Amended | 24:1 VA.R. 30 | 10/18/07 |
| 18 VAC 85-110-155 | Amended | 24:1 VA.R. 30 | 10/18/07 |
| 18 VAC 85-120-130 | Amended | 24:2 VA.R. 229 | 10/31/07 |
| 18 VAC 90-20-30 | Amended | 23:25 VA.R. 4363 | 10/1/07 |
| 18 VAC 90-20-225 | Added | 23:25 VA.R. 4364 | 10/1/07 |
| 18 VAC 90-30-240 | Added | 24:3 VA.R. 427 | 11/29/07 |
| 18 VAC 90-40-100 | Amended | 24:6 VA.R. 831 | 1/11/08 |
| 18 VAC 90-60-100 | Amended | 24:3 VA.R. 429 | 11/29/07 |
| 18 VAC 95-10-10 through 18VAC95-10-80 | Amended | 24:2 VA.R. 231-232 | 11/15/07 |
| 18 VAC 95-10-100 | Amended | 24:2 VA.R. 232 | 11/15/07 |
| 18 VAC 95-10-110 | Amended | 24:2 VA.R. 232 | 11/15/07 |
| 18 VAC 95-10-120 | Amended | 24:2 VA.R. 232 | 11/15/07 |
| 18 VAC 95-30-10 through 18VAC95-30-210 | Added | 24:6 VA.R. 832-837 | 1/2/08 |
| 18 VAC 105-20-10 | Amended | 23:22 VA.R. 3791 | 9/24/07 |
| 18 VAC 110-20-180 | Erratum | 24:3 VA.R. 444 | -- |
| 18 VAC 110-40-10 through 18VAC110-40-50 | Amended | 24:3 VA.R. 430-431 | 11/14/07 |

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

| SECTION NUMBER | ACTION | CITE | EFFECTIVE DATE |
|--|----------|-----------------------|------------------|
| 18 VAC 112-20-81 emer | Added | 24:4 VA.R. 497 | 11/1/07-10/31/08 |
| 18 VAC 112-20-90 emer | Amended | 24:4 VA.R. 497 | 11/1/07-10/31/08 |
| 18 VAC 112-20-130 emer | Amended | 24:4 VA.R. 498 | 11/1/07-10/31/08 |
| 18 VAC 112-20-131 emer | Amended | 24:4 VA.R. 498 | 11/1/07-10/31/08 |
| 18 VAC 112-20-150 emer | Amended | 24:4 VA.R. 499 | 11/1/07-10/31/08 |
| 18 VAC 120-40-10 | Amended | 23:24 VA.R. 4038 | 9/5/07 |
| 18 VAC 120-40-15 | Added | 23:24 VA.R. 4039 | 9/5/07 |
| 18 VAC 120-40-20 | Amended | 23:24 VA.R. 4039 | 9/5/07 |
| 18 VAC 120-40-60 | Repealed | 24:3 VA.R. 433 | 12/29/07 |
| 18 VAC 120-40-80 through 18VAC120-40-360 | Amended | 23:24 VA.R. 4040-4052 | 9/5/07 |
| 18 VAC 120-40-221 | Added | 23:24 VA.R. 4043 | 9/5/07 |
| 18 VAC 120-40-222 | Added | 23:24 VA.R. 4043 | 9/5/07 |
| 18 VAC 120-40-295 | Added | 23:24 VA.R. 4048 | 9/5/07 |
| 18 VAC 120-40-342 | Added | 23:24 VA.R. 4050 | 9/5/07 |
| 18 VAC 120-40-370 | Repealed | 23:24 VA.R. 4052 | 9/5/07 |
| 18 VAC 120-40-380 | Repealed | 23:24 VA.R. 4052 | 9/5/07 |
| 18 VAC 120-40-385 | Added | 23:24 VA.R. 4052 | 9/5/07 |
| 18 VAC 120-40-390 | Amended | 23:24 VA.R. 4053 | 9/5/07 |
| 18 VAC 120-40-400 | Repealed | 23:24 VA.R. 4053 | 9/5/07 |
| 18 VAC 120-40-410 | Amended | 23:24 VA.R. 4053 | 9/5/07 |
| 18 VAC 120-40-411 | Added | 23:24 VA.R. 4053 | 9/5/07 |
| 18 VAC 120-40-411.1 through 18VAC120-40-411.21 | Added | 23:24 VA.R. 4054-4064 | 9/5/07 |
| 18 VAC 120-40-415 | Added | 23:24 VA.R. 4064 | 9/5/07 |
| 18 VAC 120-40-415.1 | Added | 23:24 VA.R. 4065 | 9/5/07 |
| 18 VAC 120-40-415.2 | Added | 23:24 VA.R. 4065 | 9/5/07 |
| 18 VAC 120-40-415.3 | Added | 23:24 VA.R. 4065 | 9/5/07 |
| 18 VAC 120-40-420 | Amended | 23:24 VA.R. 4066 | 9/5/07 |
| 18 VAC 120-40-430 | Amended | 23:24 VA.R. 4066 | 9/5/07 |
| 18 VAC 130-20-10 | Amended | 24:6 VA.R. 838 | 1/1/08 |
| 18 VAC 130-20-30 | Amended | 24:6 VA.R. 842 | 1/1/08 |
| 18 VAC 130-20-60 | Amended | 24:6 VA.R. 843 | 1/1/08 |
| 18 VAC 130-20-110 | Amended | 24:6 VA.R. 844 | 1/1/08 |
| 18 VAC 130-20-170 | Amended | 24:6 VA.R. 844 | 1/1/08 |
| 18 VAC 130-20-180 | Amended | 24:6 VA.R. 844 | 1/1/08 |
| 18 VAC 130-20-210 | Amended | 24:6 VA.R. 846 | 1/1/08 |
| 18 VAC 130-20-220 | Amended | 24:6 VA.R. 847 | 1/1/08 |
| 18 VAC 130-20-230 | Amended | 24:6 VA.R. 847 | 1/1/08 |
| 18 VAC 135-30 (Forms) | Amended | 24:1 VA.R. 41 | -- |
| 18 VAC 135-40 (Forms) | Amended | 24:1 VA.R. 43 | -- |
| 18 VAC 135-50-10 | Amended | 23:22 VA.R. 3794 | 9/22/07 |
| 18 VAC 135-50-20 | Amended | 23:22 VA.R. 3795 | 9/22/07 |
| 18 VAC 135-50-220 | Amended | 23:22 VA.R. 3795 | 9/22/07 |
| 18 VAC 135-50-400 | Amended | 23:22 VA.R. 3795 | 9/22/07 |
| 18 VAC 150-10-10 | Amended | 23:23 VA.R. 3937 | 10/7/07 |
| 18 VAC 150-10-20 | Amended | 23:23 VA.R. 3937 | 10/7/07 |
| 18 VAC 150-10-30 | Amended | 23:23 VA.R. 3937 | 10/7/07 |
| 18 VAC 150-10-40 | Amended | 23:23 VA.R. 3938 | 10/7/07 |
| 18 VAC 150-10-50 | Amended | 23:23 VA.R. 3938 | 10/7/07 |
| 18 VAC 150-10-60 | Amended | 23:23 VA.R. 3938 | 10/7/07 |
| 18 VAC 150-10-70 | Amended | 23:23 VA.R. 3938 | 10/7/07 |
| 18 VAC 150-10-80 | Amended | 23:23 VA.R. 3938 | 10/7/07 |

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| SECTION NUMBER | ACTION | CITE | EFFECTIVE DATE |
|--|----------|-----------------------|------------------|
| 18 VAC 150-10-100 | Amended | 23:23 VA.R. 3939 | 10/7/07 |
| 18 VAC 150-10-110 | Amended | 23:23 VA.R. 3939 | 10/7/07 |
| 18 VAC 150-10-120 | Amended | 23:23 VA.R. 3939 | 10/7/07 |
| 18 VAC 150-20-30 | Amended | 24:3 VA.R. 436 | 11/29/07 |
| 18 VAC 150-20-100 | Amended | 24:3 VA.R. 436 | 11/29/07 |
| 18 VAC 150-20-140 | Amended | 24:3 VA.R. 437 | 11/29/07 |
| 18 VAC 150-20-220 | Added | 24:3 VA.R. 438 | 11/29/07 |
| 18 VAC 150-20-230 | Added | 24:3 VA.R. 438 | 11/29/07 |
| 18 VAC 150-20-240 | Added | 24:3 VA.R. 438 | 11/29/07 |
| Title 19. Public Safety | | | |
| 19 VAC 30-170-15 | Amended | 24:2 VA.R. 233 | 10/1/07 |
| 19 VAC 30-170-50 | Amended | 24:2 VA.R. 233 | 10/1/07 |
| Title 20. Public Utilities and Telecommunications | | | |
| 20 VAC 5-417-10 | Amended | 24:4 VA.R. 513 | 10/9/07 |
| 20 VAC 5-417-50 | Amended | 24:4 VA.R. 513 | 10/9/07 |
| Title 21. Securities and Retail Franchising | | | |
| 21 VAC 5-10-40 | Amended | 23:23 VA.R. 3940 | 7/1/07 |
| 21 VAC 5-20-65 | Added | 23:23 VA.R. 3942 | 7/1/07 |
| 21 VAC 5-20-95 | Added | 23:23 VA.R. 3942 | 7/1/07 |
| 21 VAC 5-20-280 | Amended | 23:23 VA.R. 3943 | 7/1/07 |
| 21 VAC 5-20-330 | Amended | 23:23 VA.R. 3947 | 7/1/07 |
| 21 VAC 5-80-65 | Added | 23:23 VA.R. 3949 | 7/1/07 |
| 21 VAC 5-80-160 | Amended | 23:23 VA.R. 3950 | 7/1/07 |
| 21 VAC 5-80-200 | Amended | 23:23 VA.R. 3954 | 7/1/07 |
| 21 VAC 5-110 | Erratum | 23:24 VA.R. 4079 | -- |
| 21 VAC 5-110-65 | Added | 23:23 VA.R. 3959 | 7/1/07 |
| 21 VAC 5-110-75 | Added | 23:23 VA.R. 3960 | 7/1/07 |
| Title 22. Social Services | | | |
| 22 VAC 40-35-10 | Amended | 23:23 VA.R. 3962 | 9/1/07 |
| 22 VAC 40-35-80 | Amended | 23:23 VA.R. 3965 | 9/1/07 |
| 22 VAC 40-35-90 | Amended | 23:23 VA.R. 3965 | 9/1/07 |
| 22 VAC 40-35-100 | Amended | 23:23 VA.R. 3966 | 9/1/07 |
| 22 VAC 40-41-10 through 22 VAC 40-41-50 | Amended | 23:22 VA.R. 3796-3799 | 9/1/07 |
| 22 VAC 40-41-55 | Amended | 23:22 VA.R. 3799 | 9/1/07 |
| 22 VAC 40-41-60 | Amended | 23:22 VA.R. 3799 | 9/1/07 |
| 22 VAC 40-72-55 | Added | 24:5 VA.R. 616 | 12/12/07 |
| 22 VAC 40-72-367 | Added | 24:5 VA.R. 616 | 12/12/07 |
| 22 VAC 40-72-930 | Amended | 24:1 VA.R. 38 | 11/1/07 |
| 22 VAC 40-72-960 | Amended | 24:1 VA.R. 39 | 11/1/07 |
| 22 VAC 40-375-10 through 22 VAC 40-375-60 | Repealed | 24:5 VA.R. 616 | 12/12/07 |
| 22 VAC 40-770-10 through 22 VAC 40-770-160 | Repealed | 24:2 VA.R. 234 | 11/1/07 |
| 22 VAC 40-771-10 through 22 VAC 40-771-160 | Added | 24:2 VA.R. 234-242 | 11/1/07 |
| 22 VAC 42-10-10 through 22VAC42-10-1000 | Repealed | 24:6 VA.R. 849 | 12/28/07 |
| 22 VAC 42-11-10 through 22VAC42-11-1090 | Added | 24:6 VA.R. 850-885 | 12/28/07 |
| Title 23. Taxation | | | |
| 23 VAC 10-210-485 | Amended | 23:24 VA.R. 4069 | 9/6/07 |
| 23 VAC 10-210-693 emer | Amended | 23:25 VA.R. 4364 | 7/26/07-07/25/08 |
| 23 VAC 10-210-6041 | Amended | 23:24 VA.R. 4068 | 9/6/07 |
| 23 VAC 10-210-6042 | Amended | 23:24 VA.R. 4069 | 9/6/07 |
| 23 VAC 10-210-6043 | Amended | 23:24 VA.R. 4069 | 9/6/07 |

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| SECTION NUMBER | ACTION | CITE | EFFECTIVE DATE |
|--|----------|-----------------------|----------------|
| 23 VAC 10-240-20 through 23 VAC 10-240-60 | Repealed | 23:25 VA.R. 4372-4373 | 10/04/07 |
| 23 VAC 10-240-100 | Repealed | 23:25 VA.R. 4373 | 10/04/07 |
| 23 VAC 10-240-130 | Repealed | 23:25 VA.R. 4373 | 10/04/07 |
| 23 VAC 10-240-140 | Repealed | 23:25 VA.R. 4373 | 10/04/07 |
| 23 VAC 10-240-150 | Repealed | 23:25 VA.R. 4373 | 10/04/07 |
| 23 VAC 10-240-200 | Repealed | 23:25 VA.R. 4373 | 10/04/07 |
| 23 VAC 10-240-210 | Repealed | 23:25 VA.R. 4373 | 10/04/07 |
| 23 VAC 10-240-240 | Repealed | 23:25 VA.R. 4373 | 10/04/07 |
| 23 VAC 10-240-270 | Repealed | 23:25 VA.R. 4373 | 10/04/07 |
| 23 VAC 10-240-280 | Repealed | 23:25 VA.R. 4373 | 10/04/07 |
| 23 VAC 10-240-300 | Repealed | 23:25 VA.R. 4374 | 10/04/07 |
| 23 VAC 10-240-310 | Repealed | 23:25 VA.R. 4374 | 10/04/07 |
| 23 VAC 10-240-330 | Repealed | 23:25 VA.R. 4374 | 10/04/07 |
| 23 VAC 10-240-340 | Repealed | 23:25 VA.R. 4374 | 10/04/07 |
| 23 VAC 10-240-360 | Repealed | 23:25 VA.R. 4374 | 10/04/07 |
| 23 VAC 10-240-380 | Repealed | 23:25 VA.R. 4374 | 10/04/07 |
| 23 VAC 10-240-400 | Repealed | 23:25 VA.R. 4375 | 10/04/07 |
| 23 VAC 10-240-420 | Repealed | 23:25 VA.R. 4375 | 10/04/07 |
| 23 VAC 10-240-430 | Repealed | 23:25 VA.R. 4375 | 10/04/07 |
| 23 VAC 10-240-450 | Repealed | 23:25 VA.R. 4375 | 10/04/07 |
| 23 VAC 10-240-460 | Repealed | 23:25 VA.R. 4375 | 10/04/07 |
| Title 24. Transportation and Motor Vehicles | | | |
| 24 VAC 20-120-10 through 24VAC20-120-180 | Repealed | 24:4 VA.R. 516 | 1/1/08 |
| 24 VAC 20-121-10 through 24 VAC 20-121-220 | Adding | 24:4 VA.R. 516-529 | 1/1/08 |
| 24 VAC 22-20-10 | Amended | 24:3 VA.R. 439 | 12/1/07 |
| 24 VAC 22-20-20 | Amended | 24:3 VA.R. 440 | 12/1/07 |
| 24 VAC 27-10-10 through 24VAC27-10-120 | Added | 23:24 VA.R. 4071-4075 | 9/20/07 |
| 24 VAC 30-45-10 | Added | 24:2 VA.R. 243 | 10/1/07 |
| 24 VAC 30-45-20 | Added | 24:2 VA.R. 243 | 10/1/07 |
| 24 VAC 30-45-30 | Added | 24:2 VA.R. 244 | 10/1/07 |
| 24 VAC 30-200-10 | Amended | 24:4 VA.R. 529 | 11/28/07 |
| 24 VAC 30-200-20 | Amended | 24:4 VA.R. 530 | 11/28/07 |
| 24 VAC 30-200-30 | Amended | 24:4 VA.R. 531 | 11/28/07 |
| 24 VAC 30-200-35 | Added | 24:4 VA.R. 532 | 11/28/07 |
| 24 VAC 30-200-40 | Amended | 24:4 VA.R. 533 | 11/28/07 |

PETITIONS FOR RULEMAKING

TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

VA.R. Doc. No. R08-06; Filed December 5, 2007, 11:13 a.m.

BOARD OF DENTISTRY

Initial Agency Notice

Title of Regulation: **18VAC60-20. Regulations Governing the Practice of Dentistry and Dental Hygiene.**

Statutory Authority: §54.1-2400 of the Code of Virginia.

Name of Petitioner: John Bitting.

Nature of Petitioner's Request: To amend requirements for administration of conscious sedation.

Agency's Plan for Disposition of the Request: The board is requesting public comment on the petition to amend rules for administration of conscious sedation and will review the 2007 guidelines of the American Dental Association prior to making a decision on the petitioner's request to consider the request for an amendment at its meeting on March 7, 2008.

Comments may be submitted until January 23, 2008.

Agency Contact: Elaine J. Yeatts, Agency Regulatory Coordinator, Department of Health Professions, 9960 Mayland Drive, Suite 300, Richmond, VA 23233, telephone (804) 367-4688, FAX (804) 527-4434, or email elaine.yeatts@dhp.virginia.gov.

VA.R. Doc. No. R08-05; Filed November 30, 2007, 9:56 a.m.

BOARD OF PSYCHOLOGY

Initial Agency Notice

Title of Regulation: **18VAC125-20. Regulations Governing the Practice of Psychology.**

Statutory Authority: §54.1-2400 of the Code of Virginia.

Name of Petitioner: Michael Krohn.

Nature of Petitioner's Request: To amend regulations to require the doctoral psychology program to involve at least 12 months of continuous physical residency at the degree-granting institution.

Agency's Plan for Disposition of the Request: The board will consider the petition and any comment received at its meeting on April 15, 2008, to consider whether to recommend amendments to the requirements for education and training for clinical psychology.

Comments may be submitted until January 24, 2008.

Agency Contact: Evelyn B. Brown, Executive Director, Board of Psychology, 9960 Mayland Drive, Suite 300, Richmond, VA 23233, telephone (804) 367-4697, FAX (804) 527-4435, or email evelyn.brown@dhp.virginia.gov.

NOTICES OF INTENDED REGULATORY ACTION

TITLE 16. LABOR AND EMPLOYMENT

VIRGINIA WORKERS' COMPENSATION COMMISSION

Notice of Intended Regulatory Action

Notice is hereby given in accordance with §2.2-4007.01 of the Code of Virginia that the Virginia Workers' Compensation Commission intends to consider repealing **16VAC30-90, Procedural Regulations for Filing First Reports Under the Virginia Workers' Compensation Act** and promulgating **16VAC30-91, Procedural Regulations for Filing First Reports Under the Virginia Workers' Compensation Act**. The purpose of the proposed action is to conform claims reporting under the Workers' Compensation Act (§65.2-900 of the Code of Virginia) to current IAIABC EDI standards, and to require the commission's trading partners to utilize such standards in making reports to the commission. Due to the extensive formatting changes the existing regulation is being repealed and a new regulation promulgated in its place.

The agency does not intend to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: §§65.2-201 and 65.2-900 of the Code of Virginia.

Public comments may be submitted until January 23, 2008.

Contact Information: Matthew Bryant, Director, Technology Alignment Program, Virginia Workers' Compensation Commission, 1000 DMV Drive, Richmond, VA 23220, telephone (804) 367-2253, FAX (877) 366-5495, or email matthew.bryant@vwc.state.va.us.

VA.R. Doc. No. R08-1094; Filed December 7, 2007, 7:55 a.m.

REGULATIONS

For information concerning the different types of regulations, see the Information Page.

Symbol Key

Roman type indicates existing text of regulations. Underscored language indicates proposed new text. Language that has been stricken indicates proposed text for deletion. Brackets are used in final regulations to indicate changes from the proposed regulation.

TITLE 4. CONSERVATION AND NATURAL RESOURCES

MARINE RESOURCES COMMISSION

Final Regulation

REGISTRAR'S NOTICE: The following regulation filed by the Marine Resources Commission is exempt from the Administrative Process Act in accordance with §2.2-4006 A 12 of the Code of Virginia; however, the commission is required to publish the full text of final regulations.

Title of Regulation: **4VAC20-610. Pertaining to Commercial Fishing and Mandatory Harvest Reporting (amending 4VAC20-610-20, 4VAC20-610-30, 4VAC20-610-50, 4VAC20-610-60; adding 4VAC20-610-25).**

Statutory Authority: §28.2-201 of the Code of Virginia.

Effective Date: December 1, 2007.

Agency Contact: Brandy L. Battle, Agency Regulatory Coordinator, Marine Resources Commission, 2600 Washington Ave., 3rd Floor, Newport News, VA 23607, telephone (757) 247-2248, FAX (757) 247-2002, or email brandy.battle@mrc.virginia.gov.

Summary:

The amendments (i) define clam aquaculture product owner and oyster aquaculture product owner, (ii) state that any clam or oyster aquaculture product owner shall obtain a clam or oyster aquaculture product owner's permit and shall report his harvest to Virginia Marine Resources Commission monthly, (iii) state the conditions whereby one shall obtain an oyster or clam aquaculture harvester's permit for the purposes of providing fisheries effort statistics to the commission and describe the guidelines associated with possession of that permit, (iv) provide an exemption to the harvester's permit for minors and (v) list the information needed for the monthly harvest report from the oyster and clam aquaculture product owner permittees.

4VAC20-610-20. Definitions.

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise:

"Clam aquaculture product owner" means any person or firm that owns clams on leased, subleased or fee simple ground or on any growing area within or adjacent to Virginia

tidal waters that are raised by any form of aquaculture. This does not include any riparian shellfish gardeners whose activities are authorized by 4VAC20-336.

"Commission" means the Marine Resources Commission.

"Commissioner" means the Commissioner of the Marine Resources Commission.

"Continuing business enterprise" means any business ~~which~~ that is required to have a Virginia Seafood Buyer's License or is required to have a business license by county, city or local ordinance.

"Oyster aquaculture product owner" means any person or firm that owns oysters on leased, subleased or fee simple ground or on any growing area within or adjacent to Virginia tidal waters that are raised by any form of aquaculture. This does not include any riparian shellfish gardeners whose activities are authorized by 4VAC20-336.

"Sale" means sale, trade, or barter.

"Sell" means sell, trade, or barter.

"Selling" means selling, trading or bartering.

"Sold" means sold, traded, or bartered.

4VAC20-610-25. Oyster and clam aquaculture permit requirements.

A. For the purposes of collecting oyster fisheries statistics from the Virginia aquaculture industry as authorized by §28.2-204 of the Code of Virginia, and in accordance with §28.2-613 of the Code of Virginia, which describes conditions that determine the duration of a lease, any oyster aquaculture product owner shall obtain an oyster aquaculture product owner's permit and shall report harvest of any oysters from leased, subleased or fee simple ground or on any growing area within or adjacent to Virginia tidal waters in accordance with 4VAC20-610-60.

B. For the purposes of collecting clam fisheries statistics from the Virginia aquaculture industry as authorized by §28.2-204 of the Code of Virginia, and in accordance with §28.2-613 of the Code of Virginia, which describes conditions that determine the duration of a lease, any clam aquaculture product owner shall obtain a clam aquaculture product owner's permit and shall report harvest of any clams from leased, subleased or fee simple ground or on any growing area within or adjacent to Virginia tidal waters in accordance with 4VAC20-610-60.

Regulations

C. Any person who is not a permitted oyster aquaculture product owner who harvests oysters from leased, subleased or fee simple ground or on any growing area within or adjacent to Virginia tidal waters shall obtain an oyster aquaculture harvester's permit for the purposes of providing fisheries effort statistics to the commission as authorized by §28.2-204 of the Code of Virginia.

D. Any person who is not a permitted clam aquaculture product owner who harvests clams from leased, subleased or fee simple ground or on any growing area within or adjacent to Virginia tidal waters shall obtain a clam aquaculture harvester's permit for the purposes of providing fisheries effort statistics to the commission as authorized by §28.2-204 of the Code of Virginia.

E. It shall be unlawful for any person permitted as an oyster aquaculture harvester to fail to possess that permit on his person while harvesting unless that permit is in the possession of a legally permitted oyster aquaculture product owner, and the permitted harvester is harvesting oysters of that oyster aquaculture product owner.

F. It shall be unlawful for any person permitted as a clam aquaculture harvester to fail to possess that permit on his person while harvesting unless that permit is in the possession of a legally permitted clam aquaculture product owner, and the permitted harvester is harvesting clams of that clam aquaculture product owner.

G. Minor persons younger than 18 years of age shall be exempt from the requirements to obtain an oyster aquaculture harvester's permit provided that minor person is harvesting oysters under the supervision of a legally permitted oyster aquaculture product owner.

H. Minor persons younger than 18 years of age shall be exempt from the requirements to obtain a clam aquaculture harvester's permit provided that minor person is harvesting clams under the supervision of a legally permitted clam aquaculture product owner.

4VAC20-610-30. Commercial Fisherman Registration License; exceptions and requirements of authorized agents.

A. In accordance with §28.2-241 C of the Code of Virginia, only persons who hold a valid Commercial Fisherman Registration License may sell, trade, or barter their harvest, or give their harvest to another, in order that it may be sold, traded, or bartered. Only these licensees may sell their harvests from Virginia tidal waters, regardless of the method or manner in which caught. Exceptions to the requirement to register as a commercial fisherman for selling harvest are authorized for the following persons or firms only:

1. Persons taking menhaden under the authority of licenses issued pursuant to §28.2-402 of the Code of Virginia.

2. Persons independently harvesting and selling, trading, or bartering no more than three gallons of minnows per day who are not part of, hired by, or engaged in a continuing business enterprise.

a. Only minnow pots, a cast net or a minnow seine less than 25 feet in length may be used by persons independently harvesting minnows.

b. All other marine species taken during the process of harvesting minnows shall be returned to the water immediately.

~~3. Any person or firm responsible for planting, propagating, or harvesting oysters or clams on private shellfish growing grounds, except that:~~

~~a. Any person or firm responsible for planting, propagating, or harvesting oysters on private shellfish growing grounds must possess a valid Oyster Aquaculture License.~~

~~b. Any person or firm responsible for planting, propagating, or harvesting clams on private shellfish growing grounds must possess a valid Clam Aquaculture License.~~

B. Requirements of authorized agents. ~~4. Any person whose Commercial Fisherman Registration License or fishing gear license is not currently revoked by the Marine Resources Commission pursuant to §28.2-232 of the Code of Virginia is authorized to possess the registration license of a commercial fisherman in order to serve as an agent for fishing the commercial fisherman's gear and selling the ~~catch~~ harvest. No commercial fisherman shall use more than one person as an agent at any time. The agent shall possess the registration license and gear license of the commercial fisherman while fishing. When transporting or selling a commercial fisherman's ~~catch~~ harvest, the agent shall possess either the registration license of that commercial fisherman or a bill of lading indicating that fisherman's name, address, Commercial Fisherman Registration License number, date and amount of product to be sold.~~

~~2. Any person whose Oyster Aquaculture License, Clam Aquaculture License, or Commercial Fishing Registration License is not currently revoked by the Marine Resources Commission pursuant to §28.2-232 of the Code of Virginia is authorized to possess a valid Oyster Aquaculture License or Clam Aquaculture License in order to serve as an agent of an oyster aquaculture licensee or a clam aquaculture licensee for harvesting from aquaculture gear or private oyster ground leases and selling the aquaculture product. No aquaculture licensee shall use more than one person as an agent at any time. The agent shall possess that Oyster Aquaculture License or Clam Aquaculture License while harvesting. When transporting or selling the aquaculture product, the agent shall possess either the Oyster Aquaculture License or Clam Aquaculture License of that~~

~~aquaculture licensee, or a bill of lading indicating that licensee's name, address, Oyster Aquaculture License or Clam Aquaculture License number, date, and amount of products to be sold.~~

C. In accordance with §28.2-241 H of the Code of Virginia, only persons with a valid Commercial Fisherman Registration License may purchase gear licenses. Beginning with licenses for the 1993 calendar year and for all years thereafter, gear licenses will be sold only upon presentation of evidence of a valid Commercial Fisherman Registration License.

Exceptions to the prerequisite requirement are authorized for the following gears only and under the conditions described below:

1. Menhaden purse seine licenses issued pursuant to §28.2-402 of the Code of Virginia may be purchased without holding a Commercial Fisherman Registration License.
2. Commercial gear licenses used for recreational purposes and issued pursuant to §28.2-226.2 of the Code of Virginia may be purchased without holding a Commercial Fisherman Registration License.

D. Exceptions to the two-year delay may be granted by the commissioner if he finds any of the following:

1. The applicant for an exception (i) has demonstrated, to the satisfaction of the commissioner, that the applicant has fished a significant quantity of commercial gear in Virginia waters during at least two of the previous five years; and (ii) can demonstrate, to the satisfaction of the commissioner, that a significant hardship caused by unforeseen circumstances beyond the applicant's control has prevented the applicant from making timely application for registration. The commissioner may require the applicant to provide such documentation as he deems necessary to verify the existence of hardship.
2. The applicant is purchasing another commercial fisherman's gear, and the seller of the gear holds a Commercial Fisherman Registration License and the seller surrenders that license to the commission at the time the gear is sold.
3. An immediate member of the applicant's family, who holds a current registration, has died or is retiring from the commercial fishery and the applicant intends to continue in the fishery.

Any applicant denied an exception may appeal the decision to the commission. The applicant shall provide a request to appeal to the commission 30 days in advance of the meeting at which the commission will hear the request. The commission will hear requests at their March, June, September, and December meetings.

Under no circumstances will an exception be granted solely on the basis of economic hardship.

4VAC20-610-50. Commercial hook-and-line license.

A. On or after January 1, 1993, it shall be unlawful for any person to take or ~~catch~~ harvest fish in the tidal waters of Virginia with hook-and-line, rod-and-reel, or hand line and to sell such ~~catch~~ harvest without first having purchased a Commercial Hook-and-Line License from the commission or its agent.

B. A Commercial Fisherman Registration License, as described in §28.2-241 H of the Code of Virginia, is required prior to the purchase of this license.

4VAC20-610-60. Mandatory harvest reporting.

A. It shall be unlawful for any valid commercial fisherman registration licensee, oyster aquaculture ~~licensee~~ product owner permittee, or clam aquaculture ~~licensee~~ product owner permittee to fail to fully report ~~his~~ harvests and related information as set forth in this chapter.

B. It shall be unlawful for any recreational fisherman, charter boat captain, head boat captain, commercial fishing pier operator, or owner of a private boat licensed pursuant to §§28.2-302.7 through 28.2-302.9 of the Code of Virginia, to fail to report recreational ~~catches~~ harvests, upon request, to those authorized by the commission.

C. All registered commercial fishermen and any valid seafood landing licensee, oyster aquaculture ~~licensee~~ product owner permittee, and clam aquaculture ~~licensee~~ product owner permittee shall complete a daily form accurately quantifying and legibly describing that day's harvest from Virginia tidal and federal waters. The forms used to record daily harvest shall be those provided by the commission or another form approved by the commission. Registered commercial fishermen, ~~and~~ and seafood landing licensees, ~~oyster aquaculture licensees, and clam aquaculture licensees~~ may use more than one form when selling to more than one buyer.

D. Registered commercial fishermen, valid oyster aquaculture ~~licensees~~ product owner permittees and valid clam aquaculture ~~licensees~~ product owner permittees shall submit a monthly harvest report to the commission no later than the fifth day of the following month. This report shall be accompanied by the daily ~~catch~~ harvest records described in subsection ~~E~~ E of this section. Completed forms shall be mailed or delivered to the commission or other designated locations.

E. The monthly ~~catch~~ harvest report and daily ~~catch~~ harvest records from registered commercial fishermen shall include the name and signature of the registered commercial fisherman and his license registration number, buyer or private sale information, date of harvest, city or county of landing, water body fished, gear type and amount used, number of hours gear fished, number of hours ~~watermen~~ the registered commercial fisherman fished, number of crew on board, including captain, species harvested, market category,

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~~and~~ live weight or processed weight or species harvested, and vessel identification (Coast Guard documentation number, Virginia license number or hull/VIN number). Any information on the price paid for the ~~catch~~ harvest may be provided voluntarily. The monthly harvest report and daily harvest records from oyster aquaculture product owner permittees and clam aquaculture product owner permittees shall include the name, signature, permit number, lease number, date of harvest, city or county of landing, gear (growing technique) used, species harvested in weight or amount, number of crew, and buyer or private sale information.

F. Registered commercial fishermen, ~~valid~~ oyster aquaculture ~~licensees~~, product owner permittees and ~~valid~~ clam aquaculture ~~licensees~~ product owner permittees not fishing during a month shall so notify the commission no later than the ~~5th~~ fifth of the following month by postage paid postal card provided by the commission or by calling the commission's toll free telephone line.

G. Any person licensed as a commercial seafood buyer pursuant to §28.2-228 of the Code of Virginia shall maintain for a period of one year a copy of each fisherman's daily harvest record form for each purchase made. Such records shall be made available upon request to those authorized by the commission.

H. Registered commercial fishermen, ~~valid~~ oyster aquaculture ~~licensees~~ product owner permittees and ~~valid~~ clam aquaculture ~~licensees~~ product owner permittees shall maintain their daily harvest records for one year and shall make them available upon request to those authorized by the commission.

I. Registered commercial fishermen and licensed seafood buyers shall allow those authorized by the commission to sample ~~catch~~ harvest and seafood products to obtain biological information for scientific and management purposes only. Such sampling shall be conducted in a manner ~~which that~~ does not hinder normal business operations.

J. The reporting of oyster harvest and transactions by licensed seafood buyers, oyster aquaculture ~~licensees~~ product owner permittees, clam aquaculture product owner permittees, and any registered commercial fisherman who self-markets his oyster ~~catch~~ harvest shall be made in accordance with 4VAC20-200 and Article 3 (§28.2-538 et seq.) of Chapter 5 of Title 28.2 of the Code of Virginia.

K. The reporting of the harvest of federally permitted species from beyond Virginia's tidal waters that are sold to a federally permitted dealer shall be exempt from the procedures described in this section.

L. The owner of any purse seine vessel or bait seine vessel (snapper rig) licensed under the provisions of §28.2-402 of the Code of Virginia shall submit the Captain's Daily Fishing Reports to the National Marine Fisheries Service, in

accordance with provisions of Amendment 1 to the Interstate Fishery Management Plan of the Atlantic States Marine Fisheries Commission for Atlantic Menhaden, which became effective July 2001.

V.A.R. Doc. No. R08-1032; Filed November 30, 2007, 10:15 a.m.

Emergency Regulation

Title of Regulation: **4VAC20-620. Pertaining to Summer Flounder (amending 4VAC20-620-40).**

Statutory Authority: §§28.2-204.1 and 28.2-210 of the Code of Virginia.

Effective Dates: November 28, 2007, through December 27, 2007.

Agency Contact: Brandy L. Battle, Agency Regulatory Coordinator, Marine Resources Commission, 2600 Washington Ave., 3rd Floor, Newport News, VA 23607, telephone (757) 247-2248, FAX (757) 247-2002, or email brandy.battle@mrc.virginia.gov.

Preamble:

This emergency amendment adds that, from the last Monday in October through December 31 of each year, it shall be unlawful to possess aboard any vessel in Virginia any amount of Summer Flounder in excess of 10% by weight of all other landed species on board the vessel once it has been projected and announced the quota has been taken and, subsequently the commission announces quota is still available.

4VAC20-620-40. Commercial vessel possession limitations.

A. From January 1 through the day preceding the fourth Monday in January, it shall be unlawful for any person harvesting Summer Flounder outside of Virginia's waters to possess aboard any vessel in Virginia any amount of Summer Flounder in excess of 10% by weight of all other landed species on board the vessel.

B. From the fourth Monday in January through March 31 of each year, it shall be unlawful for any person harvesting Summer Flounder outside of Virginia waters to do any of the following:

1. Possess aboard any vessel in Virginia waters an amount of Summer Flounder in excess of 12,500 pounds.
2. Land Summer Flounder in Virginia for commercial purposes more than twice within each consecutive 10-day period, with the first 10-day period beginning on the fourth Monday in January.
3. Land in Virginia more than a total of 12,500 pounds of Summer Flounder during each consecutive 10-day period, with the first 10-day period beginning on the fourth Monday in January.

C. When it is projected and announced that 85% of the quota for the period from the first Monday in January through March 31 has been taken, it shall be unlawful for any person harvesting Summer Flounder outside of Virginia's waters to possess aboard any vessel in Virginia any amount of Summer Flounder in excess of 10% by weight of all other landed species on board the vessel.

D. During the period of April 1 through June 30 of each calendar year, it shall be unlawful for any person harvesting Summer Flounder outside of Virginia's waters to possess aboard any vessel in Virginia any amount of Summer Flounder in excess of 5,000 pounds, except that when it is projected and announced that 85% of the quota for this period has been taken, it shall be unlawful for any person harvesting Summer Flounder outside of Virginia's waters to possess aboard any vessel in Virginia any amount of Summer Flounder in excess of 10% by weight of all other landed species on board the vessel.

E. From July 1 through the day preceding the last Monday in October of each calendar year, it shall be unlawful for any person harvesting Summer Flounder outside of Virginia's waters to possess aboard any vessel in Virginia any amount of Summer Flounder in excess of 10% by weight of all other landed species on board the vessel.

F. From the last Monday in October through December 31 of each year, it shall be unlawful for any person harvesting Summer Flounder outside of Virginia waters to do any of the following:

1. Possess aboard any vessel in Virginia waters an amount of Summer Flounder in excess of 10,000 pounds.
2. Land Summer Flounder in Virginia for commercial purposes more than twice within each consecutive 10-day period, with the first 10-day period beginning on the last Monday in October.
3. Land in Virginia more than a total of 10,000 pounds of Summer Flounder during each consecutive 10-day period, with the first 10-day period beginning on the last Monday in October.

4. Possess aboard any vessel in Virginia any amount of Summer Flounder in excess of 10% by weight of all other landed species on board the vessel once it has been projected and announced the quota has been taken and, subsequently, the commission announces quota is still available.

G. For each of the time periods set forth in subsections A, B, C, D, E and F of this section, the Marine Resources Commission will give timely notice of any changes in possession limits.

H. Each possession limit described in subsections A, B, C, D, E and F of this section shall be determined by the net

weight of Summer Flounder as customarily packed, boxed and weighed by the seafood buyer or processor. The net weight of any Summer Flounder found in excess of this possession limit described in subsections A, B, C, D, E and F of this section shall be prima facie evidence of violation of this chapter. Persons in possession of Summer Flounder, aboard any vessel, in excess of the possession limit shall be in violation of this chapter, unless that vessel has requested and been granted safe harbor. Any buyer or processor offloading or accepting any quantity of Summer Flounder from any vessel in excess of the possession limit shall be in violation of this chapter, except as described by subsection K of this section. A buyer or processor may accept or buy Summer Flounder from a vessel that has secured safe harbor, provided that vessel has satisfied the requirements described in subsection K of this section.

I. If a person violates the possession limits described in this section, the entire amount of Summer Flounder in that person's possession shall be confiscated. Any confiscated Summer Flounder shall be considered as a removal from the appropriate commercial harvest or landings quota. Upon confiscation, the marine patrol officer shall inventory the confiscated Summer Flounder and, at a minimum, secure two bids for purchase of the confiscated Summer Flounder from approved and licensed seafood buyers. The confiscated fish will be sold to the highest bidder and all funds derived from such sale shall be deposited for the Commonwealth pending court resolution of the charge of violating the possession limits established by this chapter. All of the collected funds will be returned to the accused upon a finding of innocence or forfeited to the Commonwealth upon a finding of guilty.

J. It shall be unlawful for a licensed seafood buyer or federally permitted seafood buyer to fail to contact the Marine Resources Commission Operation Station prior to a vessel offloading Summer Flounder harvested outside of Virginia. The buyer shall provide to the Marine Resources Commission the name of the vessel and its captain and the anticipated or approximate offloading time. Once offloading of any vessel is complete and the weight of the landed Summer Flounder has been determined, the buyer shall contact the Marine Resources Commission Operations Station and report the vessel name and corresponding weight of Summer Flounder landed. It shall be unlawful for any person to offload from a boat or vessel for commercial purposes any Summer Flounder during the period of 10 p.m. to 7 a.m.

K. Any boat or vessel that has entered Virginia waters for safe harbor shall only offload Summer Flounder when the state that licenses that vessel requests to transfer quota to Virginia, in the amount that corresponds to that vessel's possession limit, and the commissioner agrees to accept that transfer of quota.

L. After any commercial harvest or landing quota as described in 4VAC20-620-30 has been attained and

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announced as such, any boat or vessel possessing Summer Flounder on board may enter Virginia waters for safe harbor but shall contact the Marine Resources Commission Operation Center in advance of such entry into Virginia waters.

VA.R. Doc. No. R08-1083; Filed November 28, 2007, 10:41 a.m.

Final Regulation

REGISTRAR'S NOTICE: The following regulation filed by the Marine Resources Commission is exempt from the Administrative Process Act in accordance with §2.2-4006 A 12 of the Code of Virginia; however, the commission is required to publish the full text of final regulations.

Title of Regulation: **4VAC20-960. Pertaining to Tautog (amending 4VAC20-960-45, 4VAC20-960-47).**

Statutory Authority: §28.2-201 of the Code of Virginia.

Effective Date: January 1, 2008.

Agency Contact: Brandy L. Battle, Agency Regulatory Coordinator, Marine Resources Commission, 2600 Washington Ave., 3rd Floor, Newport News, VA 23607, telephone (757) 247-2248, FAX (757) 247-2002, or email brandy.battle@mrc.virginia.gov.

Summary:

The amendments (i) reduce the recreational possession limit for tautog to four, (ii) establish a closed recreational fishing season from May 1 through June 24, and (iii) change the closed commercial fishing season to April 16 through October 2 and December 1 through December 15.

4VAC20-960-45. Recreational fishing season and possession limits.

A. It shall be unlawful for any person fishing with hook and line, rod and reel, spear, gig or other recreational gear to possess more than ~~seven~~ four tautog. When fishing is from a boat or vessel where the entire catch is held in a common hold or container, the possession limit shall be for the boat or vessel and shall be equal to the number of persons on board legally eligible to fish multiplied by ~~seven~~ four. The captain or operator of the boat or vessel shall be responsible for any boat or vessel possession limit. Any tautog taken after the possession limit has been reached shall be returned to the water immediately.

B. Possession of any quantity of tautog which exceeds the possession limit described in subsection A of this section shall be presumed to be for commercial purposes.

C. The recreational fishing season shall be ~~open throughout the year~~ closed from May 1 through June 24.

D. It shall be unlawful for any person fishing recreationally to take, catch, or possess any tautog during any closed recreational fishing season.

4VAC20-960-47. Commercial fishing season and possession limits.

The commercial fishing season shall be closed ~~during the period of May 1~~ from April 16 through August 31 ~~October 2 and December 1 through December 15~~, and it shall be unlawful for any person to possess tautog for commercial purposes during this period.

VA.R. Doc. No. R08-1037; Filed November 30, 2007, 10:09 a.m.

Final Regulation

REGISTRAR'S NOTICE: The following regulation filed by the Marine Resources Commission is exempt from the Administrative Process Act in accordance with §2.2-4006 A 12 of the Code of Virginia; however, the commission is required to publish the full text of final regulations.

Title of Regulation: **4VAC20-1040. Pertaining to Crabbing Licenses and Tags (amending 4VAC20-1040-20).**

Statutory Authority: §28.2-201 of the Code of Virginia.

Effective Date: January 1, 2008.

Agency Contact: Brandy L. Battle, Agency Regulatory Coordinator, Marine Resources Commission, 2600 Washington Ave., 3rd Floor, Newport News, VA 23607, telephone (757) 247-2248, FAX (757) 247-2002, or email brandy.battle@mrc.virginia.gov.

Summary:

This amendment extends the license sales moratorium through the lawful crabbing season of 2010. Fishermen eligible for any crabbing license in 2007 will continue to be eligible for that specific crab license through 2010 unless the fisherman fails to register as a commercial fisherman or transfers that license to another person.

CHAPTER 1040

PERTAINING TO CRABBING LICENSES ~~AND TAGS~~

4VAC20-1040-20. License sales moratorium.

A. For the lawful crabbing seasons of ~~2004~~ 2008 through ~~2007~~ 2010, commercial licenses for crab pot, peeler pot, crab scrape, crab trap, ordinary trot line, patent trot line, and dip net shall be sold only to those registered commercial fishermen who have been determined by the commission to be eligible to purchase any of these licenses in ~~2004~~ 2007. Any person receiving a crab license by lawful transfer in ~~2004~~ 2008 through ~~2007~~ 2010 also establishes his eligibility to purchase that specific license through ~~2007~~ 2010; however, any person either failing to register as a commercial fisherman in any year or lawfully transferring his crab license to another person shall forfeit his eligibility to purchase that specific crab license through ~~2007~~ 2010.

B. Commercial licenses for crab pots, peeler pots, crab scrapes, crab traps, ordinary trot lines, patent trot lines, and

crab dip nets may be transferred to an immediate family member of the licensee at any time and, in the case of death or incapacitation of the licensee, may be transferred to a registered commercial fisherman at any time. Crabbing licenses also may be transferred to another registered commercial fisherman, except that not more than 100 licenses shall be transferred in the current year. All such transfers shall be documented on forms provided by the commission and shall be subject to the approval of the commissioner.

VA.R. Doc. No. R08-1038; Filed November 30, 2007, 10:06 a.m.

Final Regulation

REGISTRAR'S NOTICE: The following regulation filed by the Marine Resources Commission is exempt from the Administrative Process Act in accordance with §2.2-4006 A 12 of the Code of Virginia; however, the commission is required to publish the full text of final regulations.

Title of Regulation: **4VAC20-1090. Pertaining to Licensing Requirements and License Fees (amending 4VAC20-1090-30).**

Statutory Authority: §28.2-201 of the Code of Virginia.

Effective Date: December 1, 2007.

| 1. COMMERCIAL LICENSES | |
|---|---------------|
| Commercial Fisherman Registration License | \$190.00 |
| Commercial Fisherman Registration License for a person 70 years or older | \$90.00 |
| Delayed Entry Registration. | \$190.00 |
| Delayed Entry Registration License for a person 70 years or older | \$90.00 |
| Seafood Landing License for each boat or vessel | \$175.00 |
| For each Commercial Fishing Pier over or upon subaqueous beds (mandatory) | \$83.00 |
| Seafood Buyer's License – For each boat or motor vehicle | \$63.00 |
| Seafood Buyer's License – For each place of business | \$126.00 |
| Clam Aquaculture License License <u>Product Owner's Permit</u> | \$10.00 |
| Oyster Aquaculture License-Product <u>Owner's Permit</u> | \$10.00 |
| <u>Clam Aquaculture Harvester's Permit</u> | <u>\$5.00</u> |
| <u>Oyster Aquaculture Harvester's Permit</u> | <u>\$5.00</u> |

Agency Contact: Brandy L. Battle, Agency Regulatory Coordinator, Marine Resources Commission, 2600 Washington Ave., 3rd Floor, Newport News, VA 23607, telephone (757) 247-2248, FAX (757) 247-2002, or email brandy.battle@mrc.virginia.gov.

Summary:

The amendments (i) eliminate the Clam Aquaculture License and fee of \$10 and Oyster Aquaculture License and fee of \$10 and (ii) establish a Clam Aquaculture Product Owner's Permit and fee of \$10, an Oyster Aquaculture Product Owner's Permit and fee of \$10, a Clam Aquaculture Harvester's Permit and fee of \$5.00, and an Oyster Aquaculture Harvester's Permit and fee of \$5.00.

4VAC20-1090-30. License fees.

The following listing of license fees applies to any person who purchases a license for the purposes of harvesting for commercial purposes, or fishing for recreational purposes, during any calendar year.

| Nonresident Harvester's License | \$444.00 |
|--|----------|
| OYSTER HARVESTING AND SHUCKING LICENSES | |
| For each person taking oysters by hand, or with ordinary tongs | \$10.00 |
| For each single-rigged patent tong boat taking oysters | \$35.00 |
| For each double-rigged patent tong boat taking oysters | \$70.00 |
| Oyster Dredge Public Ground | \$50.00 |
| Oyster Hand Scrape | \$50.00 |
| To shuck and pack oysters, for any number of gallons under 1,000 | \$12.00 |
| To shuck and pack oysters, for 1,000 gallons, up to 10,000 | \$33.00 |
| To shuck and pack oysters, for 10,000 gallons, up to 25,000 | \$74.00 |
| To shuck and pack oysters, for 25,000 gallons, up to 50,000 | \$124.00 |
| To shuck and pack oysters, for 50,000 gallons, up to 100,000 | \$207.00 |

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| To shuck and pack oysters, for 100,000 gallons, up to 200,000 | \$290.00 |
| To shuck and pack oysters, for 200,000 gallons or over | \$456.00 |
| BLUE CRAB HARVESTING AND SHEDDING LICENSES | |
| For each person taking or catching crabs by dip nets | \$13.00 |
| For ordinary trotlines | \$13.00 |
| For patent trotlines | \$51.00 |
| For each boat used for taking or catching hard crabs with dredges | \$96.00 |
| For each single-rigged crab-scrape boat | \$26.00 |
| For each double-rigged crab-scrape boat | \$53.00 |
| For up to 100 crab pots | \$48.00 |
| For over 100 but not more than 150 crab pots | \$79.00 |
| For over 150 but not more than 200 crab pots | \$79.00 |
| For over 200 but not more than 300 crab pots | \$79.00 |
| For over 300 but not more than 500 crab pots | \$127.00 |
| For up to 300 peeler pots | \$36.00 |
| For up to 20 tanks and floats for shedding crabs | \$9.00 |
| For more than 20 tanks or floats for shedding crabs | \$19.00 |
| For each crab trap or crab pound | \$8.00 |
| HORSESHOE CRAB AND LOBSTER LICENSES | |
| For each person harvesting horseshoe crabs by hand | \$16.00 |
| For each boat engaged in fishing for, or landing of, lobster using less than 200 pots | \$41.00 |
| For each boat engaged in fishing for, or landing of, lobster using 200 pots or more | \$166.00 |

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| CLAM HARVESTING LICENSES | |
| For each person taking or harvesting clams by hand, rake or with ordinary tongs | \$24.00 |
| For each single-rigged patent tong boat taking clams | \$58.00 |
| For each double-rigged patent tong boat taking clams | \$84.00 |
| For each boat using clam dredge (hand) | \$19.00 |
| For each boat using clam dredge (power) | \$44.00 |
| For each boat using hydraulic dredge to catch soft shell clams | \$83.00 |
| For each person taking surf clams | \$124.00 |
| CONCH (WHELK) HARVESTING LICENSES | |
| For each boat using a conch dredge | \$58.00 |
| For each person taking channeled whelk by conch pot | \$51.00 |
| FINFISH HARVESTING LICENSES | |
| Each pound net | \$41.00 |
| Each stake gill net of 1,200 feet in length or under, with a fixed location | \$24.00 |
| All other gill nets up to 600 feet | \$16.00 |
| All other gill nets over 600 feet and up to 1,200 feet | \$24.00 |
| Each person using a cast net or throw net or similar device | \$13.00 |
| Each fyke net head, weir, or similar device | \$13.00 |
| For fish trotlines | \$19.00 |
| Each person using or operating a fish dip net | \$9.00 |
| On each haul seine used for catching fish, under 500 yards in length | \$48.00 |
| On each haul seine used for catching fish, from 500 yards in length to 1,000 yards in length | \$146.00 |
| For each person using commercial hook and line | \$31.00 |
| For each person using commercial hook and line for catching striped bass only | \$31.00 |

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| On each boat or vessel under 70 gross tons fishing with purse net, per gross ton, but not more than \$249 | \$4.00 |
| On each boat or vessel over 70 gross tons fishing with purse net, per gross ton. Provided the maximum license fee for such vessels shall not be more than \$996 | \$8.00 |
| For up to 100 fish pots or eel pots | \$19.00 |
| For over 100 but not more than 300 fish pots or eel pots | \$24.00 |
| For over 300 fish pots or eel pots | \$62.00 |
| 2. COMMERCIAL GEAR FOR RECREATIONAL USE. | |
| Up to five crab pots | \$36.00 |
| Crab trotline (300 feet maximum) | \$10.00 |
| One crab trap or crab pound | \$6.00 |
| One gill net up to 300 feet in length | \$9.00 |
| Fish dip net | \$7.00 |
| Fish cast net | \$10.00 |
| Up to two eel pots | \$10.00 |
| 3. SALTWATER RECREATIONAL FISHING LICENSE. | |
| Individual License | \$12.50 |
| Temporary 10-Day License | \$5.00 |
| Recreational boat | \$38.00 |
| Head Boat/Charter Boat, six or less passengers | \$190.00 |

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| Head Boat/Charter Boat, more than six passengers plus \$5.00 per person over six | \$190.00 |
| Rental Boat, per boat, with maximum fee of \$635 | \$9.00 |
| Commercial Fishing Pier (Optional) | \$571.00 |
| Disabled Resident Lifetime Saltwater License | \$5.00 |
| Reissuance of Saltwater Recreational Boat License | \$5.00 |
| Combined Sportfishing License to fish in all inland waters and tidal waters of the Commonwealth during open season | |
| Residents | \$24.50 |
| Nonresidents | \$42.50 |
| Combined Sportfishing Trip License to fish in all inland waters and tidal waters of the Commonwealth during open season, for five consecutive days | |
| Residents | \$10.50 |
| Nonresidents | \$15.50 |
| Individual Lifetime License | \$250.00 |
| Individual Lifetime License age 45 – 50 | \$120.00 |
| Individual Lifetime License age 51 – 55 | \$90.00 |
| Individual Lifetime License age 56 – 60 | \$60.00 |
| Individual Lifetime License age 61 – 64 | \$30.00 |

V.A.R. Doc. No. R08-1033; Filed November 30, 2007, 9:58 a.m.

Final Regulation

REGISTRAR'S NOTICE: The following regulation filed by the Marine Resources Commission is exempt from the Administrative Process Act in accordance with §2.2-4006 A 12 of the Code of Virginia; however, the commission is required to publish the full text of final regulations.

Title of Regulation: **4VAC20-1130. General Permit No. 4 for Temporary Protective Enclosures for Shellfish (adding 4VAC20-1130-10 through 4VAC20-1130-70).**

Statutory Authority: §§28.2-201 and 28.2-603.1 of the Code of Virginia.

Effective Date: December 1, 2007.

Agency Contact: Brandy L. Battle, Agency Regulatory Coordinator, Marine Resources Commission, 2600 Washington Ave., 3rd Floor, Newport News, VA 23607, telephone (757) 247-2248, FAX (757) 247-2002, or email brandy.battle@mrc.virginia.gov.

Summary:

This chapter (i) establishes a general permit for the use of temporary protective enclosures for the propagation of oysters and clams and (ii) includes a notification process and special conditions necessary for the protection of public safety, navigation, natural resources, and the environment.

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CHAPTER 1130

GENERAL PERMIT NO. 4 FOR TEMPORARY PROTECTIVE ENCLOSURES FOR SHELLFISH

4VAC20-1130-10. Purpose.

The purpose of this chapter is to establish a general permit for the use of temporary protective enclosures for the propagation of oysters and clams, including a notification process and special conditions necessary for the protection of public safety, navigation, natural resources, and the environment.

4VAC20-1130-20. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Submerged aquatic vegetation" or "SAV" means any rooted, vascular submerged plants such as eelgrass (*Zostera marine*), widgeon grass (*Ruppia maritima*), or other species commonly found in the Chesapeake Bay and its tributaries.

"Temporary protective enclosure" means a cage, rack, tray, or other similar device for holding and protecting oysters or clams.

4VAC20-1130-30. Notification procedures.

A. All notifications for the use of temporary protective enclosures authorized by this general permit shall be made in writing to the commissioner.

B. The notification shall contain the following information: the name, address and telephone number of the applicant; the location and plat file number depicted on an accurately scaled vicinity map; the approximate size of the area that will contain the temporary protective enclosures; the maximum number of structures to be placed on the leasehold at any given time; a detailed description of the temporary protective enclosures proposed to be deployed; the species to be cultured; a general description of the area within 500 feet of the lease boundary, including existing marine resources (SAV, shellfish beds, fixed fishing devices, traditional fishing and shellfish areas); locations of public and private piers and docks; water depths at mean low water; tidal range; the minimum vertical clearance at mean low water over the enclosures; the estimated date of placement of the structures; and any other information the commissioner deems necessary to evaluate the proposal. Accurately scaled drawings shall be included with the notification that depict the type of structures proposed to be deployed and the proposed deployment pattern. The notification shall also include a list of the names and addresses of all riparian property owners within 500 feet of the area containing the temporary protective enclosures and shall depict the location of their land on a tax map or other suitable map. Riparian property owner acknowledgement forms for such riparian property owners may be included with the notification. Such forms shall be

signed by the riparian property owner and shall indicate his comments on the notification. Should such forms not be provided in the notification, the commissioner or his designee shall notify the adjacent property owners of the pending notification.

C. The commissioner or his designee shall determine that the notification is complete and filed in accordance with the instructions contained therein.

D. The commissioner will provide written notice to the leaseholder of his final action on the proposal.

E. In accordance with the provisions of §28.2-603.2 of the Code of Virginia, the commissioner may approve the proposal, approve the proposal with conditions, or deny the proposal of the leaseholder. The commissioner may prescribe conditions for any proposal for the protection of public safety, navigation, natural resources, and the environment that include, but are not limited to: the type of construction materials used for the temporary enclosures; the manner in which such structures are deployed; the distances the structures are placed from the shoreline, navigable channels, piers, wharfs, or other water dependent facility; and the minimum vertical clearance at mean low water over any temporary structure. When determining these conditions, the commissioner shall also consider those factors set forth in §28.2-1205 A of the Code of Virginia.

4VAC20-1130-40. General conditions.

A. The general permit established by this chapter grants no authorizations to the permittee to encroach upon the property rights, including riparian rights, of others.

B. Authorized agents of the commission shall have the right to enter upon the premises at reasonable times for the purpose of inspecting the work being done pursuant to this permit.

C. This general permit shall not be transferred without written consent of the commissioner.

D. The permittee shall minimize the adverse effects of the project upon adjacent properties and wetlands and upon the natural resources of the Commonwealth.

E. This permit may be revoked at any time by the commissioner upon the failure of the permittee to comply with any of the terms and conditions hereof.

F. There is expressly excluded from the permit any portion of the waters within the boundaries of the Baylor Survey.

G. The issuance of this permit does not confer upon the permittee any interest or title to the beds or waters of the Commonwealth.

H. All structures authorized by this permit that are not maintained in good repair shall be completely removed from state-owned bottom within five business days after written notification by the commissioner.

I. This permit authorizes no claim to archaeological or historic artifacts that may be encountered during the placement of temporary protective enclosures. If, however, archaeological remains are encountered, the permittee agrees to notify the commissioner who will in turn notify the Department of Historic Resources and the Virginia Institute of Marine Science. The permittee further agrees to cooperate with agencies of the Commonwealth in the recovery of archaeological remains if deemed necessary.

J. The permittee agrees to indemnify and save harmless the Commonwealth of Virginia from any liability arising from the establishment, operation or maintenance of said project.

K. The public shall not be excluded from any space not physically occupied by the authorized temporary protective enclosures.

L. This permit does not obviate the need to obtain other federal, state, or local authorizations required by law or regulation.

4VAC20-1130-50. Special conditions.

A. The permittee authorized by this chapter shall hold a current oyster or clam aquaculture product owners permit issued by the commission; shall be in compliance with the provisions of 4VAC20-610, Pertaining to Mandatory Harvest Reporting; and shall have paid all fees, costs, and the annual rent for the oyster ground lease. Failure to pay all fees and rents as required by §§28.2-608 and 28.2-612 of the Code of Virginia and failure to report as required in 4VAC20-610 may result in termination of the lease and general permit.

B. Any temporary protective enclosure shall be constructed of nontoxic materials.

C. No temporary protective enclosure shall be placed in or upon submerged aquatic vegetation beds, and consideration by the commissioner for authorizing the placement of protective enclosures in currently unvegetated areas that are documented as historically supporting submerged aquatic vegetation (SAV) beds shall include consultation with the Virginia Institute of Marine Science in order to determine the potential for impacts on SAV, within the term of the prospective lease. If SAV colonizes within the boundaries of the area designated for the temporary protective enclosures, the authorization for those structures under this general permit shall remain in effect only for the remainder of the term of the lease. The general permit shall be renewed only upon a finding by the commissioner that the placement of the temporary protective enclosures within the lease will not significantly interfere with the continued vitality of the SAV.

D. No individual temporary protective enclosure shall exceed 70 cubic feet in volume.

E. Temporary protective enclosures may be placed individually on the bottom, placed in racks, or stacked one on top of another.

F. Temporary protective enclosures shall not be placed within any marked navigation channel or in any area that would create a hazard.

G. Temporary protective enclosures shall not be placed in any area that would impede customary access to navigable waters from any riparian property, public or commercial landing, or marina facility.

H. Temporary protective enclosures shall not be placed within 100 feet of any shoreline or pier without the agreement of the riparian property owner.

I. Temporary protective enclosures shall be placed in a manner that allows for their ease of access, maintenance, and removal and shall not exceed an average of 250 individual structures per acre within the permitted area or 250 arrays of structures when those enclosures are stacked one on top of another.

J. In addition to the marking of the boundary of the lease required by 4VAC20-335, the boundary of the area containing the structures shall be identified with markers meeting the description for markers identified in 4VAC20-290-30, while structures are located on the bottom. At intervals no smaller than 150 feet and along the perimeter of the area containing the temporary protective enclosures, the leaseholder shall place placards constructed of a durable material that shall be at least four feet above the mean high water line and shall conform to the description established by the commissioner.

K. No temporary protective enclosure shall be marked by more than one buoy, which shall not exceed 15 inches in its longest dimension. The commissioner may designate the color of the buoys used for marking temporary protective enclosures.

L. Nothing in this general permit shall authorize the placement of any temporary protective enclosure designed to float on the surface of the water.

M. Leaseholders shall within five business days remove any enclosure that is not actively in use for the planting and propagating of shellfish and, upon expiration or termination of a lease or of the leaseholder's Aquaculture Product Owner's Permit, the leaseholder shall promptly remove all enclosures placed on the leasehold.

N. Leaseholders shall maintain a list identifying those leases on which enclosures are placed during the terms of the lease and provide upon request a current copy of the list to authorized representatives of the commission. Leaseholders shall also submit such list to be filed with any application for

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lease renewal made pursuant to §28.2-613 of the Code of Virginia.

O. The commissioner at his discretion may order the immediate removal or relocation of any enclosure that interferes with navigation, creates a hazard, or otherwise fails to comply with the conditions of the general permit.

4VAC20-1130-60. General permit fees.

A. Upon approval of the notification to use temporary protective enclosures, the applicant shall pay to the commission the following fee:

1. For up to 500 structures, \$125.
2. For over 500 but not more than 1,000 structures, \$250.
3. For over 1,000 but not more than 2,500 structures, \$625.
4. For over 2,500 structures, \$1,000.

B. The fee established by this section shall be paid annually by the leaseholder on or before the anniversary date of the issuance of the general permit.

4VAC20-1130-70. Penalty.

As set forth in §28.2-903 of the Code of Virginia, any person violating any provision of this chapter shall be guilty of a Class 3 misdemeanor, and a second or subsequent violation of any provision of this chapter committed by the same person within 12 months of a prior violation is a Class 1 misdemeanor.

VA.R. Doc. No. R08-1041; Filed November 30, 2007, 10:28 a.m.

TITLE 6. CRIMINAL JUSTICE AND CORRECTIONS

STATE BOARD OF CORRECTIONS

Final Regulation

REGISTRAR'S NOTICE: The State Board of Corrections is claiming an exemption from the Administrative Process Act pursuant to §2.2-4002 B 9 of the Code of Virginia, which exempts agency action relating to inmates of prisons or other such facilities or parolees therefrom, and §2.2-4002 B 10 of the Code of Virginia, which exempts agency action relating to the custody of persons in, or sought to be placed in, mental, penal or other state institutions as well as the treatment, supervision, or discharge of such persons.

Titles of Regulations: **6VAC15-61. Standards for State Community Correctional Units (repealing 6VAC15-61-10 through 6VAC15-61-300).**

6VAC15-62. Standards for State Community Corrections Units (adding 6VAC15-62-10 through 6VAC15-62-140).

Statutory Authority: §53.1-5 of the Code of Virginia.

Effective Date: January 24, 2008.

Agency Contact: Beverly Hill-Murray, Compliance and Accreditation Unit, Department of Corrections, 6900 Atmore Drive, Richmond, VA 23225, telephone 804-674-3499, FAX 804-674-3587, or email beverly.hill-murray@vadoc.virginia.gov.

Summary:

This joint action repeals 6VAC15-61, Standards for State Community Correctional Units' and adopts a new regulation, 6VAC15-62, Standards for State Community Corrections Units. The repealed regulation included standards for detention and diversion centers, which is now regulated by the American Correctional Association's performance based standards for Adult Community Residential Services. The new regulation revises operational and management standards for state-operated probation and parole districts.

CHAPTER 62 **STANDARDS FOR STATE COMMUNITY** **CORRECTIONS UNITS**

6VAC15-62-10. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Arrest authority (PB-15)" means a written statement or document issued by the probation and parole officer for the arrest and detention of a delinquent offender.

"Assessment" means the process that identifies the risk level and criminogenic needs of the offender; information obtained during the assessment should be used in creating the supervision plan.

"Case record" means a confidential written record regarding an offender that includes documentation of actions that have occurred.

"Community correctional facilities" means diversion centers and detention centers.

"Conditions of supervision" means a document that details the rules an offender must abide by in order to successfully complete supervision.

"Early release" means release prior to the specified term of supervision.

"Evidence-based practices (EBP)" means the policies, protocols, practices, programs and services that have been demonstrated to be effective in reducing risks of re-offending.

"Field staff" means those professionals assigned case responsibility for investigation, control, supervision and provision of program services to offenders.

"Fraternization" means the act of or giving the appearance of association with offenders or their family members that extends to unacceptable, unprofessional and prohibited behavior.

"Grievance process" means methodology that affords a means to address complaints with administration or supervision.

"Incentives" means approved responses to positive behaviors.

"Manual" means a written compilation of operating procedures and guidelines.

"Offender" means any person placed under the supervision of the Virginia Department of Corrections.

"Plan of supervision" or "supervision plan" means the goals and objectives of supervision that should be jointly developed between the offender and supervising staff and outlines the requirements for offenders while on supervision, identifies offender goals, and outlines the activities necessary to achieve those goals; the officer's surveillance, verification, referral and monitoring responsibilities are defined in conjunction with each offender goal.

"Presentence report" means a criminal and social history of an offender prepared prior to the sentencing event.

"Professional staff" and "professional specialists" mean probation and parole officers, surveillance officers, substance abuse counselors and other staff assigned to offender cases. These individuals generally possess bachelor's degrees and advanced training in the social or behavioral sciences.

"Program" means any organized set of services designated to affect thinking and behavior or teach knowledge or skills.

"Risk" means the factors that influence or predict criminal behavior.

"Sanctions" means approved responses to negative behavior.

"Screening" means the preliminary process used to identify a potential problem area or areas that may require a specialized assessment.

"Unit head" means the individual who has overall responsibility for the operation of a program or facility, including the application of state funds provided for that purpose.

"Violation" means an action or inaction by an offender that is contrary to the conditions of supervision and is considered technical when it does not involve the commission of a new offense.

"Volunteer" means an individual who provides services without compensation.

6VAC15-62-20. Legal standard.

Nothing contained in these standards shall be construed as setting a legal standard for the management or operation of any facility for purposes of litigation by offenders.

6VAC15-62-30. Responsibility; enforcement.

A. The unit head shall be responsible for ensuring that the requirements described in these standards are implemented.

B. These standards shall be enforced through the Board of Corrections regulation 6VAC15-20, Regulations Governing Certification and Inspection.

6VAC15-62-40. Applicability.

A. These standards shall apply to Department of Corrections Community Corrections Probation and Parole Districts.

B. These standards shall not apply to Department of Corrections State Community Corrections facilities. Standards for State Community Corrections facilities shall be regulated by the American Correctional Association performance-based standards for Adult Community Residential Services.

6VAC15-62-50. Organization and administration.

A. Probation and parole districts are located in areas with community input that are optimally accessible to offenders' places of residence and employment, to transportation networks, and to other community agencies.

B. Written policy, procedure and practice provide that requests from federal, state, and local legislative and executive bodies for information concerning programs and specific cases are responded to promptly and fully by district staff in accordance with provisions relevant to the right to privacy.

C. There is a written description and organizational chart that reflects the current structure of authority, responsibility, and accountability within the district. These documents are reviewed at least annually and are updated as needed.

D. Written policy, procedure, and practice provide for the participation of all employees in staff meetings related to their respective duties. Such meetings are to be conducted at least every other month.

E. There is general personnel policy information that includes but is not limited to the following subjects. Access to this information is available to each employee. Access to individual personnel records and employee evaluations is limited to the affected employee and other properly authorized persons:

1. Organizational chart
2. Recruitment procedures
3. Equal employment opportunity provisions

Regulations

4. Job qualification, descriptions and responsibilities

5. Basis for determining salaries

6. Benefits, holidays, leave and work hours

7. Personnel records

8. Employee evaluation

9. Staff development, including in-service training

10. Promotion

11. Physical fitness policy

12. Retirement, resignation and termination

13. Statutes related to political activities

14. Employee-management relations, including harassment

15. Fraternalization

16. Disciplinary procedures

17. Grievance procedures

18. Insurance and professional liability requirements

F. A unit manual, including policies, procedures, rules and regulations of the district is developed and maintained by the unit head. The manual is reviewed annually, updated as procedures change, and is available to all staff.

G. Written policy, procedure and practice provide that new or revised policies and procedures are disseminated to designated staff and volunteers and, when appropriate, to probationers and parolees prior to implementation.

H. Written policy, procedure and practice provide that consultants, contract personnel, volunteers and interns who work with clients are informed in writing about the unit's policies on confidentiality of information and agree to abide by them.

I. Written policy, procedure and practice govern the dissemination of case information to the public and addresses confidentiality requirements and the designation of who provides such information.

J. Written policy procedure and practice provide for the investigation of citizen complaints about the district.

K. The district provides the clerical support needed to accomplish its stated goals.

L. Written policy, procedure and practice exist to ensure that the privacy of offenders and other parties will be maintained during all research.

M. The district's statement of purpose affirms that the supervision program is to provide necessary services to the offender with the goal of reducing the probability of continued criminal behavior on the part of the offender.

6VAC15-62-60. Personnel.

A. Written policy, procedure and practice provide a mechanism to process requests for reasonable accommodation to the known physical or mental impairments of a qualified applicant or employee with a disability. The accommodation need not be granted if it would impose an undue hardship or direct threat.

B. An entry-level probation and parole officer possesses a minimum of a bachelor's degree or has completed a career development program that includes work-related experience, training, or college credits providing a level of achievement equivalent to a bachelor's degree.

C. The unit head maintains a current, accurate, confidential and secure personnel record on each employee. Information obtained as part of a required medical examination (or inquiry) regarding the medical condition or history of applicants and employees is collected and maintained on separate forms in separate medical files and treated as confidential medical records.

D. A thorough background investigation will be conducted to include immigration status, criminal record and DMV check on all new or prospective employees, contract personnel, interns and volunteers to ascertain whether there may be criminal convictions that would affect job performance or delivery of services.

E. A written annual performance review of all employees is conducted that is based on defined criteria and is reviewed and discussed with the employee.

F. The unit head makes available to all employees a written code of ethics that prohibits employees from using their official positions to secure privileges for themselves or others and from engaging in activities that constitute conflict of interest.

G. Written policy prohibits personnel from accepting any gift or gratuity from an offender or an offender's immediate family or from engaging in personal business transactions with the offender or the offender's immediate family.

H. Written policy, procedure and practice encourage and provide for employees to continue their education.

I. The district encourages employees to attend professional meetings, seminars, and similar work-related activities, and provides administrative leave and/or reimburses employees for expenses connected with these activities.

J. A full-time supervisor does not supervise more than 12 field staff members.

K. Field staff who have caseloads will report to a supervisor who is trained in the supervisory function to provide ongoing reviews of field supervision and staff compliance with policies and procedures.

L. Written policy, procedure and practice permit employees to challenge information in their personnel file and have it corrected or removed if it is proven inaccurate.

6VAC15-62-70. Citizen and volunteer involvement.

A. Written policy, procedure and practice for volunteer citizen involvement include a system of selecting, training, deciding on the term of service, terminating service, and defining tasks, responsibilities and authority of volunteers.

B. Written policy, procedure and practice specify the lines of authority, responsibility, and accountability for the program's citizen involvement and volunteer services program.

C. Written policy, procedure and practice call for the recruitment of volunteers from all cultural and socioeconomic segments of the community.

D. Written policy, procedure and practice specify that volunteers may perform professional services only when certified or licensed to do so.

E. Written policy, procedure and practice specify that volunteers agree in writing to abide by all agency policies, particularly those relating to the security and confidentiality of information.

6VAC15-62-80. Training and staff development.

A. All new full-time employees shall receive 40 hours of orientation training within the first 90 days of employment. Orientation training includes a minimum of the following: orientation to the purpose, goals, policies, and procedures of the district and parent agency; working conditions and regulations; employees' rights and responsibilities; and an overview of the correctional field. Depending on the employee and the particular job requirements, orientation training may include preparatory instruction related to the particular job.

B. All administrative and professional staff shall receive 40 hours of training each year after their first year of employment.

C. All professional specialist employees shall receive 20 hours of training in their specialty in addition to orientation training during their first year of employment and 20 hours of training each year thereafter.

D. All part-time employees working less than 35 hours per week shall receive orientation within the first 90 days of employment and additional training appropriate to their assignment.

E. Written policy, procedure and practice govern the issuance of authorization to carry a firearm or other weapon. This includes the requirements for a medical or physical evaluation, psychological examination, drug and alcohol

screening, and completion of an approved firearms training course.

F. If firearms are used by any employee of the agency, written policy, procedure and practice govern the use of the firearm including the following:

1. Weapons are subjected to stringent safety regulations and inspections.

2. Employees to whom firearms are issued follow procedures that specify methods for ensuring the security of weapons.

3. Employees are instructed to use deadly force only after other actions have been tried and found ineffective unless the employee believes that a person's life is in immediately threatened.

4. In the performance of their duty, employees use only firearms approved by the parent agency and use them only when directed by or authorized by the director or supervisor in charge.

5. Employees are instructed as to how and under what circumstances they are allowed to carry firearms.

G. If firearms are used by any staff member, written policy, procedure and practice provide the following:

1. Prior to assignment to a position involving possible use of a firearm, all personnel authorized to use firearms receive appropriate firearm training; this training covers the use, safety, care and constraints involved in the use of firearms, and

2. All authorized personnel are required to demonstrate competency in the use of firearms at least annually.

H. Written policy, procedure and practice provide that a supervisor may revoke the authorization to carry a firearm and to seize and secure a weapon when reasonable cause exists, followed by an administrative review.

I. Written policy, procedure and practice require that officers notify the district of physical and pharmacological conditions that could affect their ability to perform their duties to carry a firearm or other weapon safely.

J. Written policy, procedure and practice provide that where officers are authorized to carry firearms and other weapons in the performance of their duties, the policy specifies those situations where agency personnel may carry and use these weapons.

6VAC15-62-90. Fiscal management.

A. The unit head is responsible for controlling the budget, including authorizing purchases, tracking expenditures, and monitoring receipt of goods and services.

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B. Collection of moneys will be done in accordance with Chapter 48 (§2.2-4800 et seq.) of Title 2.2 of the Code of Virginia and Department of Corrections accounting procedures.

C. Funds are available for purchasing community services to assist offenders and to supplement existing programs.

6VAC15-62-100. Case records.

Written policy, procedure and practice govern case record management and includes, but is not limited to, the privacy, security, preservation and a schedule for retiring or destroying inactive case records. These policies and procedures are reviewed annually.

6VAC15-62-110. Supervision.

A. Where statute authorizes arrest authority for probation and parole officers, written policy, procedure and practice define the scope of these powers.

B. Written policy, procedure and practice provide that a pre-arrest briefing shall be conducted prior to a planned arrest with all staff and other law-enforcement agencies participating in the action.

C. Written policy, procedure and practice provide procedures for probation and parole officers to transport offenders.

D. Written policy, procedure and practice govern critical incident protocol.

E. Written policy, procedure and practice govern classification and supervision of offenders in order to safeguard the community and meet the program needs of the offender. Offenders should be placed in the appropriate supervision level after the initial interview as required; such level to be determined by an approved risk assessment tool and process. Reclassification should occur at six-month evaluation periods or where warranted and be recorded and justified in the chronological record.

F. Written policy, procedure and practice provide for the field officer and offender to jointly develop and follow up on a written supervision plan that includes:

1. Specific supervision objectives (including the safeguarding of the community and meeting the program needs of the offender and methods to achieve the objectives.
2. An initial assessment of each offender (and all subsequent reassessments) using a standardized and validated assessment tool.
3. Specific criteria for determining and changing an offender's supervision plan.
4. Regular reviews of the offender's progress with an individual supervision plan.

5. Appropriate programs and services and proportionate incentives and sanctions.

6. Adjustments to the individual plan made based on the reassessment and in accordance with the offender's performance in the community.

Any review results are recorded in the case file and communicated with the offender.

A review and update of the offender's plan, as needed, is performed at least annually.

G. The probation/parole district staff may request the court or the paroling authority to add, remove or modify any of the special conditions, including early termination of supervision, where indicated.

H. The conditions of probation/parole are furnished in writing to the offender. When a problem prevents an offender from understanding conditions of supervision, a field officer or other person should assist the offender in understanding them. The offender acknowledges in writing that he has received and understands the conditions or there is certification to that effect.

I. Written policy procedure and practice provide that access to supervision staff is available 24 hours a day. Offenders should be made aware that 24-hour access is available and informed of methods for obtaining access.

J. Written policy, procedure and practice provide that the security of the offender's file and file material is maintained.

K. Written policy, procedure and practice preclude offenders from being confronted with possible probation/parole violations for failure to meet financial obligations other than those that are conditions of probation/parole.

L. Written policy, procedure and practice provide for reviews of offender progress with recommendation of early termination of supervision where indicated. The results of such reviews are recorded in the case file.

M. Male and female offenders under supervision have equal access to all agency programs and activities.

N. Written policy, procedure and practice define, in accordance with the courts or parole authority, the types of minor violation that can be resolved by field staff.

O. Written policy, procedure and practice require that all alleged probation/parole violations be reviewed by the probation and parole officer with the supervisor prior to formal violation proceedings.

P. Written policy, procedure and practice provide that all arrests and alleged probation/parole violations are investigated immediately; all serious arrests and major probation/parole violations are reported promptly in writing to the proper authority. A serious incident report will be sent

to the regional director and the deputy director as required by directives and procedures.

Q. Written policy, procedure and practice require that a probable cause hearing be held within 14 calendar days upon notification of the arrest and detention of the parolee or the lodging of the detention warrant. However, when there has been a conviction or a finding of probable cause on new criminal charges, the preliminary hearing is not required.

R. The probable cause hearing is held in or near the community where the violation is alleged to have occurred or where the offender has been taken into custody whenever possible.

S. Written policy, procedure and practice provide that the probable cause hearing may be delayed or postponed for good cause and the parolee may waive the hearing if first informed of his rights pertaining to the hearing and the consequences of waiving the hearing.

T. When requested by the revoking authority, a member of the administrative staff conducts a probable cause hearing and makes findings as to probable cause for revocation.

U. Written policy, procedure and practice require that the probable cause hearing is conducted by an administrative staff member who has no knowledge of the alleged violations.

V. Written policy, procedure and practice require that at least three days prior to the probable cause hearing, the parolee is notified in writing of the time and place of the hearing and of the specific violation or violations charged. The parolee is also advised in writing of the right to:

1. Present evidence and favorable witnesses.
2. Disclosure of evidence.
3. Confront adverse witnesses, unless the witnesses would be subjected to a risk of harm.
4. Have counsel of choice present or, in the case of indigent persons who request assistance to adequately present their case, may have counsel appointed.
5. Request postponement of the hearing for good cause.

W. Written policy, procedure and practice specify that the person who conducts the probable cause hearing determines whether there is probable cause to revoke parole and hold the offender for a revocation hearing before the revoking authority. The revoking authority may empower the hearing officer to defer the revocation recommendation, restore the offender to supervision, and employ available sanctions or report the findings and recommendation to the authority for a decision as to revocation. The hearing officer issues a verbal decision or recommendation immediately after the hearing and provides a written decision to the offender within 21 calendar days of the hearing.

X. Written policy, procedure and practice specify that the parolee is recommended for incarceration only when probable cause is found at the probable cause hearing and when it is determined, after considering the appropriateness of less severe sanctions, that the clear interest of the public requires incarceration.

Y. When violations occur, alternatives to revocation and incarceration are considered to the extent that public safety is not endangered and the possibility of successful community adjustment exists.

Z. Written policy, procedure and practice govern, in conformance with prevailing law, cooperation with law-enforcement agencies in efforts to apprehend offenders known to be or suspected of being involved in criminal activities.

AA. Written policy, procedure and practice specify the types of actions required to locate and recover absconders.

BB. Written policy, procedure and practice govern the exercise of authority for the arrest and detention of offenders pending a determination by the revoking authority as to whether probation/parole should be revoked.

CC. The authority for the arrest and detention of offenders is exercised only upon adequate evidence of a probable serious violation or repeated pattern of violation of conditions and a compelling need for detention pending the revoking authority's initial revocation decision.

DD. Written policy, procedure and practice provide for the use of physical force only in instances of justifiable self-defense and protection of others and in accordance with appropriate statutory authority. Only the minimum force necessary is employed.

EE. All incidents involving use of physical force are reported full, promptly and in writing to administrative staff for their information and review. All injuries are reported in writing and treated promptly.

FF. Special supervision reports are prepared whenever an unusual situation involving the offender occurs.

GG. Written policy, procedure and practice require that all offenders are informed of the grievance process available to them at the time of the initial interview.

HH. Written policy, procedure and practice govern the transfer, acceptance, rejection, or termination of interest in cases to and from other jurisdictions in accordance with the Rules effective January 1, 2007, adopted by the Interstate Compact for Adult Offender Supervision pursuant to Articles V and VIII of the Interstate Compact for Adult Offender Supervision.

II. Written policy, procedure and practice provide that probationers and parolees will sign all current Interstate

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Compact forms found on the interstate website (www.interstatecompact.org) that are necessary for movement and acceptance in the receiving state. The receiving district has 30 days from receipt of the request to conduct the investigation and provide a response.

JJ. Written policy, procedure and practice provide that the receiving state shall assume supervision standards and services that prevail for its own probationers and parolees, as well as for the sending states. The duration of supervision will be determined by the sending state and by court order. The degree of supervision shall be determined by the receiving state.

KK. Written policy, procedure and practice provide that required reports be submitted annually, upon case closure or upon request per the Rules effective January 1, 2007, adopted by the Interstate Compact for Adult Offender Supervision pursuant to Articles V and VIII of the Interstate Compact for Adult Offender Supervision.

LL. Written policy, procedure and practice provide that the receiving state shall be notified of any significant violations of parole and probation within 30 days per the Rules effective January 1, 2007, adopted by the Interstate Compact for Adult Offender Supervision pursuant to Articles V and VIII of the Interstate Compact for Adult Offender Supervision.

MM. Written policy, procedure and practice provide that preliminary on-site hearings will be conducted under the rules of the receiving state following due process as required by law.

NN. Written policy, procedure and practice provide that the initial personal contact between the newly released offender and the field staff takes place as soon as possible, but not more than five working days after the offender's release to supervision unless otherwise agreed upon prior to release.

OO. Parole violation reports are submitted within five working days after the hearing.

PP. The probation and parole staff provides assistance and services to ex-offenders who request such help consistent with the provisions of subdivision 3 of §53.1-145 of the Code of Virginia and applicable procedures.

QQ. The district cooperates in providing information on the legitimacy of transition visits.

6VAC15-62-120. Investigations.

A. Written policy, procedure and practice specify that the primary purpose of the presentence report is to provide the sentencing court with timely, relevant, and accurate data so that it may select the most appropriate sentencing alternative and correctional disposition; subject to this primary purpose, the report is prepared in a manner to serve the needs of any correctional institution or field agency that may receive the offender.

B. Written policy, procedure and practice provide for interviewing the victim when appropriate or possible. The information obtained is contained in the presentence report.

C. Written policy, procedure and practice permit the use of staff other than probation and parole officers to collect information during the presentence investigation.

D. The presentence report is submitted to the court for review and evaluation a minimum of five calendar days in advance of the date set for sentencing.

E. All presentence reports and recommendations are subject to review by a supervisor or their designee prior to submission to the court.

F. Written policy, procedure and practice protect the confidentiality of presentence reports and case records.

NOTICE: The forms used in administering the above regulation are listed below. Any amended or added forms are reflected in the listing and are published following the listing.

FORMS

Incident Report Form, rev. 10/06.



**Incident Report
Continuation Page**

Status:

- Initial
 Supplemental

| | | |
|------------|------------------------|-----------|
| IR Number: | Date/Time of Incident: | Facility: |
| | | |

DOCUMENTS INCORPORATED BY REFERENCE

Rules effective January 1, 2007, adopted by the Interstate Compact for Adult Offender Supervision pursuant to Articles V and VIII of the Interstate Compact for Adult Offender Supervision.

VA.R. Doc. No. R08-1050; Filed December 5, 2007, 10:54 a.m.

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TITLE 13. HOUSING

BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

Final Regulation

REGISTRAR'S NOTICE: The Board of Housing and Community Development is claiming an exemption from the Administrative Process Act in accordance with §2.2-4006 A 4 a of the Code of Virginia, which excludes regulations that are necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved. The Board of Housing and Community Development will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Title of Regulation: 13VAC5-112. Enterprise Zone Grant Program Regulation (amending 13VAC5-112-340).

Statutory Authority: §59.1-541 of the Code of Virginia.

Effective Date: January 23, 2008.

Agency Contact: Louellen Brumgard, Associate Director, Department of Housing and Community Development, The Jackson Center, 501 N. 2nd St., Richmond, VA 23219-1321, telephone 804-371-7069, FAX 804-371-7090, TTY 804-371-7089, or email louellen.brumgard@dhcd.virginia.gov.

Summary:

The amendments conform the regulation to Chapters 242 and 287 of the 2007 Acts of Assembly by adjusting the investment levels required to receive the maximum grant amounts in the Enterprise Zone Real Property Investment Grant.

13VAC5-112-340. Computation of grant amount.

A. For any qualified zone investor, the amount of the grant shall be equal to ~~30%~~ 20% of the qualified zone investments, as defined below:

1. Qualified zone investments include expenditures associated with (i) any exterior, interior, structural, mechanical or electrical improvements necessary to construct, expand or rehabilitate a building for commercial, industrial or mixed use; (ii) excavations; (iii) grading and

paving; (iv) installing driveways; and (v) landscaping or land improvements. These can include, but not be limited to, costs associated with demolition, carpentry, sheetrock, plaster, painting, ceilings, fixtures, doors, windows, fire suppression systems, roofing, flashing, exterior repair, cleaning and cleanup.

2. Qualified real property investments do not include:

- a. The cost of acquiring any real property or building.
- b. Other acquisition costs including: (i) the cost of furnishings; (ii) any expenditure associated with appraisal, architectural, engineering, surveying, and interior design fees; (iii) loan fees, points, or capitalized interest; (iv) legal, accounting, realtor, sales and marketing, or other professional fees; (v) closing costs, permits, user fees, zoning fees, impact fees, and inspection fees; (vi) bids, insurance, signage, utilities, bonding, copying, rent loss, or temporary facilities incurred during construction; (vii) utility connection or access fees; (viii) outbuildings; (ix) the cost of any well or septic or sewer system; and (x) roads.

c. The basis of any property: (i) for which a grant under this section was previously provided; (ii) for which a tax credit under §59.1-280.1 of the Code of Virginia was previously granted; (iii) which was previously placed in service in Virginia by the qualified zone investor, a related party as defined by §267(b) of the Internal Revenue Code, or a trade or business under common control as defined by §52(b) of the Internal Revenue Code); or (iv) that was previously in service in Virginia and has a basis in the hands of the person acquiring it, determined in whole or in part by reference to the basis of such property in the hands of the person from whom it was acquired or §1014(a) of the Internal Revenue Code.

B. For any qualified zone investor making less than ~~\$2~~ \$5 million in qualified real property investment, the cumulative grant will not exceed \$125,000 within any five-year period for any building or facility.

1. In cases where subsequent qualified real property investment within the five-year period results in the total qualified real property investment equaling ~~\$2~~ \$5 million or more then the qualified investor(s) shall be eligible to receive a grant(s) provided that the total of all grants received within the five-year period does not exceed a maximum of \$250,000 per building or facility.

2. In such cases the grant will be available to the qualified zone investor or investors whose qualified real property investment application(s) results in the total qualified real property investment for the building or facility to equal ~~\$2~~ \$5 million or more for the calendar year in which the ~~\$2~~ \$5 million threshold is met. The grant will be equal to ~~30%~~ 20% of that investor(s) real property investment not

emerging professionals. Notably, with great credit to the Boyer Report, the practice of architecture is better integrated into the academy, and accredited programs today attract among the very best and brightest of university students. While an emerging professional has much yet to learn after graduation from an accredited program, we recognize that some of them may be prepared to begin taking the ARE after acquiring a prerequisite level of practical experience.

NCARB has collected and analyzed considerable data, debated this subject internally and discussed this matter with our collateral colleagues. After these deliberations, it is our conclusion that there is no evidence of increased risk to the health, safety and welfare of the public if a candidate with an accredited professional degree and who is actively engaged in IDP is permitted to begin to start taking divisions of the ARE. The data revealed that only a very small portion of candidates in those jurisdictions that permit the ARE to be taken out of sequence currently choose to do so.

At its meeting in June 2007, NCARB further refined its policy to allow examination candidates to begin taking the ARE prior to completing the IDP (provided they are enrolled in the IDP – they no longer have to have completed a portion of the IDP).

The Virginia board concurs with this change and would like its applicants, if they so elect, to be able to take advantage of this change in NCARB policy. This change will permit applicants to begin taking the examination when they are most ready to take the examination; more and more architectural applicants are nontraditional students who have gained substantial amounts of work experience prior to completing the education requirement, thereby making them ready to begin taking the examination sooner.

Substance: The board is changing its regulation to allow architect license applicants who are applying via examination the opportunity to start taking divisions of the Architect Registration Examination (ARE) prior to completing the NCARB Intern Development Program (IDP). Currently, the board's regulation requires an architect examination applicant to complete the NCARB IDP prior to becoming eligible to take the ARE.

Issues: The board could leave the status quo; however, this would handicap those candidates who are ready to begin taking the examination sooner by forcing them to wait unnecessarily. In addition, if Virginia does not make this change, and becomes out of sync with the rest of the nation, it could cause candidates who would normally apply to Virginia to take the examination to, instead, apply to other states that would let them take the exam earlier in accordance with NCARB's revised policy position. There are no anticipated disadvantages to the public or Commonwealth.

Department of Planning and Budget's Economic Impact Analysis:

Summary of the Proposed Amendments to Regulation. The Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects (Board) proposes to permit architect licensure applicants who are applying via examination to begin taking divisions of the Architect Registration Examination (ARE) prior to completing the National Council of Architectural Registration Boards Intern Development Program (IDP).

Result of Analysis. The benefits likely exceed the costs for all proposed changes.

Estimated Economic Impact. Under the current regulations architect licensure applicants must complete the National Council of Architectural Registration Boards Intern Development Program prior to taking the Architect Registration Examination. The Board proposes to permit licensure applicants to take parts or the entire ARE prior to completing the IDP.

Since applicants for licensure would still be required to pass the same examination and complete the same training as under the current regulations, the proposed amendment would not result in less-qualified individuals becoming licensed. By permitting applicants to start taking parts or the entire ARE sooner, some individuals may be able to start working as licensed architects as much as one or two years sooner. Thus there is a clear benefit with no cost to the public associated with the proposed amendment.

Businesses and Entities Affected. The proposed amendment potentially affects applicants for architecture licensure, the 600 architecture firms in the Commonwealth (all small businesses),¹ and their clients.

Localities Particularly Affected. No localities are particularly disproportionately affected by the proposed change.

Projected Impact on Employment. The proposed amendment will allow some individuals to start work as licensed architects as much as one or two years sooner. The reduction in total time it takes to earn licensure could encourage a small number of individuals to pursue the profession who may not have otherwise done so. Thus, the supply of architects may moderately increase. Unless the potential moderate increase in supply of architects helps create innovation that spurs the creation of new architecture services, the demand for architecture services will not change due to the amendment. The proposed amendment will not likely significantly affect the quantity of employment.

Effects on the Use and Value of Private Property. The proposed amendment will enable some individuals to start work as a licensed architect sooner. Thus, lifetime earnings for architects may moderately increase.

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Small Businesses: Costs and Other Effects. The reduction in time cost of earning architecture licensure will benefit architecture firms.

Small Businesses: Alternative Method that Minimizes Adverse Impact. The proposed amendment does not adversely affect small business.

Real Estate Development Costs. The proposed amendment does not create additional costs related to the development of real estate for commercial or residential purposes.

Legal Mandate. The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with §2.2-4007.04 of the Administrative Process Act and Executive Order Number 36 (06). Section 2.2-4007.04 requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. Further, if the proposed regulation has adverse effect on small businesses, §2.2-4007.04 requires that such economic impact analyses include (i) an identification and estimate of the number of small businesses subject to the regulation; (ii) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the regulation, including the type of professional skills necessary for preparing required reports and other documents; (iii) a statement of the probable effect of the regulation on affected small businesses; and (iv) a description of any less intrusive or less costly alternative methods of achieving the purpose of the regulation. The analysis presented above represents DPB's best estimate of these economic impacts.

¹Source: Virginia Employment Commission

Agency's Response to the Department of Planning and Budget's Economic Impact Analysis: The department has reviewed the economic impact analysis prepared by the Department of Planning and Budget and concurs with the approval.

Summary:

The proposed amendments permit architect license applicants who are applying via examination to begin taking divisions of the Architect Registration Examination (ARE) prior to completing the NCARB Intern Development Program (IDP). Currently, the board's regulation requires an architect examination applicant to complete the NCARB IDP prior to becoming eligible to take the ARE.

18VAC10-20-120. Experience.

A. The successful completion of the National Council of Architectural Registration Boards (NCARB) Intern Development Program (IDP) shall be required of all applicants for original licensure. IDP training requirements shall be in accordance with NCARB's Handbook for Interns and Architects, 2006-2007 Edition.

B. All applicants must have a minimum of 36 months experience/training ~~prior to submitting an application for examination~~. Any experience/training of less than eight consecutive weeks will not be considered in satisfying this requirement.

C. All applicants must have a minimum of 12 months experience/training in architecture as an employee in the office of a licensed architect ~~prior to submitting an application for examination~~. An organization will be considered to be an office of a licensed architect if:

1. The architectural practice of the organization in which the applicant works is under the charge of a person practicing as a principal, where a principal is a licensed architect in charge of an organization's architectural practice either alone or with other licensed architects, and the applicant works under the direct supervision of a licensed architect; and
2. The practice of the organization encompasses the comprehensive practice of architecture, including the categories set forth in the NCARB IDP requirements.

18VAC10-20-140. Examination.

A. All applicants for original licensure in Virginia are required to pass an NCARB-prepared examination ~~after meeting the education and experience/training requirements as provided in this chapter~~. Provided all other requirements are met, a license as an architect will be issued upon passing the NCARB examination.

An applicant shall be admitted to the NCARB-prepared examination prior to completing the experience requirements contained in 18VAC10-20-120 if the applicant is otherwise qualified and provided the applicant is enrolled in the NCARB IDP.

B. The Virginia board is a member board of NCARB and as such is authorized to make available the NCARB-prepared examination.

C. Grading of the examination shall be in accordance with the national grading procedure administered by NCARB. The board shall utilize the scoring procedures recommended by NCARB. Grades for each division of the examination passed on or after January 1, 2006, shall be valid in accordance with the procedure established by NCARB.

D. The NCARB-prepared examination will be offered at least once a year at a time designated by the board.

E. The board may approve transfer credits for parts of the NCARB-prepared examination taken and passed in accordance with national standards.

F. Unless otherwise stated, applicants approved to sit for an examination shall register and submit the required examination fee. Applicants not properly registered will not be allowed into the examination site.

G. Applicants approved to sit for the examination shall follow NCARB procedures.

H. Examinees will be notified by the board of passing or failing the examination.

I. Should an applicant fail to pass the NCARB-prepared examination within three years after being approved to sit for the examination, the applicant must reapply. If the applicant has not been taking the examination on a continuous basis during the three-year eligibility period, or fails to reapply within six months after the end of the three-year eligibility period, or both, then the applicant shall meet the entry requirements current at the time of reapplication.

VA.R. Doc. No. R07-136; Filed December 4, 2007, 12:58 p.m.

BOARD OF PHARMACY

Final Regulation

REGISTRAR'S NOTICE: The Board of Pharmacy has claimed an exemption from the Administrative Process Act in accordance with §2.2-4006 A 4 a of the Code of Virginia, which excludes regulations that are necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved. The Board of Pharmacy will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Title of Regulation: 18VAC110-20. Regulations Governing the Practice of Pharmacy (amending 18VAC110-20-10; adding 18VAC110-20-321; repealing 18VAC110-20-411 through 18VAC110-20-416).

Statutory Authority: §54.1-2400 of the Code of Virginia.

Effective Date: January 23, 2008.

Agency Contact: Elizabeth Scott Russell, RPh, Executive Director, Board of Pharmacy, 9960 Mayland Drive, Suite 300, Richmond, VA 23233-1463, telephone 804-367-4456, FAX 804-527-4472, or email scotti.russell@dhp.virginia.gov.

Summary:

In conformance with Chapter 200 of the 2005 Acts of Assembly, the amendments repeal Part X relating to compounding sterile pharmaceutical products, and add a section requiring compliance with national standards

(USP-NF) and §54.1-3410.2 of the Code of Virginia when compounding a drug product.

18VAC110-20-10. Definitions.

In addition to words and terms defined in §§54.1-3300 and 54.1-3401 of the Code of Virginia, the following words and terms when used in this chapter shall have the following meanings, unless the context clearly indicates otherwise:

"ACPE" means the Accreditation Council for Pharmacy Education.

"Acquisition" of an existing entity permitted, registered or licensed by the board means (i) the purchase or transfer of all or substantially all of the assets of the entity or of any corporation that owns or controls the entity; (ii) the creation of a partnership by a sole proprietor or change in partnership composition; (iii) the acquiring of 50% or more of the outstanding shares of voting stock of a corporation owning the entity or of the parent corporation of a wholly owned subsidiary owning the entity, except that this shall not apply to any corporation the voting stock of which is actively traded on any securities exchange or in any over-the-counter market; or (iv) the merger of a corporation owning the entity, or of the parent corporation of a wholly owned subsidiary owning the entity, with another business or corporation.

~~"Aseptic processing" means the technique involving procedures designed to preclude contamination of drugs, packaging, equipment, or supplies by microorganisms during processing.~~

"Beyond-use date" means the date beyond which the integrity of a compounded, repackaged, or dispensed drug can no longer be assured and as such is deemed to be adulterated or misbranded as defined in §§54.1-3461 and 54.1-3462 of the Code of Virginia.

"Board" means the Virginia Board of Pharmacy.

"CE" means continuing education as required for renewal of licensure by the Board of Pharmacy.

"CEU" means a continuing education unit awarded for credit as the equivalent of 10 contact hours.

~~"Class 100 environment" means an atmospheric environment which contains less than 100 particles, 0.5 microns in diameter, per cubic foot of air.~~

~~"Closed system transfer" means the movement of sterile products from one container to another in which the container closure system and transfer devices remain intact throughout the entire transfer process, compromised only by the penetration of a sterile, pyrogen free needle or cannula through a designated stopper or port to effect transfer, withdrawal, or delivery, to include the withdrawal of a sterile solution from an ampul in a class 100 environment.~~

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"Compliance packaging" means packaging for dispensed drugs which is comprised of a series of containers for solid oral dosage forms and which is designed to assist the user in administering or self-administering the drugs in accordance with directions for use.

"Contact hour" means the amount of credit awarded for 60 minutes of participation in and successful completion of a continuing education program.

~~"Cytotoxic drug" means a drug which has the capability of killing living cells.~~

"DEA" means the United States Drug Enforcement Administration.

"Electronic transmission prescription" ~~is~~ means any prescription, other than an oral or written prescription or a prescription transmitted by facsimile machine, that is electronically transmitted from a practitioner authorized to prescribe directly to a pharmacy without interception or intervention from a third party, or from one pharmacy to another pharmacy.

"Expiration date" means that date placed on a drug package by the manufacturer or repacker beyond which the product may not be dispensed or used.

"Facsimile (FAX) prescription" means a written prescription or order which is transmitted by an electronic device over telephone lines which sends the exact image to the receiver (pharmacy) in a hard copy form.

"FDA" means the United States Food and Drug Administration.

"Floor stock" means a supply of drugs that have been distributed for the purpose of general administration by a prescriber or other authorized person pursuant to a valid order of a prescriber.

"Foreign school of pharmacy" means a school outside the United States and its territories offering a course of study in basic sciences, pharmacology, and pharmacy of at least four years in duration resulting in a degree that qualifies a person to practice pharmacy in that country.

"Generic drug name" means the nonproprietary name listed in the United States Pharmacopeia-National Formulary (USP-NF) or in the USAN and the USP Dictionary of Drug Names.

~~"Hermetic container" means a container that is impervious to air or any other gas under the ordinary or customary conditions of handling, shipment, storage, and distribution.~~

~~"Home infusion pharmacy" means a pharmacy which compounds solutions for direct parenteral administration to a patient in a private residence, long-term care facility or hospice setting.~~

"Hospital" or "nursing home" means those facilities as defined in Title 32.1 of the Code of Virginia or as defined in regulations by the Virginia Department of Health.

"Inactive license" means a license which is registered with the Commonwealth but does not entitle the licensee to practice, the holder of which is not required to submit documentation of CE necessary to hold an active license.

~~"Light resistant container" means a container that protects the contents from the effects of light by virtue of the specific properties of the material of which it is composed, including any coating applied to it. Alternatively, a clear and colorless or a translucent container may be made light resistant by means of an opaque covering, in which case the label of the container bears a statement that the opaque covering is needed until the contents have been used. Where a monograph directs protection from light, storage in a light-resistant container is intended.~~

"Long-term care facility" means a nursing home, retirement care, mental care or other facility or institution which provides extended health care to resident patients.

"Nuclear pharmacy" means a pharmacy providing radiopharmaceutical services.

"On duty" means that a pharmacist is on the premises at the address of the permitted pharmacy and is available as needed.

~~"Open system transfer" means the combining of products in a nonsealed reservoir before filling or when a solution passes through the atmosphere during a transfer operation.~~

"Permitted physician" means a physician who is licensed pursuant to §54.1-3304 of the Code of Virginia to dispense drugs to persons to whom or for whom pharmacy services are not reasonably available.

"Personal supervision" means the pharmacist must be physically present and render direct, personal control over the entire service being rendered or act being performed. Neither prior nor future instructions shall be sufficient nor, shall supervision rendered by telephone, written instructions, or by any mechanical or electronic methods be sufficient.

"Pharmacy closing" means that the permitted pharmacy ceases pharmacy services or fails to provide for continuity of pharmacy services or lawful access to patient prescription records or other required patient records for the purpose of continued pharmacy services to patients.

"PIC" means the pharmacist-in-charge of a permitted pharmacy.

"Practice location" means any location in which a prescriber evaluates or treats a patient.

"Prescription department" means any contiguous or noncontiguous areas used for the compounding, dispensing

and storage of all Schedule II through VI drugs and devices and any Schedule I investigational drugs.

"PTCB" means the Pharmacy Technician Certification Board, co-founded by the American Pharmaceutical Association and the American Society of Health System Pharmacists, as the national organization for voluntary examination and certification of pharmacy technicians.

"Quality assurance plan" means a plan approved by the board for continuous monitoring, measuring, evaluating, and, if necessary, improving the performance of a pharmacy function or system.

"Radiopharmaceutical" means any drug that exhibits spontaneous disintegration of unstable nuclei with the emission of nuclear particles or photons and includes any nonradioactive reagent kit or radionuclide generator that is intended to be used in the preparation of any such substance, but does not include drugs such as carbon-containing compounds or potassium-containing salts that include trace quantities of naturally occurring radionuclides. The term also includes any biological product that is labeled with a radionuclide or intended solely to be labeled with a radionuclide.

"Repackaged drug" means any drug removed from the manufacturer's original package and placed in different packaging.

"Robotic pharmacy system" means a mechanical system controlled by a computer that performs operations or activities relative to the storage, packaging, labeling, dispensing, or distribution of medications, and collects, controls, and maintains all transaction information.

"Safety closure container" means a container which meets the requirements of the federal Poison Prevention Packaging Act of 1970 (15 USC §§1471-1476), i.e., in testing such containers, that 85% of a test group of 200 children of ages 41-52 months are unable to open the container in a five-minute period and that 80% fail in another five minutes after a demonstration of how to open it and that 90% of a test group of 100 adults must be able to open and close the container.

"Satellite pharmacy" means a pharmacy which is noncontiguous to the centrally permitted pharmacy of a hospital but at the location designated on the pharmacy permit.

"Special packaging" means packaging that is designed or constructed to be significantly difficult for children under five years of age to open to obtain a toxic or harmful amount of the drug contained therein within a reasonable time and not difficult for normal adults to use properly, but does not mean packaging which all such children cannot open or obtain a toxic or harmful amount within a reasonable time.

"Special use permit" means a permit issued to conduct a pharmacy of a special scope of service that varies in any way from the provisions of any board regulation.

~~"Sterile pharmaceutical product" means a dosage form free from living microorganisms.~~

"Storage temperature" means those specific directions stated in some monographs with respect to the temperatures at which pharmaceutical articles shall be stored, where it is considered that storage at a lower or higher temperature may produce undesirable results. The conditions are defined by the following terms:

1. "Cold" means any temperature not exceeding 8°C (46°F). A refrigerator is a cold place in which temperature is maintained thermostatically between 2° and 8°C (36° and 46°F). A freezer is a cold place in which the temperature is maintained thermostatically between -20° and -10°C (-4° and 14°F).
2. "Room temperature" means the temperature prevailing in a working area.
3. "Controlled room temperature" is means a temperature maintained thermostatically that encompasses the usual and customary working environment of 20° to 25°C (68° to 77°F); that results in a mean kinetic temperature calculated to be not more than 25°C; and that allows for excursions between 15° and 30°C (59° and 86°F) that are experienced in pharmacies, hospitals, and warehouses.
4. "Warm" means any temperature between 30° and 40°C (86° and 104°F).
5. "Excessive heat" means any temperature above 40°C (104°F).
6. "Protection from freezing" means where, in addition to the risk of breakage of the container, freezing subjects a product to loss of strength or potency, or to the destructive alteration of its characteristics, the container label bears an appropriate instruction to protect the product from freezing.
7. "Cool" means any temperature between 8° and 15°C (46° and 59°F).

"Terminally ill" means a patient with a terminal condition as defined in §54.1-2982 of the Code of Virginia.

~~"Tight container" means a container that protects the contents from contamination by extraneous liquids, solids, or vapors, from loss of the drug, and from efflorescence, deliquescence, or evaporation under the ordinary or customary conditions of handling, shipment, storage, and distribution, and is capable of tight reclosure. Where a tight container is specified, it may be replaced by a hermetic container for a single dose of a drug and physical tests to~~

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determine whether standards are met shall be as currently specified in United States Pharmacopeia National Formulary.

"Unit dose container" means a container that is a single-unit container, as defined in United States Pharmacopeia-National Formulary, for articles intended for administration by other than the parenteral route as a single dose, direct from the container.

"Unit dose package" means a container that contains a particular dose ordered for a patient.

"Unit dose system" means a system in which multiple drugs in unit dose packaging are dispensed in a single container, such as a medication drawer or bin, labeled only with patient name and location. Directions for administration are not provided by the pharmacy on the drug packaging or container but are obtained by the person administering directly from a prescriber's order or medication administration record.

"USP-NF" means the United States Pharmacopeia-National Formulary.

"Well-closed container" means a container that protects the contents from extraneous solids and from loss of the drug under the ordinary or customary conditions of handling, shipment, storage, and distribution.

18VAC110-20-321. Compounding.

The compounding of both sterile and nonsterile drug products shall be performed in accordance with USP-NF compounding standards and §54.1-3410.2 of the Code of Virginia.

Part X

Compounding Sterile Pharmaceutical Products

18VAC110-20-411. General requirements. (Repealed.)

~~Products intended for parenteral administration or ophthalmic instillation shall be compounded using aseptic processing and in accordance with §54.1-3410.2 of the Code of Virginia.~~

18VAC110-20-412. Policy and procedure manual. (Repealed.)

~~A policy and procedure manual shall be prepared and maintained for the compounding, dispensing and delivery of sterile products that is consistent with USP-NF standards and guidance and shall include at least the following elements:~~

- ~~1. Personnel qualifications including initial and follow up training and method of periodic reevaluation of qualifications and performance;~~
- ~~2. Scope of compounding performed at the pharmacy and proper procedures for compounding to include maintaining suitable environmental conditions in the compounding area, wearing appropriate garb to reduce particulate matter~~

~~and contamination of work area, performing aseptic procedures.~~

~~3. Procedures for maintaining and monitoring proper operating conditions for all equipment used in sterile compounding;~~

~~4. Guidelines for patient or caretaker education if products are dispensed for home use to include instructions concerning proper storage, aseptic manipulation of the product, proper administration and use of devices if applicable, recognizing signs of instability or incompatibility, and procedures in case of an emergency with the product;~~

~~5. Guidelines for assignment of beyond use dates for all compounded sterile products and justification for any date chosen which exceeds the standard set forth in this chapter;~~

~~6. Separate procedures for handling cytotoxic drugs, if applicable, to include protective apparel; disposal procedures consistent with applicable local, state, and federal requirements; procedures for handling spills; special packaging and labeling requirements, and delivery procedures to minimize risks of accidental spills;~~

~~7. If applicable, separate procedures for compounding sterile products using nonsterile components or open system transfer techniques and for end product sterilization of these products.~~

18VAC110-20-413. Physical and equipment requirements for pharmacies preparing sterile products. (Repealed.)

~~A. The sterile compounding area shall be of sufficient size to accommodate a laminar airflow hood and to provide for the proper storage of drugs and supplies used in aseptic processing.~~

~~B. The sterile compounding area where parenteral products are routinely prepared shall be isolated from other areas and other pharmacy functions.~~

~~C. Sterile compounding shall be performed within a laminar flow hood or other appropriate environmental control device capable of maintaining, during normal activity, at least Class 100 conditions in the work area where sterile compounding is performed. Compounding of cytotoxic preparations shall be performed in a vertical flow Class II biological safety cabinet.~~

~~D. A pharmacy preparing sterile products shall maintain supplies adequate for the aseptic preparation of sterile products including, but not limited to, the following:~~

- ~~1. Antimicrobial soap;~~
- ~~2. Hot and cold water supply easily accessible to the sterile compounding area for hand washing prior to aseptic compounding;~~
- ~~3. Appropriate apparel for personnel performing sterile compounding;~~

4. Suitable disposal containers for used needles, syringes, etc. and, if applicable, containers for cytotoxic waste and infectious wastes.

E. A pharmacy preparing sterile products shall have sufficient current reference materials related to sterile products consistent with the policy and procedure manual and with the types of products prepared.

F. The pharmacy preparing sterile products shall have equipment necessary for maintaining and monitoring required temperature storage conditions both in the pharmacy and during delivery to the patient, if applicable.

18VAC110-20-414. Labeling requirements. (Repealed.)

A. In addition to other applicable labeling requirements for prescriptions as set forth in §54.1-3410 of the Code of Virginia and 18VAC110-20-260 B and 18VAC110-20-330, the label of a compounded sterile product shall include all active ingredient names, strengths, amounts, and concentrations, when applicable, and for IV infusion shall include the name of all solutions.

B. The label of a compounded parenteral sterile product shall include an appropriate beyond use date and time, if applicable, and the required storage conditions to assure product integrity for that time period. Unless otherwise specified and justification provided in the policy and procedure manual, the expiration date for unpreserved sterile products prepared aseptically in a closed system for a single patient shall bear a maximum beyond use date, including administration, as follows:

1. Twenty eight hours if stored at controlled room temperature;
2. Seven days if stored under refrigeration; and
3. Thirty days if stored under freezing conditions.

C. The label of other compounded sterile products shall bear an appropriate beyond use date, not to exceed 30 days from the date of preparation.

D. If the product is for home or other outpatient use, the label shall bear the prescribed administration regimen including rate and route of administration and any device specific instructions.

E. The label shall bear any appropriate auxiliary labeling, including precautions for cytotoxic drugs.

18VAC110-20-415. Quality assurance. (Repealed.)

A. The PIC in a pharmacy compounding sterile products shall be responsible for maintaining and updating the policy and procedure manual as set forth in 18VAC110-20-411 in accordance with current acceptable standards, and for ensuring compliance with the policy and procedure manual.

B. All laminar flow hoods or other environmental control devices shall be certified according to accepted standards for operational efficiency by a qualified independent contractor initially, at least every six months and after relocation.

18VAC110-20-416. Records for sterile compounding. (Repealed.)

In addition to other required records, the following additional records shall be maintained for sterile compounding:

1. Compounding records maintained on or with the original prescription, or in a log format which can be cross-referenced with the prescription, or in an automated data processing system which contains the same information required in a manual system and is capable of producing a hard copy printout of a two year history of prescription compounding and dispensing upon request within 72 hours. In addition to prescription information, the record must include the following information:

- a. Date of sterile compounding;
- b. Beyond use date assigned to the sterile product; and
- c. Signature, initials, or electronic identification of pharmacist compounding, or of both the nonpharmacist compounding and pharmacist checking the compounding of the sterile product.

2. Record documenting certification of clean room or laminar flow hoods.

3. If sterile products are provided to a patient's residence, a record documenting training of the patient or caregiver, or both, in the proper storage and use of the product and any devices used to administer the devices.

VA.R. Doc. No. R08-1087; Filed November 28, 2007, 3:46 p.m.



TITLE 19. PUBLIC SAFETY

DEPARTMENT OF STATE POLICE

Final Regulation

REGISTRAR'S NOTICE: The Department of State Police is claiming an exemption from the Administrative Process Act pursuant to §2.2-4002 B 6 of the Code of Virginia, which exempts agency action relating to customary military, naval or police functions.

Title of Regulation: 19VAC30-70. Motor Vehicle Safety Inspection Rules and Regulations (amending 19VAC30-70-6, 19VAC30-70-7, 19VAC30-70-9, 19VAC30-70-10, 19VAC30-70-40, 19VAC30-70-50, 19VAC30-70-60,

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19VAC30-70-80, 19VAC30-70-90, 19VAC30-70-110 through 19VAC30-70-660).

Statutory Authority: §46.2-1165 of the Code of Virginia.

Effective Date: March 1, 2008.

Agency Contact: LTC Robert Kemmler, Regulatory Coordinator, Department of State Police, Bureau of Administrative and Support Services, P.O. Box 27472, Richmond, VA 23261-7472, telephone 804-674-4606, FAX 804-674-2234, or email robert.kemmler@vsp.virginia.gov.

Summary:

The amendments reflect 2007 legislation that affects the annual inspection of motor vehicles. This revision also includes new administrative procedures concerning the testing of inspectors participating in Vocational Schools and specific requirements for motor vehicles equipped with Supplemental Restraint Systems (SRS) or air bags.

Changes Since Proposed is not available

19VAC30-70-6. Class IV offenses.

Class IV offenses are those violations considered so critically important to the integrity and credibility of the Official Annual Motor Vehicle Inspection Program as to require immediate and severe disciplinary action. The following violations and actions shall be considered a Class IV offense:

1. Loss of driver's license, with the exception of an administrative court-ordered suspension that does not exceed seven days.
2. Obvious usage of either alcohol and/or drugs by an employee associated with the Annual Motor Vehicle Inspection Program.
3. Loss of inspection stickers through neglect.
4. Improper use of inspection supplies such as placing placement on a vehicle that has not been inspected or failure to affix the inspection sticker to the vehicle windshield in its proper location, after inspection.
5. Falsifying inspection receipts or inspection records.
6. Giving false information during an inspection complaint investigation.
7. Performing either an inspection or inspections at a station without authority from the safety officer.
8. The arrest of any person associated with the inspection program for a criminal offense or the institution of civil action of a nature that would tend to immediately reflect upon the integrity and reputation of the Department of State Police shall be grounds for an immediate suspension upon final court disposition. The conviction for such a

criminal offense or a civil judgment or bankruptcy may result in a revocation of the station appointment.

9. The use of profanity or verbal abuse directed at customers presenting their vehicles for inspection by inspectors, managers or business owners.

10. Illegal use of inspection supplies such as stealing, selling, mailing or giving away, shall be grounds for revocation.

11. Nonpayment of inspection fees.

12. Conduct displayed by station owners and/or state inspectors that may be rude or discourteous, or use of profanity and/or verbal abuse directed at or towards Safety Division Personnel may be grounds for revocation.

Disciplinary action for a Class IV offense shall be immediate suspension or revocation. A suspension shall not be less than 90 days nor more than six months. A revocation shall not be less than one year nor more than three years. Offenses are cumulative in nature and will remain active for a period of 24 months from the date of the offense. For a subsequent violation within 24 months, the suspension shall not be less than six months nor more than one year.

In the case of the loss of the driver's license, the suspension shall remain in effect until the driver's license is reinstated and consideration for reinstatement of inspection privileges will be made at that time.

In cases concerning nonpayment of fees when the inspection station has been given 15 days to reply to their final notice, the suspension of the affected inspection station shall remain in effect until all inspection fees are paid. Consideration for reinstatement of inspection privileges will be made when all fees are paid. Furthermore, stations that have not paid their processing fee after the 15-day period will not be issued any additional inspection supplies. Supply orders may resume when the inspection fee is paid and the station has been reinstated to an active status.

A Class IV offense in combination with three Class I offenses, two Class II offenses, or one Class III offense shall be grounds for no less than a 90-day nor more than a six-month suspension.

19VAC30-70-7. General information.

Any violation under any class of offenses requiring a third suspension within a 24-month period shall be grounds for a revocation. The suspension or revocation period for a subsequent violation requiring suspension or revocation under any class of offenses within a 24-month period shall be twice that of a previous suspension or revocation.

For suspension periods of less than six months, inspection stations and safety inspectors will not be required to file application for reinstatement.

For suspension periods of six months or more, or revocation periods of one to three years, inspection stations ~~and safety inspectors~~ must complete the process as set forth for original appointment. Reapplications may be made 60 days prior to the suspension expiration. Suspended inspectors shall contact the nearest safety office or supervising trooper to request reinstatement.

Inspection stations ~~and safety inspectors~~ who have their privilege to perform inspections revoked must complete the application process as set forth for original appointments after the expiration of the period of revocation. Safety inspectors who have their privilege to perform inspections revoked must complete the application process for initial certification, after the expiration of the period of revocation.

If during the course of an official investigation, station management voluntarily surrenders the station's inspection supplies, particularly after being cautioned not to do so, the station shall not be eligible for reinstatement for a period of 90 days. This voluntary action shall not be the subject of an appeal.

19VAC30-70-9. Examinations for inspector's license.

A. Effective March 31, 2003, the Department of State Police went back to administering the written examination for original certification for all inspectors. With few exceptions, recertifications are done at the normal testing sites along with original certification tests.

B. In order for an individual to become a certified safety inspector, ~~the applicant shall:~~ the following actions shall be followed:

1. ~~Contact~~ The person shall contact his assigned Safety Division trooper or the local safety office to obtain the following:
 - a. Mechanics Certification Application (SP-170B);
 - b. Criminal History Record Request (SP-167); and
 - c. Mechanics Application Worksheet.
2. ~~Answer~~ The trooper or office personnel should ask some preliminary questions ~~asked by the trooper or office personnel~~ to ensure the applicant is qualified to apply.
3. ~~Complete~~ The person shall complete the SP-170B in its entirety and have it notarized on the back. ~~4. Complete ; complete~~ Section 1A of SP-167 and have it notarized. ~~5. Complete ; and complete~~ the worksheet with two character and two mechanical references and places of employment.
6. ~~Take~~ 4. The applicant shall then take the completed application forms to the ~~Department of State Police~~ testing site and present it to the trooper for the written examination.

~~C. 5.~~ The trooper will verify the notarizations and check the driver's license for validity and identification of the applicant. The trooper will administer the test. If the applicant's driver's license is found to be expired, suspended or revoked, the applicant will be advised and the application will be destroyed. The applicant may reapply once the driver's license has been reissued or reinstated.

~~D. The trooper will administer the test. The examination will consist of five sections (brakes, suspensions, glass, lights and general) containing 20 questions each. A minimum score of 75% must be attained for each section.~~

~~E. 6.~~ If the applicant successfully completes the test, the trooper will note at the end of Section 1 on the SP-170B form the word "Passed" and the date. The trooper will initial the test and send it to Safety Division Headquarters, Mechanics File Section, for further processing and investigation.

7. The examination will consist of five sections (brakes, suspensions, glass, lights and general) containing 20 questions each. A minimum score of 75% must be attained for each section.

~~F. 8.~~ If the applicant fails the test, ~~the trooper it will note be~~ noted at the end of Section 1 on the SP-170B form the words "Disqualified - Failed Test."

~~G. 9.~~ If the applicant desires to test again, he may do so after 30 days. If the applicant is again unsuccessful in passing the examination, the trooper shall take the application forms and destroy them. The applicant may contact his assigned Safety Division trooper or the local safety office after six months to reapply.

C. Recertification.

1. Safety inspectors desiring to renew their inspector's license must participate in the recertification process.
2. All safety inspectors will be required to satisfactorily pass the appropriate examination for the license the inspector holds.
3. A safety inspector will not be permitted to perform inspections after the expiration date of his inspector's license.
4. A safety inspector's license shall be valid for a period of three years.
5. All safety inspectors' licenses will display an inspector's number and will no longer display the social security number. The inspector's number will be written on the inspection sticker receipt.
6. Safety inspector's testing sites will no longer be included on an inspection bulletin. Testing site information will be updated in the computer system, so that the usual letters going to inspectors to remind them of this upcoming

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recertification will contain the updated information. All State Police safety area offices will also have the updated information.

7. If the safety inspector has any questions about the testing sites, the safety inspector should contact the area safety office closest to him. The office numbers are:

Richmond 804-743-2217

Culpeper 540-829-7414

Lynchburg 434-582-5141

Wytheville 276-228-6220

Suffolk 757-925-2432

Salem 540-387-5437

Fairfax 703-323-4549

D. Reinstatement of safety inspector's licenses following a period of suspension or revocation.

1. Once a safety inspector's license has been suspended, regardless of the cause for suspension, no application form (SP-170B) is required for reinstatement.

2. If the inspector is suspended for less than six months, the safety inspector's license will be held at the local area office and returned upon the expiration of the suspension period. A check will be made with DMV prior to reinstatement.

3. If the inspector's license has been suspended for six months or more, he may request reinstatement 60 days prior to the suspension expiration by contacting the supervising trooper, whereas a check will be made with DMV and Central Criminal Records Exchange prior to reinstatement. The inspector's license will be returned after the suspension expiration if still valid.

4. If the suspended inspector's license expires during the suspension period, the inspector may complete the process for inspector recertification as outlined in this section. The trooper administering the test will retain all documentation. The inspector's license will be returned at the end of the suspension period and the appropriate documents forwarded to the Safety Division.

5. Inspectors whose safety inspector's licenses have been revoked must complete the application process for initial certification as set forth in this section.

E. Vo-Tech students who successfully complete the Vocational Automotive Mechanics Course and who are expected to graduate from the program with the required 1,080 hours, and meet the requirements of the Department of State Police, will be certified as safety inspectors.

1. The Vo-Tech instructor will contact their assigned Safety Division trooper or the local safety office in their

area by March 15 of each year. The written examination will be scheduled for students who are at least 18 years of age or who will be at least 18 years of age by May 31 of that year.

2. The Safety Division troopers responsible for administering the written examinations at the Vo-Tech Center will forward sufficient SP-170B forms for each student to complete prior to the testing date. A Criminal History Record Request, Form SP-167, if the student is at least 18 years of age, must also be completed. The Safety Division trooper will indicate at the top of the SP-170B form the Vo-Tech school, area where the examination was given, and the trooper's name who administered the examination.

3. The trooper will verify the notarizations and check the driver's license for validity and identification of the applicant. The trooper will administer the written examination. If the applicant's driver's license is found to be expired, suspended or revoked, the applicant will be advised and the application will be destroyed. The applicant may re-apply once the driver's license has been reissued or reinstated.

4. If the applicant successfully completes the written examination, the trooper will note at the end of Section 1 on the SP-170B form the word "Passed" and the date. The trooper will initial the test and forward it to the Safety Division, Mechanics File Section for further processing and investigation. Due to the age of these students, this should be done in a minimal amount of time.

5. If the applicant fails the test, it will be noted at the end of Section 1 on the SP-170B form the words "Disqualified - Failed Test."

a. The Safety Division trooper will only administer one written examination at the Vo-Tech Center. Those students who fail the first written examination may retest, but not sooner than 30 days from the date of the last written examination. Those students who fail the first written examination will keep the SP-170B form in their possession and present it to the Safety Division trooper at the test site prior to taking the second written examination.

b. The second written examination will not be administered to the students prior to June 15 of that year. Prior to taking the second written examination, the student shall have completed the Vocational Automotive Mechanics Course and must be employed at an Official Inspection Station. These students will not be required to have completed the one year of practical experience as an automotive mechanic.

c. Students who do not pass the initial examination should visit a testing site in their area to take a second written examination.

d. For those students who pass the second written examination, the Safety Division trooper will forward the student's form SP-170B to the Safety Division for further processing and investigation. Those students who successfully pass all phases for original certification will then be issued a temporary inspector's license by the Safety Division trooper.

e. Students failing the second written examination will not be allowed to test again for six months and must complete the application process as set forth for original certification.

6. The written examination will consist of five sections (general, brakes, suspensions, glass and lights) containing 20 questions each. A minimum score of 75% must be attained for each section.

7. Those students who successfully complete all phases of the written examination and background checks will then be administered a practical examination. The Vo-Tech instructor who holds a valid Class-A Safety Inspector's License will administer the practical "Class A" examination to each student who is expected to graduate from the program. The Safety Division trooper should be on hand to observe at least some of the practical examinations administered by the Vo-Tech instructor to ensure that testing is administered according to Safety Division regulations.

8. Those students who successfully complete all phases for original certification by May 31 will be issued a temporary inspectors license by the Safety Division trooper. The Safety Division trooper will then forward the completed SP-170B form to the Safety Division and a permanent license will then be mailed to the student, provided he is at least 18 years of age.

a. The Safety Division will mail a permanent inspector's license to the student after June 15 of that year.

b. The Vo-Tech instructor will be required to contact the Safety Division trooper prior to June 15 of that year if any student fails to complete the Vocational Automotive Mechanics Course.

c. Any student who fails to complete the Vocational Automotive Mechanics Course will not be licensed as a certified safety inspector and will be required to complete the application process as set forth for original certification.

9. Those students who will be at least 18 years of age after May 31 of that year and have successfully completed the Vocational Automotive Mechanics Course must contact the Safety Division trooper assigned to the inspection station where they are employed and complete the application process as set forth for original certification. These students will not be required to have completed the

one year of practical experience as an automotive mechanic.

19VAC30-70-10. Official inspection station requirements.

A. Official inspection stations, except private appointments, shall be open at least eight hours of each normal business day, and shall be able to perform inspections 12 months throughout the year, except during illness of limited duration or normal vacation.

1. Normal business hours, Monday through Friday, are defined as an eight-hour period of time between 8 a.m. and 6 p.m.

2. Stations are not prohibited from performing inspections at times other than during normal business hours.

3. A station that advertises inspections beyond normal business hours shall be able to perform such inspections.

4. If a station desires to maintain business hours that are different from those defined in this section, written permission must be obtained from the safety officer and a sign setting forth the inspection hours must be posted conspicuously at the station where it can be observed by a person desiring to have a vehicle inspected.

B. At least one safety inspector to perform inspections and one inspection lane, meeting the minimum requirements, shall be available for inspection at all times during the normal business day. All inspections must be made only at the locations and in the inspection lane approved by the Department of State Police.

The designated inspection areas, including any location where customers are permitted to enter when submitting vehicles for inspection, must be kept clean, and free from excessive dirt, grease, and loose materials.

C. Inspection station facilities must be properly maintained and must present a businesslike appearance to the general public. Property adjacent to the inspection station that is owned or controlled by the station must be free of debris, litter, used parts and junk vehicles. Vehicles properly contained within fenced storage areas shall be deemed to comply with this requirement.

D. Inspections shall be performed on a first-come, first-served basis. Motorists shall not be required to make an appointment to obtain an inspection, except that appointments required by paragraph 12 of the Governor's Proclamation, which appears at the end of this chapter, shall be made. Businesses that take in motorists' vehicles for inspection at the beginning of the work day shall not be required to stop the work already taken in to provide an inspection for a drive-in motorist, provided inspections are actually being performed at the time and will continue through the day.

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Effective October 15, 2001, the safety officer initiated a pilot program whereas if the station's existing physical plant meets certain requirements, then the station may apply to accept safety inspections by appointment. If the requirements are met, then the official inspection station may in addition to having one lane for the first-come, first-served customers, also have a second inspection lane designated for customers who have made appointments for a designated time slot. If interested, businesses should first contact their supervising trooper for specific requirements and guidelines.

E. Safety inspectors, managers who supervise inspection activities and business owners through participation in the inspection program are representatives of the Department of State Police and should conduct themselves in a manner to avoid controversy in dealing with customers presenting vehicles for inspection. The use of profanity or verbal abuse directed at customers presenting their vehicles for inspection will be grounds for suspension from participation in the inspection program and will be considered a Class IV offense as set forth in 19VAC30-70-6 of the Guidelines for Administration of Virginia's Annual Motor Vehicle Inspection Program.

Controversy that cannot be calmly resolved by the safety inspector, managers, and owners should be referred to the supervising trooper for handling.

F. The "Certificate of Appointment" must be framed under glass or clear plastic and posted in the service counter/lounge/waiting area where it can be observed and read by a person submitting a vehicle for inspection.

Inspection stations must have garage liability insurance in the amount of at least \$500,000 with an approved surplus lines carrier or insurance company licensed to write such insurance in this Commonwealth. This requirement shall not apply to inspection stations that inspect only their company-owned or leased or government-owned or leased vehicles.

G. The required "Official Inspection Procedure" sheet and the "Direct Inquiries" sheet furnished each station must both be framed under glass and posted conspicuously in the service counter/lounge/waiting area where ~~it~~ they can be observed and read by a person submitting a vehicle for inspection.

H. The poster designating the station as an official inspection station shall be posted in a prominent location, outside or visible outside the station to alert passersby that inspection services are available. Private inspection stations need not comply with this section.

I. Each official inspection station shall display a list with the name(s) and license expiration date of all employees licensed to inspect at that station adjacent to the appointment certificate, where it can be observed by a person submitting a vehicle for inspection.

The official inspection manual will be kept at or near the point of inspection for ready reference.

J. Important -- Any change in name, ownership or location of any official inspection station cancels the appointment of that station and the Department of State Police must be notified immediately. The department shall be notified when an official inspection station discontinues operation.

K. All inspection supplies, inspection binders and manual, unused stickers, duplicates of certificates issued, bulletins and other forms are the property of the Department of State Police and must be safeguarded against loss.

L. Inspection supplies issued to an inspection station can be used only by that station and are not to be loaned or reissued to any other station with the exception of inserts.

1. Stations must maintain a sufficient supply of approval stickers, T/M decals ~~and~~ rejection stickers and inserts. When reordering supplies, station owners/managers shall request sufficient supplies to sustain their business for at least six months. However, we do realize that a few stations will not be able to comply with the six-month requirement since there is a maximum of 100 books per order limit. Also when ordering supplies, the following information should be considered so that the station does not over order. Each book of Approvals and Trailer/Motorcycle contains 25 stickers/decals and the Rejections contain 50 stickers. Monthly inserts are packaged in strips of 50 each and T/M's are five per strip. In December of each year, a supply of yearly inserts will be shipped to each station based on their previous year's usage. In November, each station shall check its stock of monthly inserts and order what is needed for the months of January through June. In May, the same should be done for the months of July through December.

2. Inspection stations that exhaust their supply of approval stickers, rejection stickers or T/M decals, shall immediately stop performing new inspections and contact their supervising trooper or the nearest Safety Division office.

M. All losses of stickers must be reported orally at once to the nearest State Police area safety office or supervising inspection trooper.

N. Every precaution against the loss of stickers must be taken. If the loss occurs through carelessness or neglect, a suspension of the station may result.

O. Manuals, bulletins, other regulations and lists of approved equipment must be available at all times for reference. Revisions to the inspection manual must be inserted in the manual at the proper location promptly after being received by the inspection station. Bulletins of temporary interest and pages of bulletins containing the synopsis of manual revisions will be retained in the front of

each station's inspection manual for ~~two years~~ 24 months. Each safety inspector shall review the material contained in each inspection bulletin and manual revision within 15 days of its receipt. The safety inspector shall certify that the revisions have been reviewed by signing his name and placing the date reviewed by the signature on the bottom or reverse side of the bulletin or manual revision cover sheet. Station management shall be responsible to see that each safety inspector is familiar with all bulletins and manual revisions and shall be required to furnish evidence to the department that all bulletins and manual revisions have been reviewed by each licensed inspector.

A copy of the diagram drawn by the investigating trooper, showing the approved inspection lane or lanes will be inserted in a plastic page protector and inserted as the last page of the official inspection manual at each official inspection station. The name of the station and the date will be inserted in the top right corner.

P. Private appointment may be made of company stations or government stations ~~who that~~ own and operate a minimum of 20 vehicles and they may inspect only company-owned or government-owned vehicles respectively. When authorized by the department, they may inspect vehicles of a wholly owned subsidiary or leased vehicles.

1. A private station may perform inspections during each month of the year or may elect to inspect only during certain designated months.
2. A private station not electing to inspect vehicles every month of the year that finds it necessary to inspect a vehicle during a month other than those selected for inspection may issue a sticker to the vehicle from the nearest past inspection month.

Q. All official inspection station owners, operators and certified safety inspectors shall comply with the Virginia inspection laws and the inspection rules and regulations. Reports of violations will be investigated and if found to be valid may result in the suspension of the station, suspension of the mechanic, possible court action or other appropriate action. Repeated violations or serious violations may result in a revocation of the station appointment by the Superintendent.

R. The arrest of any person associated with the inspection program for a criminal offense of a nature that would tend to immediately reflect upon the integrity and reputation of the Department of State Police shall be grounds for an immediate suspension and the conviction for such an offense may result in a revocation of the station appointment.

S. When a station has been suspended or revoked, it must release to an employee of the Department of State Police all inspection supplies, posters, and papers including the

certificate of appointment. Failure to do so is a violation of §46.2-1172 of the Code of Virginia.

T. The authority of the Superintendent to suspend the designation or appointment of an official inspection station as provided in §46.2-1163 of the Code of Virginia, or to suspend the certification of a mechanic designated to perform inspections at an official inspection station in keeping with the provisions of §46.2-1166 of the Code of Virginia, is hereby delegated to any of the following supervisory ranks of the Department of State Police: Lieutenant Colonel, Major, Captain, Lieutenant, First Sergeant and Sergeant.

U. Each station must purchase and keep in proper operating condition the following equipment: paper hole punch, black ball point pen(s), sticker scraper with replacement razor blades, tire tread depth gauge, headlight and auxiliary lamp adjustment tools, 12" ruler, 25' measuring tape, torque wrench or torque sticks, brake pads/shoes/disc/drum measuring device, dial indicator, micrometer, pry bars, roller jack (at least 4-ton) and an approved type optical headlight aiming device. Each station that requests an additional inspection lane that is not in close proximity to the originally approved inspection lane must purchase an additional approved headlight machine for each lane that meets the minimum requirements. Stations that have not done so are encouraged to upgrade to one of the following headlight aiming devices when their budget allows: the Hopkins Vision1, Hopkins Vision 100, or the Syntech (former L.E.T.) ~~HBA-4 or 5~~ HBA-5, PLA-11, and PLA-12.

V. The following checklist has been designed to help with the monthly submission of inspection receipts. While its use is not required, its use is encouraged for a more orderly and accurate submission of inspection receipts.

MONTHLY INSPECTION
RECEIPT SUBMISSION FOR _____ (Month/Year)

Processing Checklist:

- _____ White copies have been removed from books (yellow copies remain in the books and are on file at the station).
- _____ Receipts are in numerical order.
- _____ Either rubber bands or paper clips are used to secure receipts during mailing.
- _____ Voided receipts have matching sticker and pink receipt attached.
- _____ Receipts are postmarked no later than the fifth of the month.

Accountability Checklist:

- _____ All receipts are completely filled out, including date, station number, tag number, complete ID#, odometer reading.

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etc.

_____ All receipts are legible.

_____ All receipts are signed by the inspector.

_____ Repair costs are included in inspection-related charges. If no charge, no charge is indicated by "NA."

_____ Inspection charges for motorcycles are no more than \$12.

_____ All approval and rejection receipts indicate which tires were pulled on vehicles to check brakes.

_____ Receipts are written in ink; no pencil or white-out on receipts.

_____ A block is checked for every segment of the vehicle that has actually been inspected.

Receipts processed
by _____

(Name)

(Date)

19VAC30-70-40. Fees.

A. Before the inspection of a vehicle begins, the vehicle owner or operator must be informed that a charge is to be made.

B. A charge of ~~\$50~~ \$51 may be made for inspection of tractor trucks, trucks that have a gross vehicle weight rating of 26,000 pounds or more, and buses that seat more than ~~46~~ 15 passengers, including the driver. A charge of ~~\$15~~ \$16 may be made for each inspection performed on any other vehicle except for the inspection of a motorcycle to include recreational motor homes. A charge of ~~\$5.00~~ \$12 may be charged for each motorcycle inspection.

C. If a rejected vehicle is not submitted to the same station within the validity period of the rejection sticker or is submitted to another official inspection station, a complete inspection must be performed and a charge of ~~\$50~~ \$51 may be made for inspection of tractor trucks, trucks that have a gross vehicle weight rating of 26,000 pounds or more, and buses that seat more than ~~46~~ 15 passengers, including the driver. A charge of ~~\$15~~ \$16 may be made for each inspection performed on any other vehicle except for the inspection of a motorcycle to include recreational motor homes. A charge of ~~\$5.00~~ \$12 may be charged for each motorcycle inspection.

NOTE: The truck inspection fee does not pertain to any trailer nor does it affect the \$1.00 reinspection fee.

D. A charge of \$1.00 may be made for reinspection of a vehicle rejected by the same station during the 15-day validity of the rejection sticker.

E. Inspection stations shall not charge an additional fee to those customers who drop off their vehicles for a state inspection. This is a violation of §46.2-1167 of the Code of Virginia unless the station charges a "storage fee" for all services and repairs and not just for inspections.

F. The maximum inspection fees effective July 1, 2006, are as follows:

\$51 for each inspection of any (i) tractor truck, (ii) truck that has a gross vehicle weight rating of 26,000 pounds or more, or (iii) motor vehicle that is used to transport passengers and has a seating capacity of more than 15 passengers, including the driver.

\$12 for each inspection of any motorcycle.

\$16 for each inspection of any other vehicle, including trailers and recreation vehicles.

1. Beginning July 1, 2006, inspection fees will result in inspection stations retaining an additional \$.50 and forwarding \$.50 to the Department of State Police to support the department's costs in administering the motor vehicle inspection program. Collection of these fees will begin on May 15 of every year.

2. Effective January 1, 2006, \$10 of the \$12 inspection fee for motorcycles shall be retained by the inspection station, and the other \$2.00 shall be transmitted to the Department of State Police. Collection of these fees will begin May 15 of every year.

3. After the appropriate fee has been determined for each station, a letter from the Safety Division will be mailed to the station requiring that a check for that amount be mailed in the enclosed envelope to: Department of State Police, Safety Division, 7700 Midlothian Turnpike, Richmond, VA 23235. The check must be made out to the Department of State Police.

The letter will include the following notice:

"Do Not Send The Processing Fee To The P.O. Box Or Include With The Monthly Inspection Receipts. All Fees Are To Be Sent To The Safety Division Street Address."

4. The station will have 30 days in which to mail in the processing fee. In the event a check does not clear the bank for any reason, a \$15 fee will be assessed the station. Also, under the Administrative Rules and Regulations, 19VAC30-70-5, a returned check will be a Class III offense and administrative actions may be held against the record of the station. Once the station has been contacted by the Virginia State Police regarding a returned check, it will have 15 days to respond. If the returned check dispute is not settled in this period of time, administrative and/or legal sanctions may be taken against the station and, in addition, any requests for supplies will not be honored until the dispute has been settled.

19VAC30-70-50. Approval stickers and decals.

A. If the vehicle meets all inspection requirements, the inspection sticker receipt shall be legibly filled out with a ball point pen in its entirety and signed by the authorized mechanic making the inspection. The inspection fee (if no charge then indicate N/A), the cost of the repairs relating to the inspection and the complete vehicle identification number, tag number or car dealer name if a dealer tag is attached, mileage, year, make, and model must be filled out on the receipt. A circle to indicate which wheels were pulled to check for brakes, and an individual mark in each block of the approval receipt that was pertinent to it being issued shall be made (straight or zig-zag lines are not acceptable), are also to be written on the receipt.

The inspection sticker is not valid unless the rear portion is completed with the vehicle make, year built, license plate number (dealer name if a dealer tag is displayed), body type, and the complete vehicle identification number (VIN). The VIN should be entered using indelible ink.

B. Approval stickers and decals shall be issued according to the following schedule:

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- Vehicles inspected in January are issued stickers bearing the Number "1"
- Vehicles inspected in February are issued stickers bearing the Number "2"
- Vehicles inspected in March are issued stickers bearing the Number "3"
- Vehicles inspected in April are issued stickers bearing the Number "4"
- Vehicles inspected in May are issued stickers bearing the Number "5"
- Vehicles inspected in June are issued stickers bearing the Number "6"
- Vehicles inspected in July are issued stickers bearing the Number "7"
- Vehicles inspected in August are issued stickers bearing the Number "8"
- Vehicles inspected in September are issued stickers bearing the Number "9"
- Vehicles inspected in October are issued stickers bearing the Number "10"
- Vehicles inspected in November are issued stickers bearing the Number "11"
- Vehicles inspected in December are issued stickers bearing the Number "12"

All February annual inspection stickers and ~~trailer/motorcycle~~ for trailer and motorcycle decals (#2) due to expire at midnight, February 28 automatically will be valid through midnight February 29 each leap year.

C. The numeral decal indicating the month of expiration shall be inserted in the box identified as month and the numeral decal indicating the year of expiration shall be inserted in the box identified as year of the approval sticker and the trailer/cycle decal. Extreme care should be used by inspectors in applying these inserts. On all windshields, except school buses, the sticker is to be placed at the bottom of the windshield so that the inside or left edge of the sticker is one inch to the right of the vertical center of the windshield when looking through the windshield from inside the vehicle. (If the vehicle is normally operated from the right side, the sticker must be placed one inch to the left of the vertical center of the windshield.)

On passenger vehicles not equipped with a windshield, the sticker shall be placed on or under the dash and protected in some manner from the weather.

The approval sticker on official yellow school buses is to be placed at the bottom and in the right corner of the windshield when looking through the windshield from inside the vehicle.

EXCEPTIONS: The approval sticker shall be placed one inch to the right of the vertical center of the windshield when looking through the windshield from the inside on all new flat-face cowl yellow school buses. On vehicles equipped with heating and grid elements on the inside of the windshield, the sticker shall be placed one inch above the top of the grid element and the inside left edge of the sticker shall be one inch to the right of the vertical center when looking through the windshield from the inside.

Stickers or decals used by counties, cities and towns in lieu of license plates affixed adjacent to the old approval sticker and which are affixed in the location where the new approval sticker is required to be placed will not be removed. In these cases, the approval sticker will be placed as close to one inch to the right of the vertical center of the windshield as it can be placed without removing or overlapping the county, city or town decal.

D. The Virginia statutes require that the inspection sticker be displayed on the windshield or at other designated places at all times. The inspection sticker cannot be transferred from one vehicle to another.

EXCEPTION: If the windshield in a vehicle is replaced, a valid sticker may be removed from the old windshield and placed on the new windshield.

E. The decal issued to a motorcycle shall be affixed to the left front side of the cycle where it will be most visible after mounting. ~~The left front shall mean any area from the middle of the cycle forward.~~ The decal may be placed on a plate on the left side where it will be most visible and securely fastened to the motorcycle for the purpose of displaying the decal.

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F. Trailer decals will be issued to all trailers and semitrailers required to be inspected. (No boat, utility, or travel trailer that is not equipped with brakes shall be required to be inspected.)

G. All trailers must display a trailer decal on that particular vehicle. These decals are to be placed on the left side of the trailer near the front corner. The decal must be affixed to the trailer body or frame. In those instances where a metal back container with a removable transparent cover has been permanently affixed to the trailer body, the decal may be glued to it. The container must be permanently mounted in such a manner that the decal must be destroyed to remove it.

H. In all other cases involving unusually designed trailers such as pole trailers, the inspecting mechanic is to exercise his own good judgment in placing the decal at a point where it will be as prominent as possible and visible for examination.

I. ~~Decals shall be punched to indicate the type vehicle (motorcycle or trailer) inspected. Effective January 1, 2006, motorcycles will have a separate decal that will be orange and issued with the prefix M. The current trailer/motorcycle decal will continue to be utilized for trailers only until depletion. Decals for trailers will eventually have the prefix T and will remain blue.~~

The receipts are completed in the same manner as other inspection receipts.

J. Appointed stations will keep sufficient inspection supplies on hand to meet their needs. Requests for additional supplies ~~are to~~ may be made to the Safety Division by telephone, in writing or via e-mail. Requests for supplies that are to be picked up at the Safety Division headquarters must be made at least 24 hours prior to pick up. If ~~e-mail~~ email is used, then the subject should be the station number and station name. If written request is preferred or if there is a need to return inspection receipts to the Safety Division via United Parcel Service then it shall be addressed to: Safety Division, Department of State Police, ~~491 Southlake Boulevard P.O. Box 85607, Richmond, VA 23236-3044~~ 23285-5607.

1. Do not make requests for stickers on inventory forms or slips of paper enclosed with returned supplies.

2. Packing slips mailed with inspection supplies will be kept on file at the station for at least 24 months.

K. All unused center inserts used to indicate the month that a sticker or decal expires, in possession of the inspection station at the end of each month shall be retained by the inspection station, properly safeguarded, and used in the inspection of vehicles for the particular month in the following year or be disposed of as directed by the Department of State Police.

All inspection supplies that are voided, damaged, disfigured or become unserviceable in any manner, will be returned to the Safety Division, Department of State Police and

replacement supplies will be furnished the station. Expired stickers will be picked up by the station's supervising trooper.

L. The white receipts for all approval stickers including trailer/motorcycle stickers and pink copies for rejection stickers will be removed from the sticker books and placed in numerical order for submission to the Safety Division by the fifth of the month following the month of inspection. (Staples or tape are not to be used to secure these receipts.) All voided approval/rejection stickers and decals, along with the white and pink receipts, shall be marked void and returned to the Safety Division. The yellow receipt shall also be marked void and retained in the book.

M. The pink receipt copies of the approval stickers and decals shall be given to the owner or operator of the vehicle.

N. All yellow receipt copies of approval stickers and decals will be retained in the books and shall be kept on file at the station for at least 24 months. They may be inspected by any law-enforcement officer during normal business hours.

O. Safety Division troopers may replace inspection stickers that have separated from the windshield of motor vehicles and become lost or damaged without conducting an inspection of the safety components of the vehicle. Such replacement of inspection stickers shall be made only in accordance with the following provisions:

1. A vehicle owner or operator complaining of the loss or damage to the inspection sticker on the windshield of their vehicle due to separation of the sticker from the windshield shall be directed to the nearest Safety Division office or Safety Division trooper.

2. Safety Division troopers, upon receipt of a complaint from a vehicle owner or operator that their inspection sticker has been stolen, lost or become damaged due to separation from the windshield, will make arrangements to meet the person to effect the replacement of the sticker. A vehicle owner or operator alleging theft of the inspection sticker will furnish proof to the Safety Division trooper that such theft has been reported to proper law-enforcement authority.

3. The vehicle owner or operator must produce the original pink inspection receipt indicating a valid approval inspection sticker was issued to the vehicle within the past 11 months. (The vehicle must be reinspected if the expiration of the original inspection sticker is in the month the request is being made.)

4. The Safety Division trooper will verify by the inspection receipt that the vehicle was issued an approval inspection sticker within the past 11 months and issue a replacement inspection sticker to the vehicle.

5. The Safety Division trooper will complete the inspection sticker receipt for the approval sticker from information contained on the original receipt. The date the replacement

sticker is issued will be used in the date space. In the space for Inspection Related Charges, the trooper will insert the word "REPLACEMENT" and the sticker number from the original pink inspection receipt.

6. The Safety Division trooper will sign the receipt vertically in the O.K. column in the "Equipment Inspected" blocks. These blocks will not otherwise be completed.

7. The Safety Division trooper shall place month and year inserts on the inspection sticker to reflect the expiration as shown on the original approval inspection sticker and place the inspection sticker on the windshield in accordance with the requirements of subsection C of this section.

8. The Safety Division trooper will staple the original pink inspection receipt to the new white receipt. At the end of each week, the Safety Division trooper will forward all inspection receipts for replacement stickers issued by him to the Safety Division. The yellow receipts will be submitted to the area office and maintained on file for 24 months.

P. New vehicle safety inspections.

1. Section 46.2-1157 of the Code of Virginia allows an employee who customarily performs the inspection requirement of a manufacturer or distributor of new motor vehicles to place an inspection sticker furnished by the Department of State Police on the vehicle once it has met the requirements of that manufacturer or distributor. This employee does not have to be a certified state inspector.

2. With the addition of other personnel using State Police inspection supplies, a system should be developed at each inspection station to afford accountability of all supplies. The system should include proper safeguards to prevent the loss of supplies through carelessness, neglect, theft or unauthorized use.

3. Inspection stations should not mix annual state inspections with predelivery inspections (PDI) in the same book.

4. All employees should be reminded that anyone who performs inspections, whether it be for the annual inspection or the PDI inspection, are subject to criminal prosecution if inspection supplies are used illegally or used in some other unauthorized way.

5. Station management and licensed inspectors are subject to administrative sanctions for any misuse of inspection supplies.

6. The inspection receipts should be completed as usual with the following exceptions. On the "inspector" line, the initials "PDI" (for predelivery inspection) before the inspector's name should be entered. On the "inspector's license number" line, the letters "N/A" should be entered. In the equipment inspected section, the words "New

Vehicle" should be entered in the "adjust" column. The PDI inspector should sign his name in the "O.K." column.

19VAC30-70-60. Rejection stickers.

A. Only one rejection sticker shall be issued to any one vehicle. A rejection sticker shall not be issued to any vehicle already bearing such a sticker or to one which bears evidence of previously being issued a rejection sticker. When a vehicle is bearing a valid or expired rejection sticker, it is not to be removed unless the vehicle meets all of the inspection requirements.

B. A vehicle rejected by one station may be reinspected by another station if the owner desires to have this done; however, that station shall perform a complete inspection of the vehicle.

C. Reinspection of a rejected vehicle by the same station during the 15-day validity of the rejection sticker need include only a check of the items previously found defective, unless there is an obvious defect that would warrant further rejection of the vehicle. Such reinspection will not constitute a complete inspection and a \$1.00 fee may be charged. Furthermore, if a vehicle returns for reinspection within the 15-day period, the rejecting station will reinspect the vehicle without delay or at conclusion of the current inspection being performed.

1. If additional defects are detected during reinspection of a vehicle previously rejected, the vehicle will not be issued an approval sticker.

2. No vehicle bearing a valid rejection sticker shall be entitled to receive more than two reinspections by the rejecting station during the validity period of the rejection sticker.

3. The validity period of the rejection sticker shall be 15 days in addition to the day of inspection.

4. Any vehicle that is presented for inspection at another inspection station after the 15-day validity period, if the vehicle was rejected for brakes, and the inspector cannot determine which wheels were removed, then all four wheels will be removed to ensure that all repairs or defects have been corrected.

D. If repairs are to be made to a rejected vehicle that would necessitate removing the vehicle from the inspection lane, no rejection sticker need be issued; however, the vehicle must be returned to an approved lane for a recheck of the rejected items and the installation of the approval sticker.

E. If the vehicle does not meet all the requirements and the owner does not authorize immediate repairs, and if a rejection sticker has not already been issued, a rejection sticker will be legibly filled out with a ball point pen. The complete vehicle identification number, tag number or car dealer name if a dealer tag is attached, mileage, year, make, and model shall

Regulations

be included. Circle which wheels were pulled to check for brakes and place an individual mark in each block of the rejection sticker that was pertinent to it being issued. In addition, information may be written on any blank area as to the exact nature of the rejection (i.e., front brakes vs. rear brakes). The date of issue shall be punched, and the sticker affixed to the same location as indicated in 19VAC30-70-50 C, E and G. (When affixed to a trailer, the face of the rejection sticker shall be glued to the trailer in order to allow the rejection data on the back side to be read.)

F. The operator of the rejected vehicle shall be informed of the following:

1. The rejection sticker is valid for 15 days in addition to the date of inspection.
2. The rejection sticker places no travel restriction on operation of the vehicle and is issued in lieu of an approval sticker.
3. The vehicle operator is legally responsible for any defect if operated on the highway and may be subject to a traffic summons for any existing equipment violation.

G. Duplicate copies (pink) of rejection stickers shall be forwarded, in numerical order, to the Safety Division by the fifth of the month following the month of inspection. The yellow copy shall be retained, in numerical order, by the station for at least 24 months.

19VAC30-70-80. Service brakes.

A. The inspector, as a minimum, must drive all vehicles into the inspection lane and test both service and parking brakes.

B. A minimum of two wheels or two wheels and drums, one front and one rear, must be removed from each passenger and ~~multi-purpose~~ multipurpose vehicle with a gross vehicle weight rating of 10,000 pounds or less at the time of inspection, except those listed in subdivisions 1, 2 and 3 of this subsection. Two front wheels or two front wheels and drums must be removed from vehicles listed in subdivision 3 of this subsection.

1. Motorcycles.
2. A new model vehicle is defined as a vehicle that has not been titled or leased and is less than one year old, measured from October 1 as of each year; if such motor vehicle does not have a model year, such measurement shall be made from the date of manufacture.
3. Trucks with floating axles that require seal replacement upon removal of rear wheels. The inspection receipt (approval and rejection) shall be marked to reflect which wheels were pulled.

Warning: Lug nuts must be torqued to the manufacturer's specifications to prevent damage to disc rotors. The use of

an impact wrench may exceed the manufacturer's specifications and damage disc rotors.

C. If any braking problem is detected, the inspector may test drive or require a test drive of the vehicle.

D. Inspect for and reject if:

1. Vehicle is not equipped with brakes or any brake has been disconnected, rendered inoperative, or improperly installed. Trailers having an actual gross weight of less than 3,000 pounds are not required to be equipped with brakes; however, if brakes are installed, these vehicles must be inspected.

Brake System Failure Indicator Lamp

2. Passenger vehicles manufactured after January 1, 1968, are not equipped with a red brake failure warning lamp or warning lamp does not light with parking brake applied when ignition key is turned to the start position, except for anti-lock system. The red brake failure warning lamp should light when the ignition key is turned to the start position; on some imports it may be checked when the emergency brake is applied or other factory installed test button. (DO NOT reject if only the amber ABS/anti-lock brake lamp is on.) With the engine running and parking brake released, the red brake failure warning lamp should go off, except for vehicles equipped with anti-lock system. If so, apply service brake for 10 seconds and if the red brake failure warning lamp lights again the system is defective. Also, if the warning lamp light does not come on when there is a leak or the warning lamp light is not functioning properly, the system is defective and shall be rejected. NOTE: This paragraph does not apply to vehicles registered as street rods nor does it imply that the red brake failure warning lamp needs to light when the emergency brake is set. There are many vehicles that are not factory equipped with an emergency brake indicator light.

Brake Linings and Disc Pads

3. Riveted linings or disc pads are worn to less than 2/32 of an inch over the rivet head(s).
4. Bonded or molded linings or disc pads are worn to less than 2/32 of an inch in thickness ~~or are worn beyond manufacturer's specifications.~~
5. Wire in wire-backed lining is visible in friction surface.
6. Snap-on brake linings are loose.
7. Any lining is broken or cracked so that lining or parts of lining are not firmly attached to the shoe or has cracks on the friction surface extending to the open edge.
8. Grease or other contamination cannot be satisfactorily removed from the lining, drums, or rotors.
9. Rivets in riveted linings are loose or missing.

10. Any lining or pad is misaligned or does not make full contact with the drum or rotor.

Brake Drums and Discs

11. Brake drums or brake discs (rotors) are worn or scored to the extent that their remachining would result in a failure to meet manufacturer's specifications.

NOTE: A number of vehicles on the market are equipped with a lock nut to hold the rear brake drum in place. Manufacturers recommend replacement of these lock nuts after each removal to prevent failure of the component. If the customer is advised up front, then the wholesale cost of the replacement nut may be charged to the customer.

NOTE: The proper method to remove the rear brake assembly on the 2000 Ford Focus is to remove the four bolts from the opposite side of the assembly. Removal otherwise may damage the outside grease cap and incur a cost to replace.

12. Brake drums or discs have any external crack or cracks more than one half the width of the friction surface of the drum or disc. NOTE: Do not confuse short hairline heat cracks with flexural cracks.

Mechanical Linkage

13. Cables are frayed or frozen.

14. Mechanical parts missing, broken, badly worn, or misaligned.

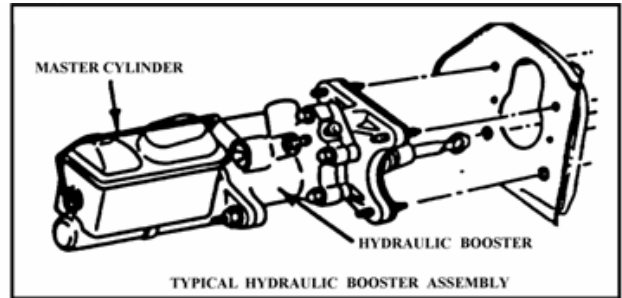
E. Hydraulic.

NOTE: Some motor vehicles, beginning with 1976 models, have a hydraulic power system that serves both the power assisted brakes and power assisted steering system. Some vehicles, beginning with 1985 models, have an integrated hydraulic actuation and anti-lock brake unit using only brake fluid.

1. Brake hydraulic system. Inspector should check the brake hydraulic system in the following manner: test vehicle in a standing position; apply moderate pressure to the brake pedal for 10 seconds. Brake pedal height must be maintained. On vehicles equipped with power assisted systems, the engine should be running.

2. Hydraulic system operation. Stop engine, then depress brake pedal several times to eliminate all pressure. Depress pedal with a light foot-force (30 pounds). While maintaining this force on the pedal, start engine and observe if pedal moves slightly when engine starts.

Reject vehicle if pedal does not move slightly as engine is started while force is on brake pedal.



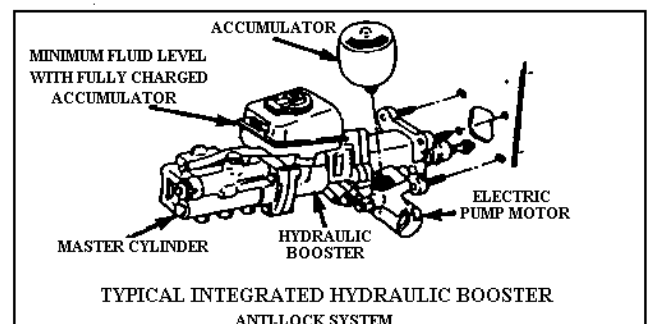
3. Condition of hydraulic booster power brake system. Inspect system for fluid level and leaks.

Reject vehicle if there is insufficient fluid in the reservoir; if there are broken, kinked or restricted fluid lines or hoses; if there is any leakage of fluid at the pump, steering gear or brake booster, or any of the lines or hoses in the system; or if belts are frayed, cracked or excessively worn.

4. Integrated hydraulic booster/anti-lock system operation. With the ignition key in the off position, depress brake pedal a minimum of 25 times to deplete all residual stored pressure in the accumulator. Depress pedal with a light foot-force (25 pounds). Place ignition key in the on position and allow 60 seconds for the brake warning light to go out and the electric pump to shut off.

Reject vehicle if the brake pedal does not move down slightly as the pump builds pressure or if the brake and anti-lock warning lights remain on longer than 60 seconds.

NOTE: The inspection of the ABS light is only for an integrated system that is the older system. The new systems system that have has the nonintegrated systems ~~do~~ does not need to be checked. If the ABS system malfunctions on the new system, the brake systems are still functional.



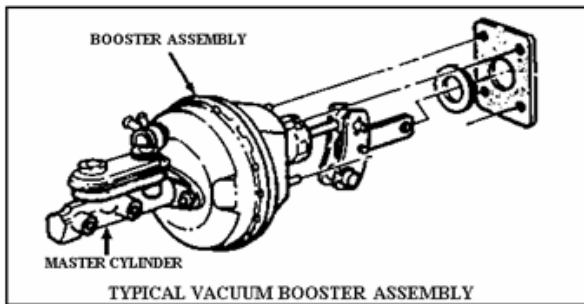
5. Condition of integrated hydraulic booster/anti-lock system with electronic pump. With the system fully charged, inspect system for fluid level and leaks.

Regulations

Reject vehicle if there is insufficient fluid in the reservoir; if there are broken, kinked or restricted fluid lines or hoses; or if there is any leakage of fluid at the pump or brake booster, or any of the lines or hoses in the system.

6. Vacuum system operation. Stop engine then depress brake pedal several times to eliminate all vacuum in the system. Depress pedal with a light foot-force (25 pounds). While maintaining this force on the pedal, start engine and observe if pedal moves down slightly when engine starts.

Reject vehicle if pedal does not move down slightly as engine is started while force is on the brake pedal. In full vacuum-equipped vehicles, there is insufficient vacuum reserve for one full service brake application after engine is stopped.



7. Condition of vacuum booster power brake system. Reject vehicle if there are collapsed, cracked, broken, badly chafed or improperly supported hoses and tubes, loose or broken hose clamps.

F. Inspect for and reject if:

General Specifications - Hydraulic Brakes

1. There is any leakage in the master cylinder, wheel cylinders, or brake calipers. When checking for leakage in rear wheel cylinders, do not disturb the dust boot.

NOTE: Do not reject for the common dust ball formed on wheel cylinders or for wetness that may have spread to the backing plate unless it has contaminated the lining or drums as specified in subdivision D 8 of this section. ~~The consumer~~ Consumers should be advised of this wear so that they will be aware that repair may be needed before ~~the~~ their next inspection. This may not warrant an immediate repair considering the dual valve master cylinder.

2. Fluid level in master cylinder is below the proper level for the particular vehicle.

3. There is any evidence of a caliper sticking or binding.

Electric Brake System

4. Trailers show an amperage value more than 20% above or 30% below the brake manufacturer's maximum current rating for each brake.

5. Ammeter shows no reading or indicator is not steady on application and release of brake controller.

6. Any terminal connections are loose or dirty; wires are broken, frayed, or unsupported; any single conductor nonstranded wire or wires below the size recommended by the brake manufacturers are installed.

7. Electrical trailer brakes do not apply automatically when the breakaway safety switch is operated.

General Specifications

8. There is any leakage in any hydraulic, air, or vacuum lines; hoses have any cracks, crimps, restrictions, or are abraded exposing fabric; tubing or connections leak, are crimped, restricted, cracked or broken; any valves leak or are inoperative.

Reject the vehicle if the brake hoses or ~~lines~~ tubing are stretched or extended and do not allow for suspension movement.

Brake tubing and hose must:

a. Be long and flexible enough to accommodate without damage all normal motions of the parts to which it is attached;

b. Be secured against chaffing, kinking, or other mechanical damage; and

c. Be installed in a manner that prevents it from contacting the vehicle's exhaust system or any other source of high temperatures.

9. Brakes are not equalized so as to stop the vehicle on a straight line.

10. There is less than 1/5 reserve in actuator travel of the service brake when fully applied on all hydraulic, mechanical, or power-assisted hydraulic braking systems.

11. When tested on dry, hard, approximately level road free from loose material, at a speed of 20 miles per hour without leaving a 12-foot wide lane, results in excess of the following distances are obtained: (When in doubt about a vehicle's stopping ability, the inspector shall conduct a road test.)

a. Any motor vehicle (except motorcycles, trucks, and tractor-trucks with semitrailers attached) four wheel brakes - 25 feet.

b. Any motor vehicle (except motorcycles, trucks, and tractor-trucks with semitrailers attached) two wheel brakes - 45 feet.

c. All combinations of vehicles - 40 feet.

19VAC30-70-90. Brakes: emergency, parking, or holding.

A. Some vehicles are equipped with an actual emergency brake, while others have only a parking or holding brake. Some types may be actuated by a foot or hand lever, while others may incorporate a switch or valve to actuate the brake. Air and vacuum brake systems may employ spring activating parking brakes.

B. Inspect for and reject if:

1. Vehicle or combination of vehicles is not equipped with a parking, holding, or emergency brake in good working order of the type installed as original standard factory equipment for the vehicle on which it is installed.

2. The parking brake actuating mechanism does not fully release when the control is operated to the off position or if the parking brake lamp light remains on.

NOTE: The light does not apply to vehicles that are not equipped with a parking (emergency) brake indicator light.

3. Any mechanical parts are missing, broken, badly worn, or are inoperative.

4. Cables are stretched, worn, or frayed or not operating freely.

5. Parking brake will not hold the vehicle stationary with the engine running at slightly accelerated speed with shift lever in drive position for automatic transmission or shift lever in low gear with clutch engaged for standard shift transmission.

6. Holding brake will not disengage when engine is started and vehicle is placed in drive. Holding brake will not hold vehicle stationary with foot on holding brake and vehicle in drive.

7. On vehicles equipped with automatic transmissions, the vehicle will start in any gear other than (P) park and (N) neutral. If the gearshift indicator does not identify the park (P) and neutral (N) positions, then the vehicle shall be rejected.

8. On vehicles equipped with manual transmissions, the vehicle will start in any gear if the clutch is not depressed or disengaged.

NOTE: This will not apply to older vehicles, which were not originally equipped with a neutral-safety switch, clutch disengagement system or clutch pedal position sensor by the manufacturer.

9. The accelerator does not disengage after being depressed, allowing the engine to return to a normal idle speed.

10. The storage battery is not attached to a fixed part of the motor vehicle or protected by a removable cover or enclosure if the battery is installed in a location other than the engine compartment. This includes all brackets, hardware, bolts, and bushings used for securely mounting the storage battery to the vehicle.

a. Removable covers or enclosures shall be substantial and shall be securely latched or fastened.

b. The storage battery compartment shall have openings to provide ample battery ventilation and drainage.

c. Whenever the cable to the starting motor passes through a metal compartment, the cable shall be protected against grounding by an acid and waterproof insulating bushing.

d. Whenever a battery and a fuel tank are both placed under the driver's seat, they shall be partitioned from each other, and each compartment shall be provided with an independent cover, ventilation, and drainage.

19VAC30-70-110. Steering and suspension.

A. The steering and suspension systems installed and utilized on motor vehicles have evolved to where many different suspension systems are being designed, developed, and employed on vehicles. To properly inspect the steering and suspension on vehicles, it may be necessary for the inspection to be made in accordance with manufacturer's recommended procedures in addition to meeting any requirements outlined in this regulation.

B. Inspect for and reject if:

1. Any modification has been made that affects normal functioning of the shock absorbers. The inspector should operate the vehicle when in doubt. (If there is no evidence of the convolutions (coils) of the spring hitting one another, one pair (2) of nonmetallic coil spring stabilizers may be present in each of a vehicle's front coil springs, provided the installation of the stabilizers does not cause the springs to be higher than their original height.)

Shock absorbers in fully extended or compressed ~~position~~ positions when the vehicle is stationary will not function normally.

2. The front end suspension has been modified by the use of lift blocks ~~(a . (A lift block is defined as any solid piece of wood, metal, or other material placed between and separating the vehicle's front axle and the springs).~~ (A lift block is defined as any solid piece of wood, metal, or other material placed between and separating the vehicle's front axle and the springs.) This does not prohibit the use of shims that may be necessary to correct front end alignment.

3. Any modification has been made to the front end suspension which reduces turning radius, bypasses safety components of original steering mechanism or if there is any lateral movement between the axle and frame.

Regulations

4. Any modification has been made to the suspension to cause the vehicle body or chassis to come in contact with the ground or expose the fuel tank to damage from collision.

Reject the vehicle if it has been modified by any means so as to raise its body more than three inches above the manufacturer's attachment points or the frame rail (exclude original manufacturer's spacers, washers or bushings when measuring).

5. Any modification has been made to cause the wheels to come in contact with the body or frame under normal operating conditions.

6. A motor vehicle has a repair kit or preventive maintenance kit installed on a tie rod end, idler arm, ball joint, or any other part of the vehicle's steering gear.

NOTE: The repair kit or preventive maintenance kit usually consists of a small coil spring and a plastic cap that is placed over the bolt stud of the component and held in place by a retaining nut. There is nothing in this paragraph that prohibits the replacement of parts or components of a motor vehicle's steering gear in order to correct deficiencies in the steering gear.

7. When checked visually, the wheels appear to be out of line or an axle is bent.

8. Any vehicle that shimmies or wanders ~~up to the legal speed limit~~ at normal operating speeds.

9. Rack and pinion steering bellows (boot) is defective or missing. Do not inspect CV boots, CV joints, or universal joints on rear wheel drive vehicles.

10. Power steering is defective and affects adequate steering of the vehicle or power steering fluid in reservoir is below operating level, or if there is an obvious leak of power steering fluid. Do not reject for dampness.

NOTE: If the vehicle is equipped with power steering, the engine must be operating during testing.

11. Power steering belts do not have sufficient tension or are frayed or missing. The serpentine v-ribbed belt is more common versus the old v-drive belt and should only be rejected if a chunk of the ribbing is missing or a deep cut or crack exposes the inner fabric of the belt. (Do not reject for the many little surface cracks that appear in the ribs or back.)

12. Any modification has been made to any part of the steering or suspension system that affects proper steering or suspension or any part of the original suspension system has been disconnected.

NOTE: "All thread rod material" shall not be used as U-bolts in the suspension system.

Vehicles registered as street rods may substitute any part of the original suspension system provided the components are installed in accordance with the component manufacturers' specifications.

13. Any modification or replacement has been made to the steering wheel that affects proper steering. The steering wheel shall be rejected if the outside diameter is less than 13 inches unless original factory equipment.

14. Steering column has any absence or looseness of bolts or positioning parts, resulting in motion of the steering column from its normal position.

15. A spring is broken, sagging or misaligned, shackles are worn or loose, or if air springs are collapsed or the air suspension system leaks or is deflated.

CAUTION: Underneath inspection of a vehicle equipped with air suspension with excessive leak down could result in serious personal injury.

16. Vehicles designed for shock absorbers or cross stabilizer links if any are disconnected or broken, bent, loose or do not function properly.

17. Any front or rear axle or suspension positioning parts are cracked, broken, loose, worn, bent or missing, resulting in shifting of an axle from ~~its~~ the normal position. Any control arm or suspension positioning part using bushings for control, support and normal functioning is ~~missing, deteriorated or~~ damaged or missing.

NOTE: All rear suspension parts including but not limited to control arms (upper and lower ball joints, radius or torque arms, stabilizer bars, and trailing arms) shall not have any damage or noticeable play when checked with hand pressure.

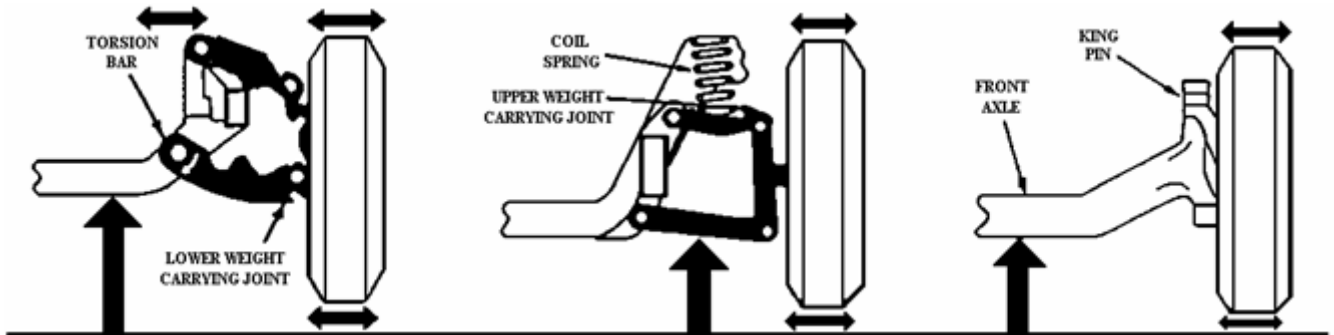
18. A MacPherson strut installed on a motor vehicle is broken, bent, loose or does not function properly.

NOTE: Do not reject a shock absorber or MacPherson strut unless there is evidence of leakage that causes the device not to function properly.

~~19. King pin play. If vehicle is equipped with king pins, first eliminate all wheel bearing movement by applying service brake. With front end lifted as illustrated for inspecting wheel bearings (Figure C), grasp the tire at the top and bottom and attempt to move in and out to detect looseness. Measure the movement at the top or bottom of the tire at the outer circumference.~~

19. Reject vehicle if If vehicles measured movement at top or bottom of tire is greater than:

| | | |
|-------------|---|----------|
| Wheel Size: | 16 inches or less <u>less than 17 inches</u> - | 1/4 inch |
| | 17 to 18 inches - | 3/8 inch |
| | over 18 inches - | 1/2 inch |



Proper lifting for wheel bearing, steering linkage looseness, and king pin king pin play action

FIGURE A

FIGURE B

FIGURE C

NOTE: King pin play. If vehicle is equipped with king pins, first eliminate all wheel bearing movement by applying service brake. With front end lifted as illustrated for inspecting wheel bearings (Figure C), grasp the tire at the top and bottom and attempt to move in and out to detect looseness. Measure the movement at the top or bottom of the tire at the outer circumference.

~~e. Reject vehicle if any wheel bearing is excessively worn or not properly adjusted; any cotter key or other locking device is missing or inoperative.~~

20. C. Wheel bearing/steering linkage.

~~21. D. Steering linkage play. First eliminate all wheel bearing movement by applying service brake. With vehicle lifted as shown in diagram and wheels in straight ahead position, grasp front and rear of tire and attempt to move assembly right and left without moving the steering gear.~~

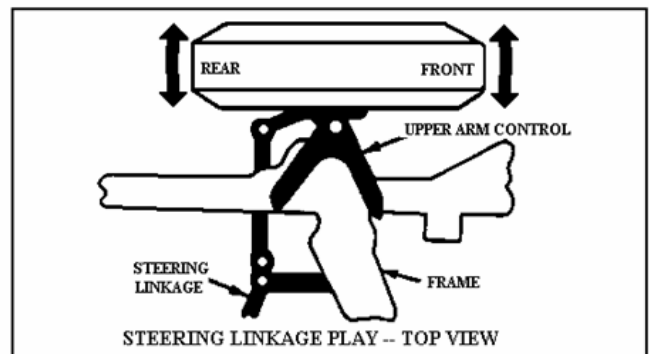
Reject vehicle if any wheel bearing is excessively worn or not properly adjusted; any cotter key or other locking device is missing or inoperative.

1. Reject vehicle if measured movement at front or rear of tire is greater than:

a. NOTE: Lifting techniques vary for measuring wheel bearing movement. On vehicles with coil spring or torsion bar on lower support arm-hoist at frame (Figure A). On vehicles with coil spring on upper support arm-hoist at lower support arm (Figure B). On front wheel drive vehicles, the inspector must consult manufacturer's lifting information.

| | | |
|-------------|---------------------|------------------|
| Wheel Size: | 16 inches or less - | 1/4 inch (6.5mm) |
| | 17 to 18 inches - | 3/8 inch (9.5mm) |
| | over 18 inches - | 1/2 inch (13mm) |

b. NOTE: Front wheel bearings on rear wheel drive vehicles or rear wheel bearings on front wheel drive vehicles. With vehicle lifted properly, grasp tire at top and bottom, rock in and out and record movement. Wheel bearing looseness is detected by the relative movement between the brake drum or disc and the braking plate or splash shield. CAUTION: If air suspension vehicles are hoisted via body support area, air spring damage may occur if the air suspension switch is not turned off. Reject vehicle if relative movement between drum and backing plate (disc and splash shield) is more than 1/8 inch measured at the outer circumference of the tire.



Regulations

NOTE: First eliminate all wheel-bearing movement by applying service brake. With vehicle lifted as shown in diagram and wheels in straight-ahead position, grasp front and rear of tire and attempt to move assembly right and left without moving the steering gear.

a. 2. Reject vehicle if there is noticeable play at any point in the steering mechanism except General Motors products. On General Motors products, reject vehicle if play exceeds factory specifications.

b. 3. Reject vehicle if the steering mechanism is unusually tight or binding when turning the steering wheel completely to the left or right or the steering mechanism will not turn in both directions stop to stop.

e. 4. Reject vehicle if the steering stops have been removed or adjusted in so that steering radius is reduced.

22. E. Steering lash/travel.

Reject vehicle if inspection reveals excessive wear and/or looseness in any ball stud, end assembly, pivot point, mechanical linkage and/or if steering gear box has any loose or missing bolts, or excessive wear, and/or looseness is found at any other location in the steering that adversely affects the steering of the vehicle.

NOTE: For vehicles equipped with power steering, the engine must be running and the fluid level, belt tension and condition must be adequate before testing.

a. With road wheels in straight ahead position, turn steering wheel until motion can be detected at the front road wheels. Align a reference mark on the steering wheel with a mark on a ruler and slowly turn steering wheel in the opposite direction until motion can again be detected at the front road wheel (see diagram). Measure lash at steering wheel. Special lash-checking instruments may be used to measure free play in inches or degrees. Such instruments should always be mounted and used according to the manufacturer's instructions. Reject vehicle if steering wheel movement exceeds:

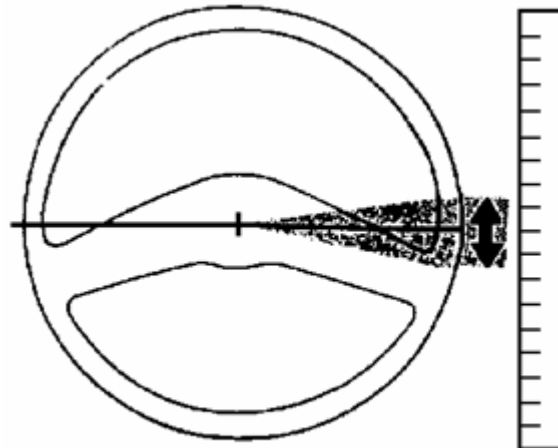
Power - 2 inches

Manual - 3 inches

Rack & Pinion - (Power or Manual) - 0.4 inch - see note

~~b. Reject vehicle if inspection reveals excessive wear and/or looseness in any ball stud, end assembly, pivot point, mechanical linkage and/or if steering gear box has any loose or missing bolts, or excessive wear, and/or looseness is found at any other location in the steering that adversely affects the steering of the vehicle.~~

NOTE: No play is permissible for Volkswagen and Audi vehicles - consult respective manufacturer's specifications.



STEERING LASH

23. F. Steering lash/travel; trucks.

a. NOTE: Before inspection the vehicle must be placed on a smooth, dry, level surface. For vehicles equipped with power steering, the engine must be running and the fluid level, belt tension and condition must be adequate before testing. b. With road wheels in straight ahead position, turn steering wheel until motion can be detected at the front road wheels. Align a reference mark on steering wheel with a mark on a ruler and slowly turn steering wheel in the opposite direction until motion can be detected at the front road wheel. Measure lash at steering wheel. Special lash-checking instruments are also available, measuring free play in inches or degrees. Such instruments should always be mounted and used according to the manufacturer's instructions. With vehicle raised, visually inspect steering linkage, ball studs, tie rod end socket assemblies and all pivot points.

NOTE: On vehicles with power steering, engine must be running.

e. Reject vehicle if steering wheel movement exceeds:

Steering Wheel Size and Lash

| Manual Steering | | Power Steering | |
|-------------------|------------------------|-------------------|-----------------------|
| 16 inches or less | 4 1/2 inches (11.5 cm) | 16 inches or less | 2 inches (5.1 cm) |
| 18 inches | 4 3/4 inches (12.0 cm) | 18 inches | 2 1/4 inches (5.4 cm) |
| 20 inches | 5 1/4 inches (13.5 cm) | 20 inches | 2 1/2 inches (6.4 cm) |
| 22 inches | 5 3/4 inches (14.5 cm) | 22 inches | 2 3/4 inches (7.0 cm) |

| <u>Steering wheel diameter</u> | <u>Manual steering system</u> | <u>Power steering system</u> |
|--------------------------------|-------------------------------|------------------------------|
| <u>16 inches or less</u> | <u>2 inches (51 mm)</u> | <u>4-1/4 inches (108 mm)</u> |
| <u>18 inches</u> | <u>2-1/4 inches (57 mm)</u> | <u>4-3/4 inches (121 mm)</u> |
| <u>19 inches</u> | <u>2-3/8 inches (60 mm)</u> | <u>5 inches (127 mm)</u> |
| <u>20 inches</u> | <u>2-1/2 inches (64 mm)</u> | <u>5-1/4 inches (133 mm)</u> |
| <u>21 inches</u> | <u>2-5/8 inches (67 mm)</u> | <u>5-1/2 inches (140 mm)</u> |
| <u>22 inches</u> | <u>2-3/4 inches (70 mm)</u> | <u>5-3/4 inches (146 mm)</u> |

d. Reject vehicle if inspection reveals excessive wear and/or looseness in any ball stud, end assembly, pivot point, mechanical linkage and/or if steering gear box has any loose or missing bolts, or excessive wear, and/or looseness is found at any other location in the steering that adversely affects the steering of the vehicle.

24. G. Ball joint wear (front and rear). There is a trend among U.S. automobile manufacturers toward the use of "wear-indicating" ball joints. Many vehicles on the road, however, do not have wear-indicating ball joints. The inspection of both types will be discussed. With the broadening use of rear suspension ball joints, their inspection shall be made in accordance with manufacturer's recommended procedures. Figures 1, 2, 3 and 4 illustrate the proper hoisting for checking most ball joints. On late model vehicles, it may be necessary to check for both horizontal and vertical movement. Figures 1, 2, 3 and 4 illustrate the proper hoisting for checking ball joints.

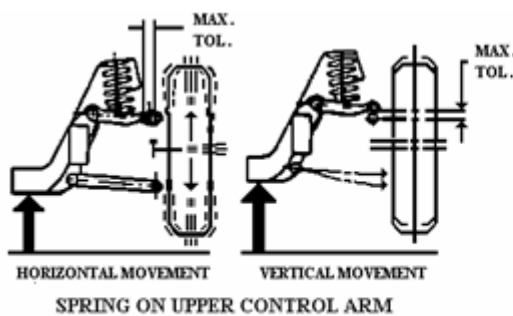


FIGURE 1

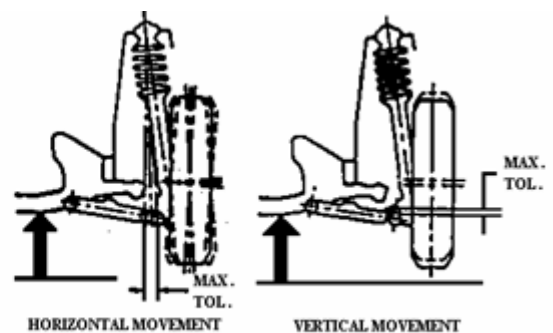


FIGURE 2

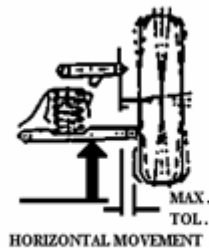


FIGURE 3

SPRING OR TORSION BAR ON LOWER CONTROL ARM
RAISING POSITIONS FOR SUSPENSION SYSTEMS

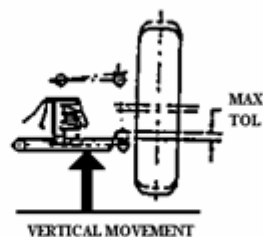


FIGURE 4

a. NOTE: To check ball joint wear on vehicles when the spring is supported on the upper control arm or when the spring is a part of a MacPherson strut or wear in any other type suspension not using ball joints when the front wheels are suspended on a solid axle, the vehicle must be hoisted as shown in Figure 1 or 2.

b. NOTE: Upper control arm must be stabilized in normal load carrying position by means of an upper control or

other support tool to insure ball joint is in unloaded position.

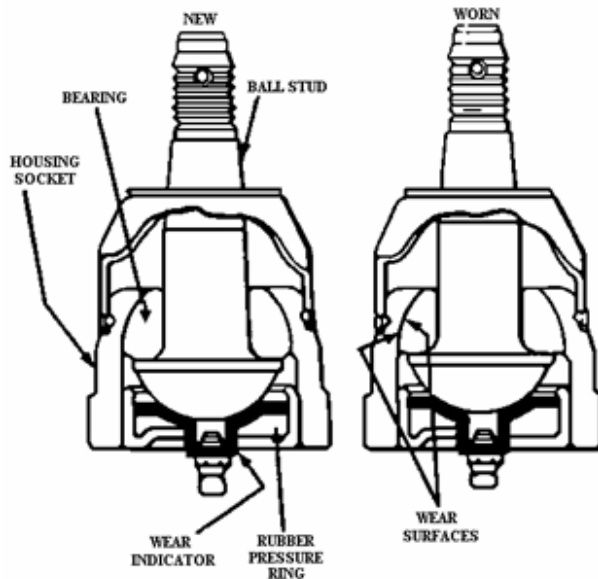
e. NOTE: To check ball joint wear on vehicles not listed in above referred to section and diagram or tables when the spring is supported on the lower control arm; and to check the ~~king pin~~ king pin wear in any other type suspension not previously described when the wheels are independently suspended, the vehicle must be hoisted as shown in Figure 3 or 4.

Regulations

25. H. Ball joints without wear indicators (front and rear).

a. Reject vehicle if there is noticeable play in the lower ball joint when hoisted as in Figures 1 or 2, or in the upper ball joint when hoisted as in Figures 3 or 4. 1. If play is detected in any ball joint without "wear-indicating" ball joints, it will be necessary for the inspection to be made in accordance with the manufacturer's recommended procedures and specifications prior to rejecting the vehicle.

b. Reject vehicle if there is lateral movement in either front wheel in excess of 1/4 inch measured at the outside of the tire up to and including a 16 inch wheel; or in excess of 3/8 inch when the wheel is over 16 inches. This check must be made by grasping the tire at the extreme top and bottom and moving the wheel laterally across the surface. If play is noted, accurate measurement must be made by using the block test or with an accurate measuring device. No rejection should be made unless the specified tolerances are exceeded. 2. If there are no manufacturer's

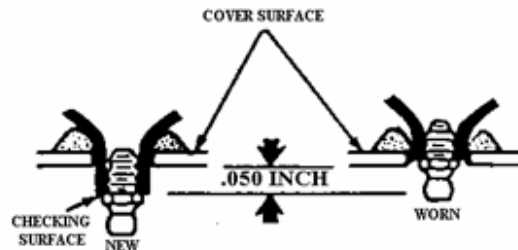


recommended procedures and specifications, the lower ball joints will be checked when hoisted as in Figures 1 or 2 of subsection G of this section, or in the upper ball joints when hoisted as in Figures 3 or 4 of subsection G of this section. There should be no noticeable play detected in the ball joints when checked in this manner.

3. Reject vehicle if play exceeds the manufacturer's specifications. It is recommended that Inspectors use a dial indicator or ball joint checking gauge when checking for play of a ball joint, when procedures and specifications are provided by the manufacturer.

26. I. Ball joints with wear indicators. Support vehicle with ball joints loaded (in normal driving attitude). Wipe grease fitting and checking surface free of dirt and grease. Determine if checking surface extends beyond the surface of the ball joint cover.

Reject vehicle if checking surface is flush with or inside the cover surface.

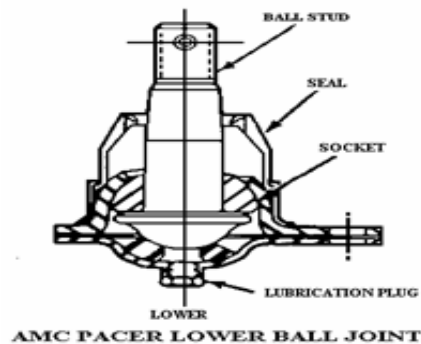


BALL JOINT WEAR INDICATOR

Wear is indicated by the protusion of the 1/2" diameter boss, (exaggerated for illustration) into which the grease fitting is threaded for greasable ball joints. This same boss exists and should be used to indicate wear in non-greasable ball joints. This round base projects .050" beyond the surface of the ball joint cover on a new, unworn joint.

To inspect for wear, support vehicle by wheels so that the lower ball joints are in a loaded condition. Wipe the grease fitting or boss free of dirt and grease. Observe or scrape a scale, screwdriver or fingernail across the cover. If the grease fitting boss is flush or inside the cover surface, reject vehicle.

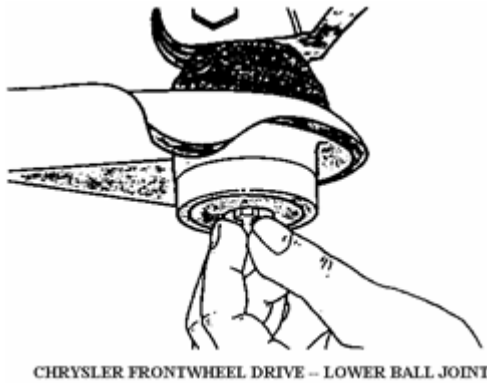
Reject vehicle if distance measured is 7/16 inch or more.



27. J. American Motors Pacer (only). Position vehicle on level surface. Remove lubrication plug from lower ball joint. Check lower ball joint clearance by inserting stiff wire or thin rod into lubrication plug hole until it contacts ball stud. Accurately mark rod with knife or scribe where it aligned with outer edge of plug hole. Distance from ball stud to outer edge of plug hole is ball joint clearance. Measure distance from mark to end of rod. (Anything less than 7/16 inch is acceptable.)

28. K. Chrysler frontally driven front-wheel drive vehicles (lower only). With the weight of the vehicle resting on the road wheels, grasp the grease fitting as shown below and attempt to move fitting. No mechanical assistance or added force is necessary.

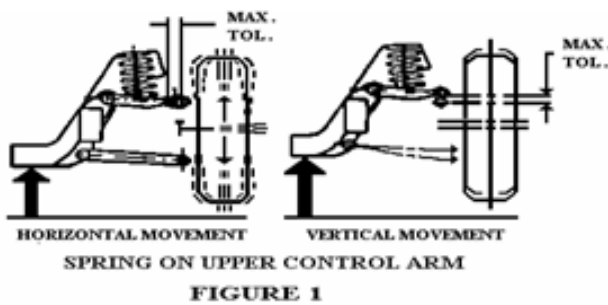
Reject vehicle if grease fitting shows any movement.



CHRYSLER FRONTWHEEL DRIVE - LOWER BALL JOINT

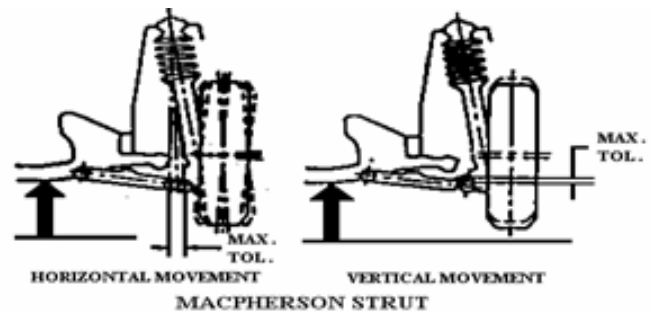
29. Ball joints; light trucks. There is a trend among U.S. automobile manufacturers toward the use of "wear-indicating" ball joints on light trucks. Many vehicles on the road, however, do not have wear indicating ball joints. The inspection of both types will be discussed.

30. Ball joint wear; light trucks. Figures 1, 2, 3 and 4 illustrate the proper hoisting for checking ball joints.



SPRING ON UPPER CONTROL ARM

FIGURE 1



MACPHERSON STRUT

FIGURE 2



FIGURE 3

SPRING OR TORSION BAR ON LOWER CONTROL ARM
RAISING POSITIONS FOR SUSPENSION SYSTEMS

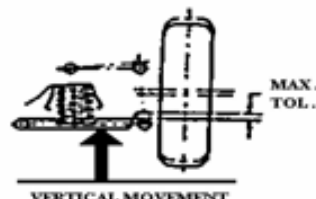


FIGURE 4

a. NOTE: To check ball joint wear on vehicles when the spring is supported on the upper control arm or when the spring is a part of a MacPherson strut or wear in any other type suspension not using ball joints when the front wheels are suspended on a solid axle, the vehicle must be hoisted as shown in Figure 1 or 2.

b. NOTE: Upper control arm must be stabilized in normal load carrying position by means of an upper control or other support tool to insure ball joint is in unloaded position.

c. NOTE: To check ball joint wear on vehicles not listed in previously referred to sections, and diagrams or tables when the spring is supported on the lower control arm; and to check the king pin wear in any other type suspension not previously described when the wheels are independently suspended, the vehicle must be hoisted as shown in Figure 3 or 4.

Regulations

31. Vehicles without wear indicator ball joint; light trucks.

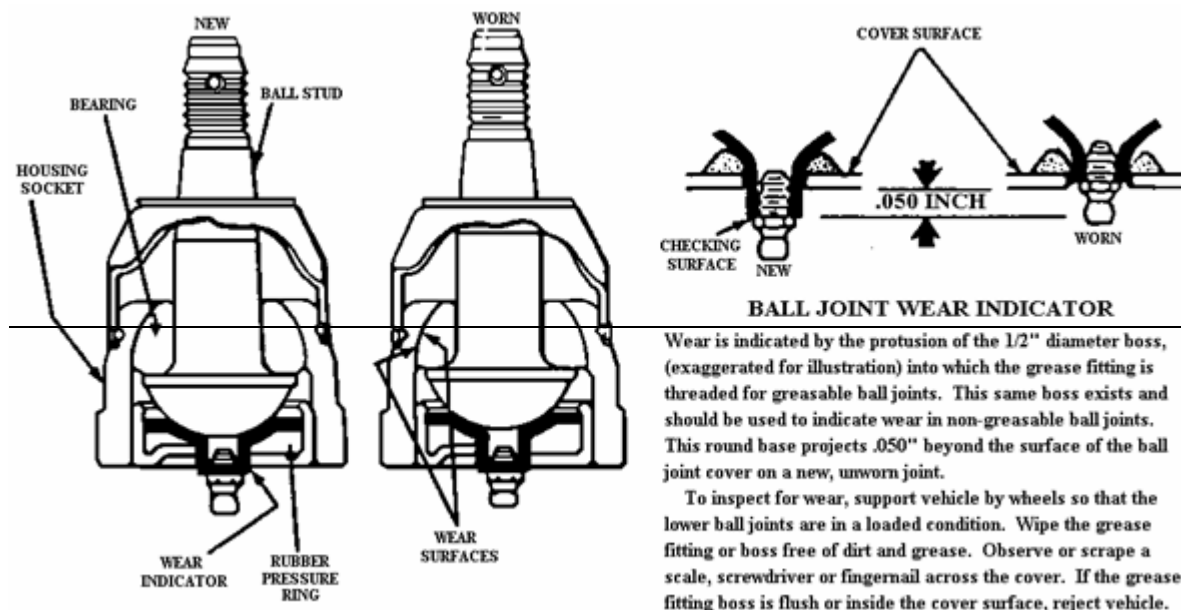
a. Reject vehicle if there is noticeable play in the lower ball joint when hoisted as in Figures 1 or 2, or in the upper ball joint when hoisted as in Figures 3 or 4 above.

b. Reject vehicle if there is lateral movement in either front wheel in excess of 1/4 inch measured at the outside of the tire up to and including a 16 inch wheel; or in excess of 3/8 inch when the wheel is over 16 inches. This check must be made by grasping the tire at the extreme top and bottom and moving the wheel laterally across the surface. If play is noted, accurate measurement must be

made by using the block test or with an accurate measuring device. No rejection should be made unless the specified tolerances are exceeded.

32. Ball joints with wear indicators; light trucks. Support vehicle with ball joints loaded (in normal driving attitude). Wipe grease fitting and checking surface free of dirt and grease. Determine if checking surface extends beyond the surface of the ball joint cover.

Reject vehicle if checking surface is flush with or inside the cover surface.



19VAC30-70-120. Frame, engine mounts, coupling devices and emergency chains.

Inspect for and reject if:

1. Frame or unitized body of any motor vehicle, trailer or semitrailer is broken or cracked, bent or damaged at any location, including any welded joint and/or is rusted or corroded to the point the frame is weakened as to constitute a hazard during the operation of the vehicle.

2. Engine or transmission mounts are and hardware is broken or missing. This includes all hardware bolts and bushings used for mounting to the vehicle's frame, engine, or transmission. The more common fluid-filled mounts or those with rubber bushings should be rejected if they allow the power train to come in contact with the firewall or other body parts.

3. Trailer hitch or pintle hook is not securely attached. Reject if the pintle eye or trailer drawbar has any cracks or if any welding repairs have been made to the pintle eye.

4. Chains, cables, etc., used to attach a towed vehicle are not securely attached or are broken, worn or abraded.

5. Fifth wheel does not lock in position or have a locking mechanism in proper working order.

6. Fifth wheel assembly system has any leak of fluid or air.

7. Fifth wheel has any broken, missing, or damaged parts; or is not securely attached to the frame.

8. Trailer kingpin king pin is not secure, or is broken, or worn so as to prevent secure fit in fifth wheel.

9. Any movement is detected at any location where any device has been placed between the body and the chassis.

10. Trailer is not equipped with an emergency chain or chains steel cable.

NOTE: Fifth wheel assembly system does not require an emergency chain or cable. A fifth wheel is defined as a device which interfaces with and couples to the upper coupler assembly of a semitrailer. The upper coupler assembly is a structure consisting of an upper coupler plate, ~~king pin~~ king pin and supporting framework which interfaces with and couples to a fifth wheel. Ball and socket connections also referred to as hitch and coupling connections are not fifth wheel assemblies and do require ~~safety chains~~ an emergency chain or steel cable.

additional equally spaced intervals around the circumference of the tire in a like manner as the first measurement. Refer to Figure 1. If the tread depth is less than 2/32 of an inch in two adjacent tread grooves at each of the equally spaced intervals, the tire must be rejected.

MEASURE WHERE THE TREAD IS THINNEST IN TWO ADJACENT TREAD GROOVES

19VAC30-70-130. Tires; wheels; rims.

INSPECT FOR AND REJECT IF Inspect for and reject if:

1. Any tire is marked specifically for use other than on the highway, such as "For Farm Use Only," or "For Off-Highway Use Only," or "Mobile Home Use Only."
2. A radial tire is mismatched on the same axle with a bias ply tire or a bias belted tire.
3. Bias ply or bias belted tires are used on the rear axle when radial ply tires are used on the front axle. ~~Except:~~

EXCEPTION: On a two-axle vehicle equipped with truck tires with 20-inch rim diameter and larger, bias or radial tires may be used on either axle if the vehicle has dual rear wheels or is equipped with wide-base single tires.

4. A vehicle has installed on one of its axles a space saver emergency spare tire that is intended for temporary use.

5. Any motor vehicle, trailer or semitrailer, except the dual wheels installed on motor vehicles having seats for more than seven passengers (i) operated wholly within a municipality or (ii) operated by urban and suburban bus lines, which are defined as bus lines operating over regularly scheduled routes and the majority of whose passengers use the buses for traveling a distance not exceeding 40 miles, measured one way, on the same day between their place of abode and their place of work, shopping areas, or schools, is equipped with a tire ~~which~~ that has a tread depth measuring less than 2/32 of an inch when measured as follows:

NOTE: The exemptions provided in (i) and (ii) of this paragraph do not apply to buses owned or operated by any public school district, private school or contract operator of buses.

~~6.~~ NOTE: Measure in two adjacent tread grooves where tread is thinnest. Refer to Figure 1. If either of the grooves measure 2/32 of an inch or more, no further measurements are necessary and tread depth is satisfactory. Do not ~~measure on~~ take measurements from the tread wear indicators.

~~7.~~ 6. If both adjacent grooves measure less than 2/32 of an inch, the tire tread depth must be measured again at two

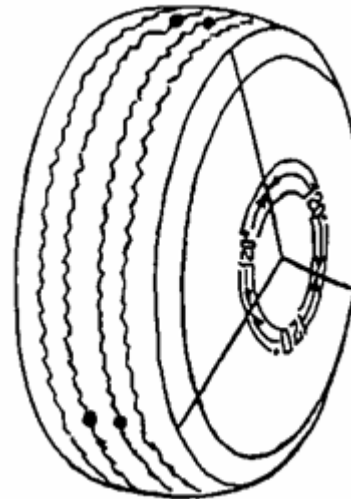


FIGURE 1
IF THE DEPTH IS LESS THAN 2/32-INCH IN BOTH GROOVES, MEASURE AT TWO ADDITIONAL EQUALLY SPACED INTERVALS

~~8.~~ 7. A tire equipped with tread wear indicators if found to have such indicators in contact with the pavement in any two adjacent grooves at three equally spaced intervals around the circumference of the tire. Refer to Figure 2.

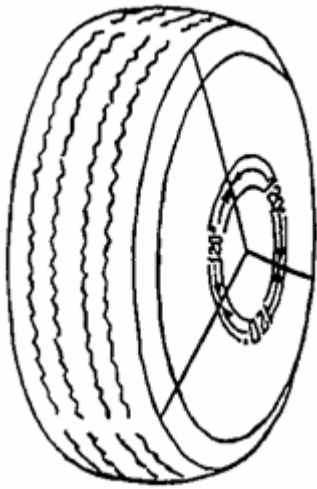


FIGURE 2

REJECT IF THE TREAD WEAR INDICATORS ARE IN CONTACT WITH THE PAVEMENT IN ANY TWO ADJACENT GROOVES AT THREE EQUALLY SPACED LOCATIONS

~~9.~~ 8. Any tire has a cut or puncture into the fabric. This does not include a plug or patch that may be used as a manner of repair.

NOTE: Plugs/patches shall be in the tread area only. Plugs/patches are not permitted in the sidewall of the tire.

~~10.~~ 9. Any tire is worn so that the fabric or steel cord is visible.

~~11.~~ 10. Any tire has knots or bulges in its sidewalls or if there is evidence of a broken belt under the tread, or if the tread is separating from the fabric.

~~12.~~ 11. Any tire ~~which that~~ has been recut or regrooved except commercial tires so designed and constructed to provide for acceptable and safe recutting and regrooving. (Regrooved tires must be identified on each sidewall as a regrooved tire.)

~~13.~~ 12. Any bolts, nuts or lugs are loose, missing or damaged.

~~14.~~ 13. Wheels are installed on the vehicle in a reversed position, except the wheels on vehicles that are reversed to perform part of a dual wheel combination.

14. Directional tires and/or wheels designed and manufactured to travel in one direction of rotation are not properly installed.

15. Rims or wheels are bent, cracked or damaged so as to affect safe operation of the vehicle.

~~16.~~ NOTE: Refer to subdivision 1 of 19VAC30-70-180 (Clearance lamps and reflectors) for tires that exceed more than 4 four inches from the body.

19VAC30-70-140. Headlamps; except motorcycles.

A. Inspect for and reject if:

1. Any motor vehicle is not equipped with headlamps of an approved type. The approval designation letter that must appear is DOT or SAE-H, HG, HH or HR.

2. Headlights are not of the same approved type except sealed beam headlamps. At least two headlamps are required.

3. In any headlamp the lens is cracked, broken, discolored, or rotated away from the proper position, or the reflector is not clean and bright.

NOTE: A clear plastic headlight assembly lens with a crack may be repaired by procedures similar to that required of a windshield repair. The inside reflector surface must be in satisfactory condition and the repair cannot affect the headlight aiming pattern. This repair does not apply to headlamps and the headlamp assembly lenses that are designed where the aiming pattern is part of the lens.

4. Moisture or water buildup in headlamp is such that it affects the ~~aimable~~ aiming pattern.

5. Lens is other than clear.

6. Bulbs are not of an approved type (must have DOT stamp and the manufacturer's name) or are over 32 candlepower. (Sealed beam lamps including the ones which permit the use of a replacement halogen bulb are the only lamps approved with over 32 candlepower.) Ordinary lenses and reflectors were not designed for over 32 candlepower bulbs.

NOTE: The Sylvania 9003 (HB2), 9004 (HB1), 9005 (HB3) and 9006 (HB4) Cool Blue xenon bulbs were found to comply with FMVSS 108. There is a noticeable blue tint around the outside of the lamp pattern but the concentrated light is white. Only the Sylvania has approval and is marked with DOT.

7. Any filament or bulb in headlamps fails to burn properly or headlamps are not at the same location or configuration as designed by manufacturer. (Location and type of headlamps can be found in subsection F of this section.)

8. Wiring is dangling or connections are loose; or if proper filaments do not burn at different switch positions; or if switches, including foot or hand dimmer, do not function properly and are not convenient to the driver.

9. Foreign material is placed on or in front of the headlamp lens or interferes with the beam from the lamp. No glazing may be placed over or in front of the headlamps unless it is a part of an approved headlamp assembly.

- a. Reject if vehicle has wire, unapproved plastic covers, any other materials that are not original equipment or any colored material placed on or in front of the headlamps.
- b. Vehicles registered as street rods may have clear, rigid plastic or glass headlamp lens covers in front of sealed beam units to replace original manufacturer's equipment.
- c. EXCEPTION: A clean impact film known as Headlight Savers produced by Grand Prix Motoring Accessories may be applied to the headlight lens to absorb impact of rocks, etc.

10. Lamps can be moved easily by hand due to a broken fender or loose support, or if a good ground is not made by the mounting.

11. Headlamps, auxiliary driving lamps and front fog lamps are not mounted so that the beams are aimable and the mounting does not prevent the aim of the lighting device from being disturbed while the vehicle is operating on public roads. All lamps shall be securely mounted on a rigid part of the vehicle.

~~14.~~ 12. A headlamp visor is over two inches long unless part of the original body design.

~~12.~~ 13. The high beam indicator in the driver's compartment does not burn when the high or "country" beam is on or does not go off when the low beam is on. (Vehicles not originally equipped with an indicator are not required to comply unless sealed beam headlamps have been installed.)

B. Aiming the headlamps.

1. Headlamps shall be checked for proper aim by using either an optical or a mechanical headlamp aimer on every motor vehicle inspected, except vehicles with on-board aimers.

Headlamp aim on vehicles with on-board aimers shall be checked by visually examining the leveling device mounted either on or adjacent to the headlamp. Reject the vehicle if the leveling device shows the headlamp adjustment to exceed indicated specifications.

NOTE: Driving lamp and fog lamps must be aimed using the optical aimer, according to instructions in 19VAC30-70-160 I 10 i and 11 g (2).

2. Headlamps are not aimed within the following tolerances using the optical aimer.

- a. The center of the hot spot of all single element high beam lamps is set more than four inches up or down from the horizontal centerline or more than four inches to the left or right from the vertical centerline.

- b. The left edge of the lamp pattern of any low beam lamp or any combination or multi-element lamp is more

than four inches to the left or right of the vertical centerline or the top edge of the lamp pattern is more than four inches above or below the horizontal centerline when checked on low beam.

C. Optical aimer.

1. Approved optical headlamp machines may be used to properly aim any of the headlamps. Optical aimers must be properly calibrated and used in the manner recommended by the manufacturer.

The optical headlamp machine must be aligned to the vehicle in accordance with the manufacturer's specifications.

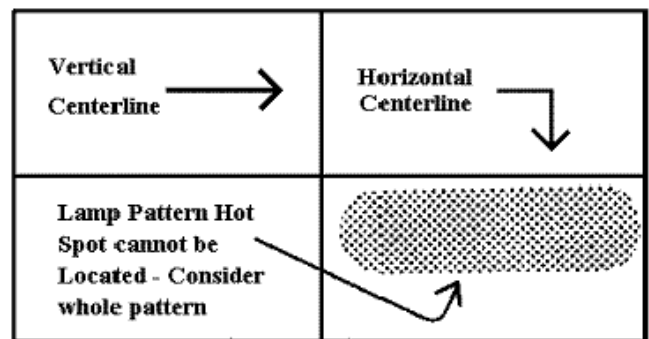
2. When aiming headlamps, first look for the type of lamp, which will be found embossed on the lens. The type determines which aiming requirements must be followed for the optical aimer.

3. All low beam or combination/multi-element headlamps must be set by aiming the lamp pattern with the lamps set on low beam.

NOTE: If attempting to align a composite or sealed beam lamp with a high and low beam within the same housing, align only the low beam. If aligning a four-lamp system with high and low beams in separate housings, it may be necessary to cover the low beam while aligning the high beam, if all four lamps are on at the same time.

4. Pattern should be aimed so that the left edge does not extend to the left or right of straight ahead, and the top of the pattern should be even with the horizontal.

Pattern "A" represents the light pattern as it should appear on the view screen of the approved aimer when checking the low-beam pattern on a single element headlamp or a combination multielement headlamp.



PATTERN A - COMBINATION MULTI-ELEMENT OR LOW BEAM LAMP

Regulations

5. All VOL and VOR headlamps will be aimed as follows:

To properly aim a combination multi-element or low-beam VOL or VOR headlamp assembly, the headlamp pattern should be aimed on low beam only.

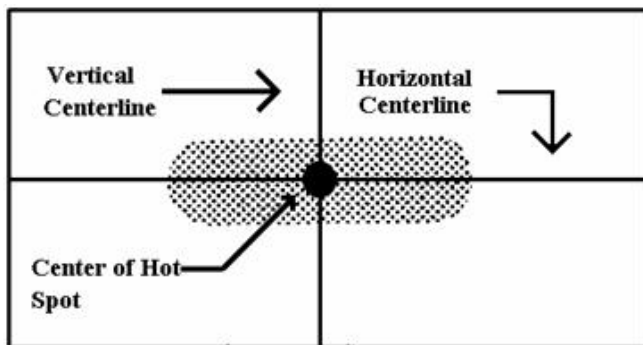
Letters marked on the headlamp cover should properly identify VOL and VOR headlamps.

NOTE: VOL and VOR headlamps will normally have only one adjustment, which will be for the vertical aim only. The horizontal aim should be disregarded, as the horizontal aim is preset at the factory.

6. All single element high beam headlamps shall be set by aiming the center of the hot spot with the lamps set on high beam.

7. Aim straight ahead-center of the hot spot should be centered with the vertical and horizontal centerlines.

Pattern "B" represents the light pattern as it should appear on the view screen of the approved aimers.



PATTERN B - SINGLE ELEMENT HIGH BEAM LAMP

8. When lamp pairs are mounted horizontally, the low beam lamp must be on the outer side and when mounted vertically, the low beam lamp must be at the higher position in the pair.

9. The four headlamp system must be wired so that only the lower beam lamp will burn when the light beams are depressed. When switched to high beams, both high beam and low beam may burn.

The "F" type halogen headlamp 1986 (LF-UF) of the four headlamp system will function in the following manner:

HEADLAMP PATTERNS

system must be used so the low beam does not burn with the high beam.

D. Mechanical aimers.

1. Mechanical aimers can be used to aim only those headlamps that have "aiming" pads molded into the lens.

2. Mechanical aimers must be properly calibrated and used with the proper adapter recommended by the manufacturer. (The adapter setting will be embossed on the face of some lamps.)

3. Turn on headlamps and check all filaments-both high and low beam. Turn off headlamps before checking for adjustments. Do not turn on headlamps while mechanical aimers are attached to the headlamp.

4. All headlamps that are found not to be within the four-inch tolerance shall be adjusted to zero inches up or down and zero inches to the right or left.

E. Headlamps on vehicles used for snow removal. Approved auxiliary headlamps may be mounted above the conventional headlamps. (These lamps must be in compliance with this section in its entirety, subdivision 7 of 19VAC30-70-150, and subdivision 1 of 19VAC30-70-170.)

F. Inspect for and reject if:

1. Lamps are not approved type headlamps (DOT or SAE-H or HH).

2. Lamps are not mounted in a manner that will permit proper aiming.

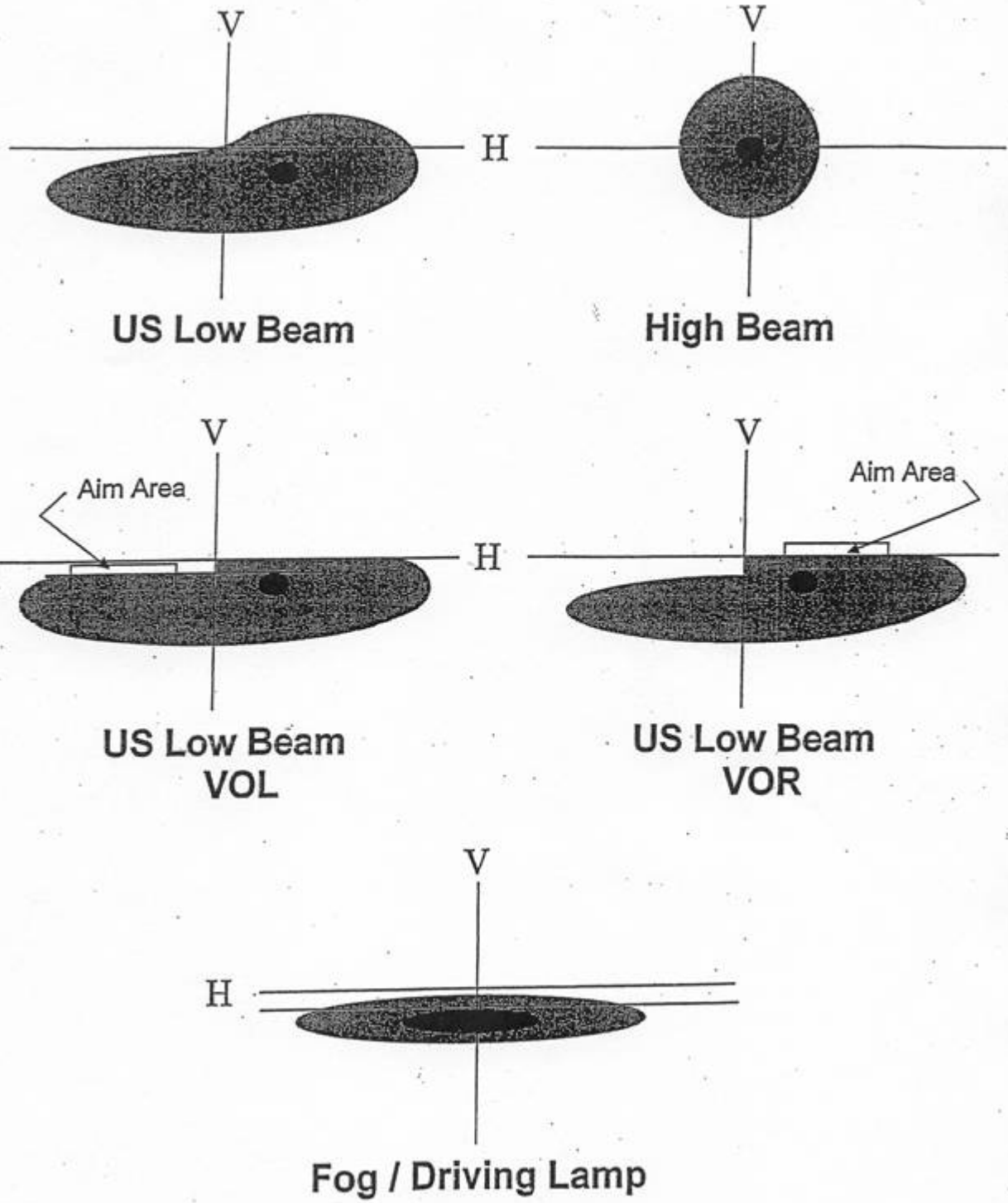
3. Lamps are mounted so as to obstruct the driver's vision.

4. The auxiliary headlamp circuit does not contain a switch that will deactivate the primary headlamp system when the auxiliary headlamps are in use.

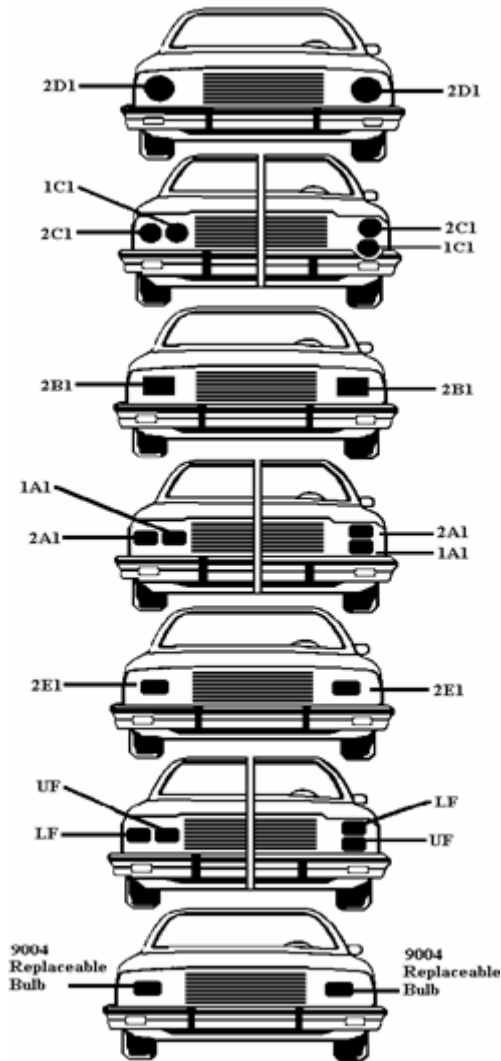
5. Auxiliary headlamps are not aimed in accordance with the provisions of subdivision B 2 of this section.

6. Headlamps are not wired in accordance with the provisions of subdivision C 8 of this section.

NOTE: Light patterns shown in the following diagram will be displayed on the most recently approved light machines produced by Hopkins and Symtech Corporations.



Regulations



Locations of Type 1, Type2, LF/UF, and Replaceable Bulb Headlamps

NOTE: Always inspect the following sealed beam and replaceable bulb, and integral beam headlamps on LOW BEAM only:

- 5-3/4 inch, marked 2, 2C, or 2C1
- 7 inch, marked 2, 2D, or 2D1
- 100 X 165mm rectangular, marked 2A, 2A1, or 2E1, 2G1 or 2H1
- 200 X 142mm rectangular, marked 2B or 2B1
- Replaceable bulb headlamp, marked LF with 9004 (HB1)
- 92 X 160mm rectangular, marked LF

- Replaceable bulb headlamps with 9006 (HB4) alone or in combination with 9005 (HB3)

- 55 X 135mm rectangular, marked L

- Integral beam headlamp when high and low beam reflectors move together.

19VAC30-70-150. Rear lamps: tail lamp; license plate lamps and rear lamp combinations.

~~INSPECT FOR AND REJECT IF~~ Inspect for and reject if:

1. Vehicle is not equipped with a rear (tail lamp) or rear lamp combination of an approved type or light assembly does not work as designed by the manufacturer. The approval designation letters that must appear are DOT or SAE-A-I-S-T-P for single lamps, DOT or SAE-A-I-S-T-P-

R with a backup light, DOT or SAE-A-I-S-T-P-P2-R with a wrap around side-marker lamp and backup light. ~~(NOTE: Any combination of letters must be preceded by the manufacturer's name and followed by the two digit year when manufactured. If either the manufacturer and/or two digit year is not present, then reject.)~~

2. The vehicle is equipped with more than one rear lamp, if all are not in operating condition.

3. The vehicle is not equipped with a license plate lamp of an approved type (DOT or SAE-L) that emits a white light. The license plate lamp may be a separate lamp or part of a combination rear lamp.

4. ~~Lens for license~~ License plate lamp is not clear illuminated by an approved license plate lamp that admits a white light.

5. Lens on rear lamps, or lens area in combination rear lamps (tail lamps) are not red or contain a dot of another color. LED (light emitting diode) lights with a clear lens are acceptable if of an approved type. For those vehicles that are equipped with a multiple LED light (not filament burning bulbs), they will pass inspection if more than 50% of the diode lights are burning.

NOTE: Replacement tail lamps, commonly sold as "clear" tail lamps or "Euro-Tail" lamps will not pass inspection if the red lamps and reflectors are replaced with clear ones or the tail lamps are missing the side red marker lamps or reflectors.

6. Lens has piece broken from it or does not fit properly. The lens may have one or more cracks provided an off-color light does not project through the crack or cracks.

NOTE: Taping or gluing cracks or pieces is not allowed.

7. Filament in all rear (tail) lamps does not burn when headlamp switch is turned on to any position, or if lamps do not provide a red light visible to the rear through an approved red lens as annotated in subdivision 1 of this section. If it is a rear lamp combination incorporated with a wrap around side-marker light, then the side-marker lens must be red and not a clear lens with a red bulb. If the bulb, socket and wiring are removed from the side-marker lamps, then they will not be considered during the inspection.

8. Rear (tail) lamp is not mounted near extreme rear of vehicle. Dump trucks and other specially constructed vehicles may mount the rear lamp at a point other than on the extreme rear, provided such rear lamp is clearly visible from the rear, and further provided that a red reflector of an approved type is mounted on the extreme rear. In unusual cases, the rear lamp may be mounted on the cab. Reject if the lamp is hidden by a bolster or other part of the body or

frame, is not mounted securely, or if the lamp does not make a good electrical contact.

9. The vehicle has unapproved lens or plastic covers, any other materials ~~which~~ that are not original equipment or any colored material placed on or in front of rear lamps, license plate lamps and rear lamp combinations.

10. Wiring or electrical connections are defective or filaments do not burn.

~~44.~~ NOTE: Every trailer shall carry at the rear two red lights of a type approved by the Superintendent.

19VAC30-70-160. Auxiliary lamps: backup; cornering; driving; fog; spot and warning.

A. Auxiliary lamps on a vehicle consist of seven general types: backup lamps (SAE-R), cornering lamps (SAE-K), driving lamps (SAE-Y), front fog lamps with an amber or clear lens (SAE-F and rear fog lamps with red lens (SAE-F2), spot lamps (SAE-O), warning lamps (SAE-W, W2, W3), and daytime running lamps (DRLs) (SAE-Y2).

B. School buses may be equipped with an eight-lamp warning system of two red and two amber warning lamps of an approved type (SAE-W2) on the front and rear of such vehicle.

1. School buses may also be equipped with roof mounted flashing white or amber warning lamps of an approved type (SAE-W2).

2. In addition to required warning lamps, school buses may be equipped with a stop signal arm consisting of an octagonal sign which meets FMVSS specifications (Federal Motor Vehicle Safety Standards, 49 CFR Part 571). The stop signal arm shall be reflectorized or be equipped with two red warning lamps of an approved type.

C. There is no limit on the number of backup lamps that a vehicle may have so long as they are of an approved type (SAE-R).

D. No more than four lamps, including two headlamps, may be lighted at any time to provide general illumination ahead of the vehicle.

E. Approved type (DOT or SAE-W) blue or blue and red lights are permitted on Department of Corrections vehicles designated by the Director of the Department of Corrections and any law-enforcement vehicle.

1. Approved type secondary warning lights installed only on the four corners, on law-enforcement vehicles, Department of Corrections, fire apparatus, government-owned vehicle operated on official business by a local fire chief or other local fire official, rescue squad vehicle, ambulance, or any other emergency medical vehicles. These lights shall also have primary warning lights installed.

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2. The hide-away or undercover strobe lights shall be installed in the side marker lights, tail lights or parking lights. The strobe itself must be clear and the lens color must continue to be the same type and color as originally approved. It will not be permissible to install the hide-away lights in the headlights or in the backup lights.

3. Approved type (SAE-W) red warning lights or red and white lights showing to the front are permitted on fire department vehicles, including publicly owned state forest warden vehicles, ambulances, any rescue vehicle used for emergency calls, local departments of emergency management, animal warden vehicles, school buses and vehicles used by security personnel at the Newport News Shipbuilding and Drydock Company, Bassett-Walker, Incorporated, the Tultex Corporation, or the Winchester Medical Center, or the National Aeronautics and Space Administration's Wallops Flight Facility.

4. No more than two flashing or steady-burning red lights or red and white combination lights of an approved type (SAE-W) may be installed on one vehicle owned by any member of a fire company, volunteer fire company or volunteer rescue squad, any ambulance driver employed by a privately owned ambulance service, and any police chaplain.

F. Vehicles mentioned in subsection E of this section permitted to be equipped with flashing, blinking or alternating red, red and white, blue, or blue and red emergency lights (except vehicles owned by any member of a fire company, volunteer fire company, volunteer rescue squad or any ambulance driver employed by a privately owned ambulance service) may be equipped with the means to flash their headlamps when their emergency warning lamps are activated provided:

1. The headlamps are wired to allow either the upper beam or lower beam to flash but not both.
2. The headlamp system includes a switch or device which prevents flashing of headlamps when headlamps are required to be lighted pursuant to current statute.
3. Emergency vehicles in Chesapeake, Poquoson, and York County may be equipped with flashing headlights that will function whenever their warning lights are activated.

G. Any fire vehicle used exclusively for fire fighting, any ambulance or rescue or lifesaving vehicle used for the principal purpose of emergency relief or any wrecker used for the principal purpose of towing disabled vehicles may be equipped with clear auxiliary lamps which shall be used exclusively for lighting emergency scenes. Such lamps shall be of a type permitted by the superintendent. Any government-owned police vehicle may be equipped with clear auxiliary lamps of a type approved by the superintendent.

H. Approved type (SAE-W) amber flashing, blinking or alternating lights are permitted on vehicles used for the principal purpose of towing or servicing disabled vehicles or in constructing, maintaining and repairing highways or utilities on or along public highways and vehicles used for the principal purpose of removing hazardous or polluting substances from the state waters or drainage areas on or along public highways. Such lamps are permitted on vehicles used for servicing automatic teller machines, refuse collection vehicles, hi-rail vehicles and on vehicles used for towing or escorting over-dimensional materials, equipment, boats, or manufactured housing units by authority of highway hauling permit.

1. Approved type (SAE-W) amber flashing, blinking or alternating lights are permitted on fire apparatus, government-owned vehicles operated on official business by a local fire chief or other local fire official, rescue squad vehicles, ambulances, and any other emergency medical vehicles to be equipped with alternating blinking or flashing red, or red and white secondary lights mounted inside the vehicle's tail lights or marker lights.

2. Approved type (SAE-W) amber flashing, blinking or alternating lights are permitted on vehicles owned and used by municipal safety officers in the performance of their official duties, businesses providing security services and vehicles used to collect and deliver the United States mail, vehicles used by law-enforcement personnel in the enforcement of laws governing motor vehicle parking, government owned law-enforcement vehicles provided the lights are used for giving directional warning and vehicles used to provide escort for funeral processions.

3. Approved type (SAE-W) amber flashing, blinking or alternating lights are permitted on vehicles used as pace cars, security vehicles, or fire-fighting vehicles by any speedway or motor vehicle race track.

4. An approved type (SAE-W) amber flashing, blinking or alternating light may be mounted on the rear of any vehicle used to transport petroleum products. The light must be wired through the reverse gear circuit and activate in conjunction with the back-up lights and audible alarm.

5. An approved type (SAE-W) green warning light is permitted on vehicles used by police, fire-fighting, or rescue personnel as command centers at the scene of incidents. Such lights shall not be activated while the vehicle is operating upon the highway.

I. Inspect for and reject if:

1. Vehicle has an auxiliary lamp being used for a purpose other than for which it was approved.

EXCEPTION: Any lighting device that is both covered and not illuminated, other than lamps required, shall not be considered for inspection. Fog and driving lamps mounted

below the level of the regular headlamps must be checked for aim as outlined in subdivisions I 10 i and 11 g of this section if not covered.

NOTE: The covers shall be a type that would be installed as original equipment and not tape, paper bags, aluminum foil or similar materials per subdivision I 11g (2).

2. A vehicle has installed on it a warning lamp (DOT or SAE-W) that is not of an approved type or has been altered.

Reject if the vehicle has wire, unapproved plastic covers, any other materials that are not original equipment or any colored material placed on or in front of any auxiliary lamps: backup, cornering, driving, fog, spot, or warning lamps.

3. Vehicle is equipped with a combination of auxiliary lamps ~~which that~~ include more than two fog lamps, or more than two spot lamps, or more than two driving lamps. Motor vehicles may be equipped with more than two fog or auxiliary lights; however, only two of these types of lights can be illuminated at any time. Reject a vehicle equipped with a headlamp mounted or used as an auxiliary lamp.

NOTE: Vehicles equipped, from the factory, with two driving lamps should not be rejected.

4. Vehicle is equipped with an auxiliary lamp that does not function properly. (If an auxiliary lamp has been modified by removing the wiring, bulb and socket, the unit will be considered an ornament and not a lamp and will not be considered in inspection.)

5. Vehicle is equipped with a lighted advertising sign, except commercial motor vehicles, buses operated as public carriers, taxicabs, and privately owned passenger cars used for home delivery of commercially prepared food. Commercial motor vehicles, buses operated as public carriers, and taxicabs may be equipped with vacant and destination signs and one steady burning white light for illumination of external advertising. Privately owned passenger cars used for home delivery of commercially prepared food may be equipped with one steady burning white light for the nighttime illumination of a sign identifying the business delivering the food. Do not reject approved identification lights.

6. Any lamp is not of an approved type or if lamps to be burned together as a pair do not emit the same color light.

7. The lens has a piece broken from it. The lens may have one or more cracks provided an off-color light does not project through the crack or cracks.

8. Backup lamps are not required. However, if installed they must operate and be inspected.

Inspect for and reject if:

a. Lamps are not of an approved type (DOT or SAE-R) or a lamp has been altered;

b. Wiring or electrical connections are defective or filaments do not burn;

c. The lens has a piece broken from it. The lens may have one or more cracks provided an off-color light does not project through the crack or cracks;

d. Lens is other than clear. LED (light emitting diode) lights with a clear lens are acceptable, if of an approved type. For those vehicles that are equipped with a multiple LED light (not filament burning bulbs), they will pass inspection if more than 50% of the diode lights are burning;

e. Lamps are not wired into the reverse gear or an independent circuit.

9. Cornering lamps are not required. However, if installed they must operate and be inspected.

Inspect for and reject if:

a. Lamps are not of an approved type (DOT or SAE-K) or a lamp has been altered;

b. Wiring or electrical connections are defective or filaments do not burn;

c. The lens has a piece broken from it. The lens may have one or more cracks provided an off-color light does not project through the crack or cracks;

d. The color of the light is other than clear or amber;

e. The lamps do not burn in conjunction with the turn signals.

10. Driving lamps are not required. However, if installed they must operate and be inspected.

Inspect for and reject if:

a. Driving lamps are installed on vehicles equipped with the four-headlamp system, except the "F" type headlamp system;

b. A vehicle is equipped with more than two driving lamps;

c. Driving lamps are not of an approved type or have been altered;

d. The color of the lamp is other than white;

e. The lens has a piece broken from it or is rotated away from its proper position. The lens may have one or more cracks provided an off-color light does not project through the crack or crack;

f. Wiring or electrical connections are defective;

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g. Any driving lamp is mounted above the level of the regular headlamps, or is not mounted firmly to prevent excessive vibration;

h. Driving lamps are not wired so that they will burn only when the high beams of the regular headlamps are activated;

i. Driving lamps are not aimed so that the center of the hot spot drops three inches in 25 feet so that the hot spot is directly ahead of the lamp;

NOTE: Driving lamps must be aimed using the optical headlight aimer. j- A tolerance of four inches in 25 feet is allowed in both the horizontal and the vertical adjustment.

11. Fog lamps are not required. However, if installed they must operate and be inspected.

Inspect for and reject if:

- a. A vehicle is equipped with more than two fog lamps;
- b. Lamps are not of an approved type (DOT or SAE-F on front or F2 on rear plus two-digit year and manufacturer) or a lamp has been altered;
- c. The lens is other than clear or amber. Fog lamps may have black-end bulbs or small metal caps over the end of the bulb;
- d. The lens has a piece broken from it or is rotated away from its proper position. The lens may have one or more cracks provided an off-color light does not project through the crack or crack;
- e. Wiring or electrical connections are defective or filaments do not burn;
- f. Any fog lamp is mounted above the level of the regular headlamps, or is not mounted firmly;
- g. Lamps are not wired and aimed according to the following instructions:

(1) Fog lamps are general illumination lamps as covered in subsection A of this section. They must burn through the tail light circuit even if on a separate switch. If installed on a vehicle with a four-headlamp system, or a vehicle equipped with driving lamps, they must be wired into the low beam circuit.

(2) Fog lamps must be aimed so that the top edge of the high intensity zone is set at the horizontal centerline and the left edge of the high intensity zone is set at the vertical centerline. (Same as low beam headlights.)

NOTE: Fog lamps must be aimed using the optical headlight aimer. (3) A tolerance of four inches in 25 feet is allowed in both the horizontal and the vertical adjustment.

12. Spot lamps are not required; however, if installed they must operate and be inspected.

Inspect for and reject if:

- a. Vehicle is equipped with more than two spot lamps;
- b. Lamps are not of an approved type (DOT or SAE-O) or a lamp has been altered;
- c. The lens in any spot lamp is other than clear;
- d. The lens has a piece broken from it or is rotated away from its proper position. The lens may have one or more cracks provided an off-color light does not project through the crack or crack;
- e. Wiring or electrical connections are defective or filaments do not burn.

13. Daytime Running Lamps (DRLs) are not required. However, if installed they must operate and be inspected. DRLs must be installed in pairs.

NOTE: DRLs may or may not be wired into the tail light circuit.

Inspect for and reject if:

- a. Any lamp, except headlamps, used as DRLs if not an approved type (SAE-Y2) and is not marked "DRL";
- b. Fog lamps or parking lamps are used as DRLs;
- c. More than one pair of lamps is used and/or designated as DRLs;
- d. A DRL is mounted higher than 34 inches measured to the center of the lamp;
- e. The color is other than white to amber;
- f. DRLs do not deactivate when the headlamps are in any "on" position.

Any DRL optically combined with a turn signal or hazard lamp must deactivate when the turn signal or hazard lamp is activated and then reactivate when the turn signal or hazard lamp deactivates.

19VAC30-70-170. Parking lamps.

A. Parking lamps are not required; however, if installed they must operate and be inspected. Parking lamps may burn in conjunction with the headlamps.

~~B. INSPECT FOR AND REJECT IF~~ Inspect for and reject if:

1. Lamps are not of an approved type (DOT or SAE-P) or a lamp has been altered;

NOTE: The clear lens lights between the headlamps and the red lens lights between tail lamps on various vehicles are approved parking lamps and must work if not rendered

inoperative by removing the bulb, socket and wiring from each individual lamp.

2. Parking lamps have other than white or amber lenses showing to the front. If the lens is clear, then the bulb shall be amber;

3. Parking lamps do not burn with the rear lamps;

4. If lens has a piece broken from it. Lens may have one or more cracks provided no off-color light projects through the crack or cracks;

5. Reject if the vehicle has unapproved lens or plastic covers, any other materials which are not original equipment or any colored material placed on or in front of the parking lamps;

6. Wiring or electrical connections are defective or filaments do not burn.

7. LED (light emitting diode) lights with a clear lens are acceptable if of an approved type. For those vehicles that are equipped with a multiple LED light (not filament burning bulbs), they will pass inspection if more than 50% of the diode lights are burning.

19VAC30-70-180. Clearance lamps and reflectors.

Inspect for and reject if:

1. Any motor vehicle, trailer, semitrailer or other vehicle is not equipped with clearance lamps if the vehicle is over seven feet wide or if any portion extends four inches or more outside the front fender line.

NOTE: See 19VAC30-70-550 for vehicles exceeding 10,000 GVWR.

When a motor vehicle with a trailer attached is presented, the combination may be considered as one unit in meeting this requirement. If presented separately, the individual unit must meet these requirements.

2. Lamps (DOT or SAE-P2, P3 or PC) or reflectors (DOT or SAE-A or B) are not of an approved type or a lamp has been altered.

If the lamps or reflectors have unapproved plastic covers, any other materials that are not original equipment or any colored material placed on or in front of lamps or reflectors.

3. Lenses on lamps on the front are not amber and lenses on lamps on the rear are not red or if a lens has a piece broken from it. A lens may have one or more cracks provided an off-color light does not project through the crack or cracks.

NOTE: LED (light emitting diode) lights with a clear lens are acceptable if of an approved type. For those vehicles that are equipped with a multiple LED light (not filament

burning bulbs), they will pass inspection if more than 50% of the diode lights are burning.

4. Wiring or electrical connections are defective, all filaments do not burn.

5. Two amber lamps are not mounted on the front and two red lamps on the rear, so as to indicate the extreme width of the body, and as high on the permanent body as practical, except that approved 180 degree lamps with yellow or amber lens may be mounted on the side of the vehicle at or as near the front as possible, or if the front is not the widest portion, the lamps may be installed on the side and as near that point as possible. And with the further exception that 180 degree lamps with red lens may be mounted on the side of the vehicle at or as near the rear as possible or if the rear is not the widest portion of the vehicle, the lamps may be installed on the side as near that point as possible.

6. Any vehicle equipped with three red identification lamps with the lamp centers spaced not less than six inches or more than 12 inches apart and installed as close as practicable to the top of the vehicle and as close as practicable to the vertical centerline of the vehicle may have the rear dimension or marker lamps required by subdivision 5 of this section, mounted at any height but indicate as nearly as practicable the extreme width of the vehicle.

~~7.~~ NOTE: Other specially constructed vehicles may be equipped with the required clearance lamps not mounted on the extreme rear, provided such red lamps are clearly visible from the rear and provided further that two red reflectors of an approved type are mounted on the extreme rear. In unusual cases the rear lamp may be mounted on the cab and another red reflex reflector placed on the extreme rear.

~~8.~~ NOTE: In addition to the required clearance lamps showing to the front and to the rear, a vehicle may be equipped with clearance lamps on the side of the vehicle. When such an installation is used, all of the clearance lamps on the side except the one at or near the rear must have an amber lens. The clearance lamps on the side at or near the rear must have a red lens.

~~9.~~ 7. Any vehicle covered by subdivision 1 of this section, except school buses, is not equipped with amber reflectors on the sides as near the front as practical, and red reflectors on the rear. The reflectors must be at least 15 inches and not more than 60 inches from the ground. No reflector can have a piece broken from its reflective surface, but may have one or more cracks.

~~10.~~ 8. Any combination of vehicles whose actual length exceeds 35 feet if the vehicles are not wide enough to have clearance lights, if the vehicle is not equipped with reflex

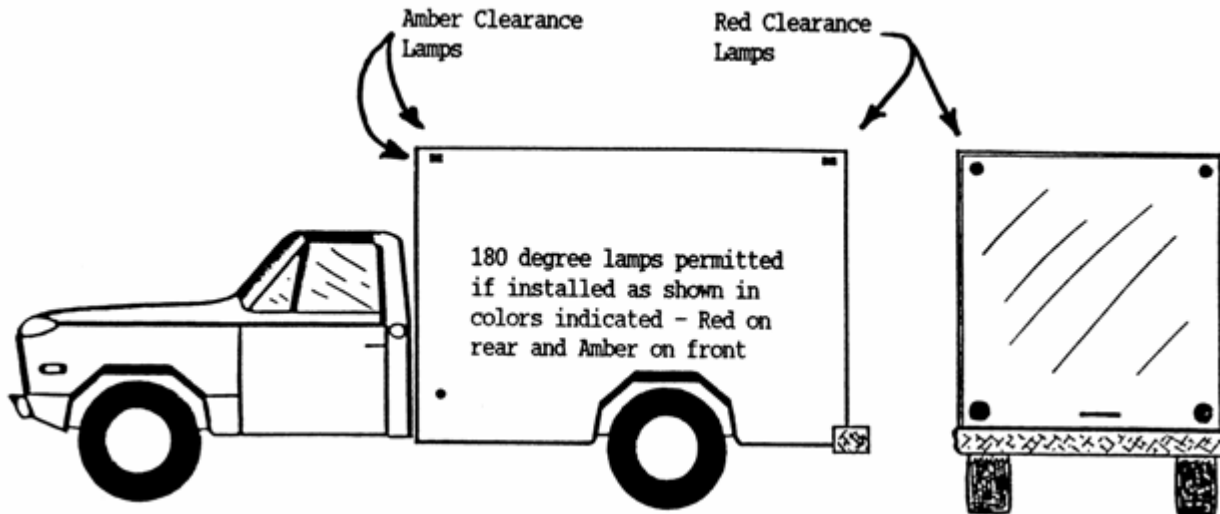
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reflectors of a type approved by the superintendent and mounted on the widest part of the towed vehicle so as to be visible from the front and sides of the vehicle. No reflector can have a piece broken from its reflective surface, but may have one or more cracks.

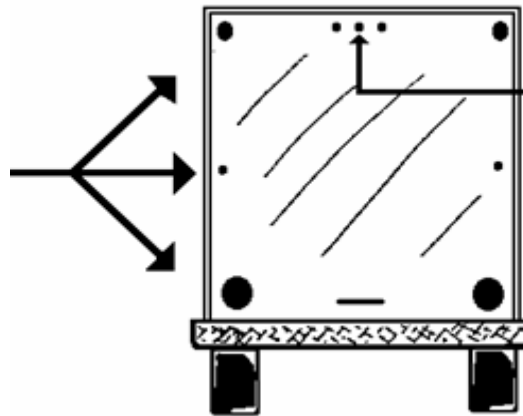
~~4-~~ 9. Any passenger vehicle is equipped with clearance lamps, unless such lamps are used to mark the extreme width of the vehicle or used as taxicab identification, or

used as supplemental turn signals. (See 19VAC30-70-190 B.)

~~4-~~ 10. Vehicles so constructed as to make compliance with the requirements of subdivisions 1, 5, 7, 9 and 10 of this section impractical will be equipped with clearance lamps and reflectors at the most practical location to provide maximum visibility.

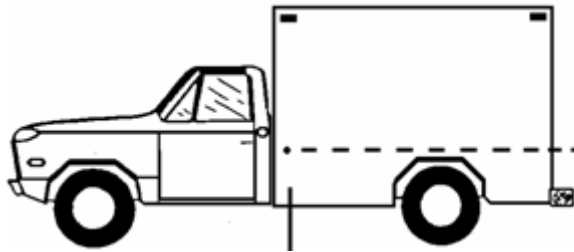


If equipped with three red identification lamps, the required clearance lamps may be mounted at any height so long as they indicate, as nearly as practicable, the extreme width of the vehicle.



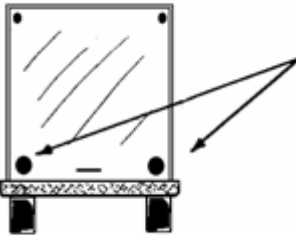
NOTE: Must be equipped with three red identification lamps

ILLUSTRATIONS FOR PROPER INSTALLATION OF REFLECTORS



Amber Reflector

At least 15 inches and not more than 60 inches from the ground.



Red Reflectors: At least 15 inches and not more than 60 inches from the ground.

19VAC30-70-190. Signal device (intention to stop or turn), hazard lights, stop lamp.

A. Any motor vehicle may be equipped with a switch that will permit all turn signal lamps to flash simultaneously.

B. Supplemental turn signals, properly wired into the turn signal circuit, may be installed. These may be either approved type turn signals or clearance lamps.

C. Single face lamps are permissible on the front, except tractor units shall be equipped with two-faced lamps mounted on the front fenders or on or near the front of the vehicle.

D. ~~INSPECT FOR AND REJECT IF~~ Inspect for and reject if:

1. Motor vehicle, or trailer, except an antique vehicle not originally equipped with a stop lamp, is not equipped with at least one stop lamp of an approved type (DOT or SAE-S) that automatically exhibits a red or amber lens to the rear when the brake pedal is actuated;

2. ~~Any 1986 or subsequent year model passenger vehicle or any 1994 or subsequent year model multipurpose vehicle~~ Every passenger car manufactured for the 1986 or subsequent model year and multipurpose passenger vehicle, truck, or bus whose overall width is less than 80 inches, manufactured September 1, 1993, and subsequent model year is not equipped with a supplemental center high mount stop lamp of an approved type (DOT or SAE-U, U1 or U2) mounted at the vertical centerline of the

vehicle which functions only in cooperation with the vehicle's stop lamps brake lights and hazard lights. Any other vehicle on which a supplemental center high mount stop lamp is mounted shall have the lamp mounted at the vertical center line of the vehicle. The lamps shall be of an approved type and shall function only in conjunction with the stop lamps. The high mount stop lamp must be steady burning and not wired to flash with turn signals or other wig-wag device.

"Multipurpose passenger vehicle" means any motor vehicle that is (i) designed to carry no more than 10 persons and (ii) constructed either on a truck chassis or with special features for occasional off-road use.

NOTE: Camper shells and/or other items that may be temporarily carried on or attached to multipurpose vehicles will not be considered during inspection of the center high mount stop lamp, provided the lamp continues to function as designed.

NOTE: Multipurpose passenger vehicles with an overall width of 80 or more inches or GVWR of 10,000 pounds or more are not required to be equipped with a center high mount stop light;

No sticker or other foreign material shall be affixed to the vehicle in such a manner so as to obscure the center high mount stop lamp;

3. Proper signals do not go on with each throw of the switch or if stop signals do not go on with slightest

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pressure on the brake pedal. Turn signals may flash-stop signals may not flash except when the vehicle is equipped with a brake warning system or device which will cause the brake lights to flash when the vehicle is in motion but committed to an emergency or panic stop;

4. Motor vehicle was manufactured after January 1, 1955, and is not equipped with approved signaling devices (SAE-I);

5. Vehicle is not equipped with a turn signal if such signal is not working properly or does not continue to function in the same manner as when it was originally manufactured. (The turn signal switch shall lock in place when positioned for a left turn or a right turn, and the turn signal indicators must function. Do not reject a vehicle if the self-cancelling mechanism in the switch does not function when the steering wheel is rotated.);

6. Switch is not convenient to the driver and not of an approved type;

7. Any vehicle so constructed so as to prevent the operator from making a hand and arm signal, if such vehicle is not equipped with an approved type signaling device;

8. Turn signal lens is not clear or amber to the front, or red or amber to the rear. Lens or bulb color has been altered or modified. If the turn signal lens is clear, then the bulb shall be amber.

NOTE: The pink color lens found on 1998 and 1999 Honda Accords emit the proper color light (amber) when the lamp is activated. There may be other manufacturers using the same configuration and are not in violation of the Federal Motor Vehicle Safety Standards;

9. Wiring or electrical connections are defective or filaments do not burn.

NOTE: LED (light emitting diode) lights with a clear lens are acceptable if of an approved type. For those vehicles that are equipped with ~~the high mount a multiple diode~~ LED light (not filament burning bulbs), they will pass inspection if ~~a majority~~ 50% of the diode lights are burning;

10. Lens has a piece broken from it. The lens may have one or more cracks provided an off-color light does not project through the crack(s).

NOTE: No repairs shall be effected like taping or gluing cracks or pieces.

11. ~~Hazard warning lamps do not flash simultaneously. The hazard warning signal operating unit does not operate independently of the ignition or equivalent switch and when activated cause all turn signals to flash simultaneously.~~

NOTE: They are deemed not to be installed if none of the lights burn or flash when the switch is activated and the hazard warning signal flasher unit has been removed;

12. Device is not mounted near the rear for rear signals or near the front for front signals (except supplemental turn signals) or if the signal is hidden by a bolster or other part of body chassis;

13. All "Class A" signals are not mounted at least three feet apart. (This does not apply to the combination rear signal device.) However, signal lamps that are mounted as far apart as practical inside and at the rear of the frame so as to be properly visible will meet inspection requirements;

14. Any vehicle has unapproved lens or plastic covers, any other materials that are not original equipment or any colored material placed on or in front of the signal device (intention to stop or turn), hazard lights or stop lamp.

19VAC30-70-200. Permissible lighting equipment.

A. Any vehicle may be equipped with:

1. Running board or courtesy lamps, of not over six candlepower.
2. Vacant or destination signs, if a taxicab or bus.
3. Identification lamps of approved type (SAE -P2 or P-3).
4. Interior lights, not more than 15 candlepower.

Exception: This does not apply to alternating, blinking or flashing colored emergency lights mounted inside law enforcement vehicles or flashing shielded red or red and white lights, mounted inside vehicles owned by members of volunteer fire companies, volunteer rescue squads or owned or used by professional firefighters, or police chaplains. Also, this does not apply to fire-fighting vehicles equipped with map lights.

5. Hood ornament light if of an approved type or permitted by the Superintendent.

6. Any approved lamp in good working order when used for the purpose for which it was approved.

B. Side marker lamps are not required. If installed they must operate and be inspected. If the bulb, socket and wiring are removed from an individual lamp unit, the unit will not be considered during inspection. This does not include wraparound tail/marker lamp assembly/lens, which is intended to perform multiple functions.

C. Inspect for and reject if:

1. Lamps are not of an approved type (DOT or SAE-P2 or P3), or do not comply with subdivision 1 of this section;
2. Lamps are not installed on the permanent structure of the vehicle with one as far to the rear and one as far forward as practicable and at a location which is not less

than 15 inches above the road surface when measured from the center of the lamp;

3. Lamps installed on the side to the rear do not have a red approved lens (SAE-P2). Lamps installed on the side of the front do not a clear or amber approved lens (SAE-P2) so as to project an amber light. If the approved lens on the front side is clear, then the bulb shall be a DOT-approved amber bulb;

4. Lens has a piece broken from it. The lens may have one or more cracks provided no off-color light projects through the crack(s);

5. Any vehicle has unapproved lens or plastic covers, any other materials which are not original equipment or any colored material placed on or in front of permissible lighting equipment;

6. Wiring or electrical connections are defective or filaments do not burn.

7. LED (light emitting diode) lights with a clear lens are acceptable if of an approved type. For those vehicles that are equipped with a multiple LED light (not filament burning bulbs), they will pass inspection if more than 50% of the diode lights are burning.

19VAC30-70-210. Glass and glazing.

A. Motor vehicles may be inspected without windshields, side glasses, or any kind of glazing, except that any motor vehicle other than a motorcycle that was manufactured, assembled, or reconstructed after July 1, 1970, must be equipped with a windshield. If glass or other glazing is installed, it must be inspected. If no windshield is installed, see 19VAC30-70-50 C for location of the sticker.

B. ~~INSPECT FOR AND REJECT IF~~ Inspect for and reject if:

1. Any motor vehicle manufactured or assembled after January 1, 1936, or any bus, taxicab or school bus manufactured or assembled after January 1, 1935, is not equipped throughout with safety glass, or other safety glazing material. (This requirement includes slide-in campers used on pickups or trucks, caps, or covers used on pickup trucks, motor homes, and vans.)

2. Any safety glass or glazing used in a motor vehicle is not of an approved type and properly identified (DOT and AS-1, AS-2, or AS-3). (Replacement safety glass installed in any part of a vehicle other than the windshield need not bear a trademark or name, provided the glass consists of two or more sheets of glass separated by a glazing material, and provided the glass is cut from a piece of approved safety glass, and provided the edge of the glass can be observed.)

NOTE: A number of 1998 and 1999 model year Ford Contour/Mystique, Econoline and Ranger vehicles were produced without the AS-1 windshield marking as required by FMVSS #205. Ford has certified that these vehicles' windshields meet all performance standards and will not be rejected.

3. Any glass at any location where glass is used is cracked or broken so that it is likely to cut or injure a person in the vehicle.

4. Windshield has any cloudiness more than three inches above the bottom, one inch inward from the outer borders, one inch down from the top, or one inch inward from the center strip. The bottom of the windshield shall be defined as the point where the top of the dash contacts the windshield.

5. Any distortion or obstruction that interferes with a driver's vision; any alteration that has been made to a vehicle that obstructs the driver's clear view through the windshield. This may include but is not limited to large objects hanging from the inside mirror, CB radios or tachometers on the dash, hood scoops and other ornamentation on or in front of the hood that is not transparent.

a. Any hood scoop installed on any motor vehicle manufactured for the year 1990 or earlier model year cannot exceed 2-1/4 inches high at its highest point measured from the junction of the dashboard and the windshield.

b. Any hood scoop installed on any motor vehicle manufactured for the 1991 or subsequent model year cannot exceed 1-1/8 inches high at its highest point measured from the junction of the dashboard and the windshield.

6. Windshield glass, on the driver's side, has any scratch more than 1/4 inch in width and six inches long within the area covered by the windshield wiper blade, excluding the three inches above the bottom of the windshield. A windshield wiper that remains parked within the driver's side windshield wiper area shall be rejected.

EXCEPTION: Do not reject safety grooves designed to clean wiper blades if the grooves do not extend upward from the bottom of the windshield more than six inches at the highest point.

7. There is a pit, chip, or star crack larger than 1-1/2 inches in diameter at any location in the windshield above the three-inch line at the bottom.

8. At any location in the windshield above the three-inch line at the bottom (as measured from the junction of the dash board and the windshield) there is more than one crack from the same point if at least one of the cracks is

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more than 1-1/2 inches in length. There is any crack that weakens the windshield so that one piece may be moved in relation to the other. (If there is more than one crack running from a star crack that extends above the three-inch line, the windshield shall be rejected.)

EXCEPTION: Windshield repair is a viable option to windshield replacement. A windshield that has been repaired will pass inspection unless:

- a. It is likely to cut or injure a person.
- b. There is any distortion that interferes with a driver's vision.
- c. The windshield remains weakened so that one piece may be moved in relation to the other.
- d. The integrity of the windshield has obviously been compromised by the damage or the repair.

9. Any sticker is on the windshield other than an official one required by law or permitted by the Superintendent. Authorization is hereby granted ~~to~~ for stickers measuring not more than 2-1/2 inches in width and four inches in length to be placed in the blind spot behind the rear view mirror. Department of Defense decals measuring no more than three inches in width and eight inches in length may be affixed to the upper edge of the center of the windshield. At the option of the motor vehicle's owner, the decal may be affixed at the lower left corner of the windshield so that the inside or left edge of the sticker or decal is within one inch of the extreme left edge of the windshield when looking through the windshield from inside the vehicle. When placed at this location, the bottom edge of the sticker or decal must be affixed within three inches of the bottom of the windshield. This location can only be used if the owner of the vehicle has chosen not to place any required county, town or city decal there. The normal location for any required county, town, or city decal is adjacent to the official inspection sticker and must not extend upward more than three inches from the bottom of the windshield. Commercial Vehicle Safety Alliance (CVSA) inspection decals may be placed at the bottom or sides of the windshield provided such decals do not extend more than 4-1/2 inches from the bottom of the windshield and are located outside the area swept by the windshield wipers and outside the driver's sight line.

~~Fastoll Transponder devices may be affixed to the inside center of the windshield at the roof line just above the rear view mirror. If space does not allow, then it may be affixed to the immediate right of the mirror at the roof line.~~

Any sticker required by the laws of any other state or the District of Columbia and displayed upon the windshield of a vehicle submitted for inspection in this state is permitted by the Superintendent, provided the vehicle is currently registered in that jurisdiction and the sticker is displayed in

a manner designated by the issuing authority and has not expired. This includes vehicles with dual registration; i.e., Virginia and the District of Columbia.

NOTE: Fastoll Transponder devices may be affixed to the inside center of the windshield at the roof line just above the rear view mirror. If space does not allow, then it may be affixed to the immediate right of the mirror at the roof line.

NOTE: Volvo placed a warning sticker on the windshield of their cars equipped with side impact air bags. In accordance with this paragraph the sticker shall be removed. If the sticker can be removed intact then it may be placed on the left rear window in the lower front corner. Customers should be referred to the nearest Safety Division area office for replacement if it could not be removed intact.

~~10.~~ EXCEPTION: Stickers or decals used by counties, cities and towns in lieu of license plates may be placed on the windshield without further authority. Except on privately owned yellow school buses, the sticker or decal shall be placed on the windshield adjacent to the right side of the official inspection sticker or the optional placement to the extreme lower left side of the windshield. The top edge of the sticker or decal shall not extend upward more than three inches from the bottom of the windshield. The left side edge adjacent to the official inspection sticker shall not be more than 1/4 inch from the right edge of the official inspection sticker when looking through the windshield from inside the vehicle. At the option of the motor vehicle owner, the sticker or decal may be affixed at the lower left corner of the windshield so that the inside or left edge of the sticker or decal is within one inch of the extreme left edge of the windshield when looking through the windshield from inside the vehicle. When placed at this location, the bottom edge of the sticker or decal must be affixed within three inches of the bottom of the windshield. Any expired sticker or decal, excluding a rejection sticker that is present on the windshield at the time of inspection, shall not be issued an approval sticker unless the owner/operator "authorizes" its removal. A rejection sticker will be issued versus an involuntary removal. On privately owned yellow school buses, the sticker or decal shall be placed on the windshield adjacent to the left side of the official inspection sticker, and not more than 1/4 inch from the left edge of the official inspection sticker when looking through the windshield from inside the vehicle. The top edge of the sticker shall not extend upward more than three inches from the bottom of the windshield.

~~10.~~ 10. Sunshading material attached to the windshield extends more than three inches downward from the top of the windshield, unless authorized by a ~~medical waiver~~

~~certific~~ate the Virginia Department of Motor Vehicles and indicated on the vehicle registration.

NOTE: Sunshading material on windshield displaying words, lettering, numbers or pictures ~~is not approved and is not~~ that does not extend below the AS-1 line is permitted.

NOTE: Vehicles with logos made into the glass at the factory that meet federal standards will pass state inspection.

~~12.~~ 11. Any sunscreening material is scratched, distorted, wrinkled or obscures or distorts clear vision through the glazing.

~~13.~~ 12. Front side windows have cloudiness above three inches from the bottom of the glass or other defects that affect the driver's vision or one or more cracks which permit one part of the glass to be moved in relation to another part. Wind silencers, breezes or other ventilator adaptors are not made of clear transparent material.

EXCEPTION: Colored or tinted ventvisors that do not exceed more than two inches from the forward door post into the driver's viewing area are permitted.

~~14.~~ 13. Glass in the left front door cannot be raised or lowered easily so a hand signal can be given. (This does not apply to vehicles that were not designed and/or manufactured for the left front glass to be lowered, provided the vehicle is equipped with approved turn signals.) If either front door has the glass removed and material inserted in place of the glass that could obstruct the driver's vision.

EXCEPTION: Sunscreening material is permissible if the vehicle is equipped with a mirror on each side.

~~15.~~ 14. Any sticker or other obstruction is on either front side window, rear side windows, or rear windows. (The price label, fuel economy label and the buyer's guide required by federal statute and regulations to be affixed to new/used vehicles by the manufacturer shall normally be affixed to one of the rear side windows.) If a vehicle only has two door windows, the labels may be affixed to one of these windows. If a vehicle does not have any door or side windows the labels may be temporarily affixed to the right side of the windshield until the vehicle is sold to the first purchaser.

NOTE: A single sticker no larger than 20 square inches in area, if such sticker is totally contained within the lower five inches of the glass in the rear window or a single sticker or decal no larger than 10 square inches located in an area not more than three inches above the bottom and not more than eight inches from the rearmost edge of either front side window, is permissible and should not be rejected.

A single sticker issued by the Department of Transportation to identify a physically challenged driver, no larger than two inches X two inches, located not more than one inch to the rear of the front door post, or one inch to the rear of the front ventilator glass, if equipped with a ventilator glass, and no higher than one inch from the bottom of the window opening, is permitted on the front driver's side window on a vehicle specially equipped for the physically challenged.

~~16.~~ 15. Rear window is clouded or distorted so that the driver does not have a view 200 feet to the rear.

EXCEPTIONS: The following are permissible if the vehicle is equipped with a mirror on each side:

a. There is attached to one rear window of such motor vehicle one optically grooved clear plastic right angle rear view lens, not exceeding 18 inches in diameter in the case of a circular lens or not exceeding 11 inches by 14 inches in the case of a rectangular lens, which enables the operator of the motor vehicle to view below the line of sight as viewed through the rear window.

b. There is affixed to the rear side windows, rear window or windows of such motor vehicle any sticker or stickers, regardless of size.

c. There is affixed to the rear side windows, rear window or windows of such motor vehicle a single layer of sunshading material.

d. Rear side windows, rear window or windows is clouded or distorted.

19VAC30-70-220. Mirrors.

~~INSPECT FOR AND REJECT IF~~ Inspect for and reject if:

1. Any motor vehicle is not equipped with at least one mirror.

2. Any 1969 and subsequent model motor vehicle, designed and licensed primarily for passenger vehicular transportation, is not equipped with at least one outside and one inside rear view mirror.

NOTE: The inside mirror cannot be removed on these vehicles even if it has an outside on each side.

Vehicles equipped with only one outside mirror must have the mirror on the driver's side.

~~3.~~ EXCEPTION: No motor vehicle shall be required to be equipped with an inside rear view mirror if it does not have a rear window or if the rear window is so obstructed as to prevent rearward vision by means of an inside rear view mirror, if the motor vehicle has horizontally and vertically adjustable outside rear view mirrors installed on both sides of such motor vehicle in such a manner as to provide the driver of such motor vehicle a ~~rearward~~ clear view along

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both sides of such motor vehicle for a distance of not less than 200 feet.

4. ~~3.~~ Reflecting surface of mirror is cracked, broken, peeled, pitted, clouded, tarnished, has sharp edges, reflects more than one image or a distorted image, or is not mounted securely.

~~5.~~ 4. Mirror does not give the driver a clear view of the road 200 feet to the rear.

~~6.~~ 5. Interior rear view mirror.

a. Mirror is loose enough that rear view is impaired.

b. Mirror cannot be adjusted or will not maintain a set adjustment.

~~7.~~ 6. Exterior rear view mirror.

a. Mirror is loose enough that rear view is impaired.

b. Left mirror is obscured by an unwiped portion of windshield or mirror is mounted so it cannot be adjusted from driver's seat. (Applies to 1969 and subsequent model vehicles.)

c. A right side mirror is not required if the reflecting surface of the mirror has been completely removed from the mirror housing; however, a vehicle will be required to have two outside mirrors if there is a sticker or stickers, regardless of size, sunshading or tinting film on the rear side windows or rear window.

NOTE: A single sticker no larger than 20 square inches, if such sticker is totally contained within the lower five inches of the glass of the rear window and does not obstruct the center high mount brake light, is allowed and will pass inspection.

19VAC30-70-290. Seat belts; definitions.

"Bus" means a motor vehicle with motive power designed to carry more than 10 persons.

"Designated seating position" means any plan view (looking down from the top) location intended by the manufacturer to provide seating accommodations while the vehicle is in motion, except auxiliary seating accommodations as temporary or folding jump seats.

"Front outboard designated seating positions" means those designated seating positions for the driver and outside front seat passenger (except for trucks which have the passenger seat nearest the passenger side door separated from the door by a passageway used to access the cargo area).

"GVWR" means Gross Vehicle Weight Rating as specified by the manufacturer (loaded weight of a single vehicle).

"Multi-purpose passenger vehicle" means a any motor vehicle ~~with motive power that is (i)~~ designed to carry no more than 10 persons or less which is and (ii) constructed

either on a truck chassis or with special features for occasional off-road ~~operation~~ use. This shall include a mini-van.

"Open-body type vehicle" means a vehicle having no occupant compartment top or an occupant compartment top that can be installed or removed by the user at his convenience.

"Passenger car" means a motor vehicle with motive power except a multipurpose passenger vehicle or motorcycle designed for carrying 10 persons or less.

"Rear outboard front facing designated seating positions" means those designated seating positions for passengers in outside front facing seats behind the driver and front passenger seat, except any designated seating position adjacent to a walk-way, that is located between the seat and the rear side of the vehicle and is designated to allow access to more rearward seating positions.

"Truck" means a motor vehicle with motive power designed primarily for the transportation of property or special purpose equipment.

Passive Restraint System

A. Inflatable occupant restraint (commonly known as air bags).

B. Passive belt system (automatic deployment around the occupant after the occupant enters the vehicle and closes the door).

~~C. INSPECT FOR AND REJECT IF~~ Inspect for and reject if:

1. Not of an approved type;

2. Installation not in compliance as follows:

a. All motor vehicle seat belt anchorages and attachment hardware must meet the standards and specifications set forth by the Society of Automotive Engineers, Inc., and Federal Motor Vehicle Safety Standard No. 209 (49 CFR 571.209), for such anchorages and attachment hardware;

b. Any questions concerning the proper installation of seat belt assemblies should be directed to the nearest Safety Division office.

3. Any 1963 and subsequent model vehicle, designed and licensed primarily for private passenger use, is not equipped with adult safety lap belts for at least two front seats or a combination of lap belts and shoulder straps or harnesses.

4. Any passenger car manufactured on or after January 1, 1968, is not equipped with lap/shoulder or harness seat belt assemblies located at the front outboard designated seating positions (except in convertibles) and lap seat belt assemblies located at all other designated seating positions.

5. Any convertible passenger car manufactured on or after January 1, 1968, does not have a lap seat belt assembly for each designated seating position.

6. Any passenger car manufactured on or after December 11, 1989, (except convertibles) not equipped with lap/shoulder seat belt assemblies located at all forward facing rear outboard designated seating positions.

a. Any passenger car manufactured on or after September 1, 1991, (including convertibles) is not equipped with a lap/shoulder seatbelt assembly located at all forward facing rear outboard designated seating positions.

b. Any truck, multipurpose vehicle, or bus (except school buses and motor homes) with a gross vehicle weight rating (GVWR) of 10,000 pounds or less, manufactured on or after September 1, 1991, is not equipped with a lap/shoulder seatbelt assembly at all forward facing rear outboard designated seating positions.

c. Any of the heretofore described vehicles manufactured on or after September 1, 1992, are not equipped with lap/shoulder seatbelt assembly located at all forward facing rear outboard designated seating positions on a readily removable seat.

7. Any of the following motor vehicles manufactured on or after July 1, 1971, do not have a lap seat belt assembly for each designated seating position:

- a. Open-body type vehicles;
- b. Walk-in van type trucks;
- c. Trucks (GVWR in excess of 10,000 pounds);
- d. ~~Multi-purpose~~ Multipurpose passenger vehicles (GVWR in excess of 10,000 pounds).

8. Any buses manufactured on or after July 1, 1971, do not have a lap seat belt assembly for the driver's seating position.

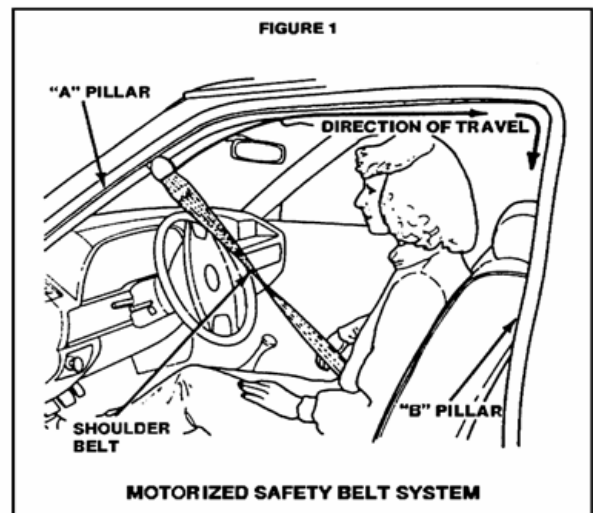
9. All other motor vehicles manufactured on or after January 1, 1976, except those for which requirements are specified in subdivisions 3 and 4 of this subsection, do not have lap/shoulder or harness seat belt assemblies installed for each front outboard designated seating position. Those vehicles originally equipped and sold by the manufacturer with only a lap belt installed for each designated seating position in compliance with Federal Motor Vehicle Safety Standards (49 CFR Part 571) will be deemed to be in compliance with this section.

10. Any seat belt buckle, webbing, or mounting is cut, torn, frayed or no longer operates properly.

11. Any seat belt anchorage is loose, badly corroded, missing or not fastened to belt.

D. Safety belts (motorized). Enter the vehicle and close the door. Insert the key into the ignition and turn to the on position. A motor causes the shoulder belt to slide along a track (Figure 1) starting at the front body "A" pillar and moving rearward to its locked position at the "B" pillar. The seat belt warning indicator lamp should illuminate with the lap belt unbuckled. When the ignition is turned to the off position and the door is opened, the shoulder belt moves forward to the "A" pillar.

NOTE: Do not reject if the motor is inoperative and the shoulder belt is permanently "locked" at pillar "B."



E. Air bag and air bag readiness light.

Inspect for and reject if:

1. Any defects in the air bag system are noted by the air bag readiness light or otherwise indicated;
2. The air bag has been deployed and has not been replaced (and is not deactivated because of a medical or other exemption and a notice is posted to indicate that it has been deactivated);
3. Any part of the air bag system has been removed from the vehicle; or

NOTE: 4. If the air bag indicator fails to light or stays on continuously.

NOTE: Checking the air bag readiness light. Turn the ignition key to the on position; the air bag readiness light will indicate normal system operation by lighting for six to eight seconds, then turning off. A system malfunction is indicated by the flashing or continuous illumination of the readiness light or failure of the light to turn on.

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~~EXCEPTION: Don't reject if the air bag has been deployed or removed, provided the air bag warning light has been disabled.~~

19VAC30-70-300. Muffler, exhaust system and trailer venting.

A. Flexible tubing may be used anywhere in the exhaust system.

B. Inspection of exhaust system does not concern noise level.

C. ~~INSPECT FOR AND REJECT IF~~ Inspect for and reject if:

1. There is any leakage of exhaust gases at any point in the system. Do not reject "built-in" drain holes in muffler or tailpipe.
2. A muffler or catalytic converter has been repaired in any manner. The exhaust pipe may be welded to the muffler or catalytic converter. Holes or cracks in the exhaust line have been repaired with a patch or caulking.

NOTE: If a vehicle is inspected that does not have a muffler, the inspector should explain to the customer that although the vehicle will pass inspection without a muffler, it is a violation of state law for the vehicle to be operated on the highway without it.

NOTE: Nissan has designed an exhaust repair for leak/noise at the front tube for the 2002-03 Nissan Pathfinders. The repair may require the application of a specially designed caulk to the front tube of the exhaust system. Since Nissan has designed the repair for their vehicles and trained Nissan technicians would perform the repair, this would be acceptable and should not be rejected. This exception would not preclude the rejection of exhaust systems repaired in a manner that is not designed or approved by the manufacturer and not performed by trained persons.

3. Tailpipe opening is mashed or pinched.
4. Brackets are loose, broken, or missing.
5. The exhaust system fails to discharge the exhaust to the rear or sides of that part of a property-carrying-vehicle that is designed for and normally used for the driver and passengers and to the rear or sides of the passenger and trunk compartment of passenger vehicles.

D. Trailers and semitrailer venting. Inspection of trailers and semitrailers will include a visual inspection of the venting of cooking or heating appliances to the outside of the trailer or semitrailer to determine if the heating and cooking appliances are adequately vented to the outside to prevent the asphyxiation of occupants of any trailer or semitrailer by the operation of the heating or cooking appliances.

1. Reject the trailer or semitrailer if not equipped with a vent or venting system to the outside.

2. Reject the trailer or semitrailer if there is any complete or partial obstruction of the vent or venting system.

19VAC30-70-340. Motorcycle brakes.

A. The inspector, if qualified to operate a motorcycle, must drive it into the inspection lane and test the service brakes. If not qualified to operate motorcycles, the inspector must observe the operator operate the brakes. The inspector is required to observe and inspect the braking system on both wheels if so equipped or required to be equipped.

B. ~~INSPECT FOR AND REJECT IF~~ Inspect for and reject if:

1. Any motorcycle is not equipped with a brake, or which has a disconnected brake.
2. Any motorcycle which was originally equipped with a service brake system on both the front or rear wheel(s) if the service brake system has been altered by removing or disconnecting any of the brake system components from any of the wheels.
3. Any motorcycle manufactured after July 1, 1974, is not equipped with either a split service brake system or two independently actuated service brake systems which shall act on the front as well as the rear wheel or wheels.
4. Bonded linings or disc pads are worn to less than 2/32 of an inch in thickness or riveted linings or disc pads are worn to less than 2/32 of an inch over the rivet head(s).
5. Any lining is broken or cracked so that the lining or parts of the lining are not firmly attached to the shoe or disc pad.
6. Grease or any other contamination cannot be satisfactorily removed from the lining or disc pad.
7. Rivets in riveted linings or disc pads are loose or missing.
8. A brake drum or brake disc (rotor) is scored to the extent that it impairs the braking system.
9. A brake drum or brake disc is worn beyond the manufacturer's recommended limit. (A brake drum or brake disc shall under no circumstances be re-machined beyond the manufacturer's specifications.)
10. Rods are bent, cotter keys or lock nuts are missing, cables frayed or broken or parts misaligned.
11. When operated at 20 miles per hour on a dry, level, hard surface free from loose material, the brakes will not stop the motorcycle within 30 feet.
12. Levers (foot and hand) do not have at least 1/3 of their travel as reserve after brakes are fully applied.

13. Any leaks in master cylinder, wheel cylinders, or any brake hoses or lines.

14. ~~Fluid level in master cylinder below full mark unless level recommended by manufacturer is clearly marked. A motorcycle that is equipped with a front and rear master cylinder, if one or both are not displaying the recommended manufacturer fluid level.~~

15. ~~Any hydraulic lines or hoses are crimped, abraded, broken or restricted. Any line or hose not installed so as to prevent damage or abrasion by contact with the frame or other components. There is any leakage in any hydraulic, air, or vacuum lines; hoses have any cracks, crimps, restrictions, or are abraded exposing fabric; tubing or connections leak, are crimped, restricted, cracked or broken; any valves leak or are inoperative. Reject the vehicle if the brake hoses or tubing are stretched or extended and do not allow for suspension movement. Brake tubing and hoses must:~~

a. Be long and flexible enough to accommodate without damage all normal motions of the parts to which it is attached;

b. Be secured against chaffing, kinking, or other mechanical damage; and

c. Be installed in a manner that prevents it from contacting the vehicle's exhaust system or any other source of high temperatures.

19VAC30-70-350. Motorcycle seat, steering and suspension.

INSPECT FOR AND REJECT IF Inspect for and reject if:

1. Frame is bent or damaged so as to constitute a hazard in proper operation.

2. Wheels are out of line to a degree steering and control is affected.

3. Steering-head bearing is loose, broken, defective or out of adjustment.

4. Handlebars are loose, bent, broken or damaged in such a manner as to affect proper steering.

5. Shock absorbers are broken, worn, missing, defective, disconnected or do not function properly.

6. Any spring in the suspension system is broken or sagging.

7. If motorcycle seat or seats are not securely fastened.

8. Any motorcycle designed to carry more than one person is not equipped with a footrest for each passenger.

9. The storage battery is not attached to a fixed part of the motorcycle or protected by a removable cover or enclosure if the battery is installed in a location other than the engine

compartment. This includes all brackets, hardware, bolts, and bushings used for securely mounting the storage battery to the motorcycle.

a. Removable covers or enclosures shall be substantial and shall be securely latched or fastened.

b. The storage battery compartment shall have openings to provide ample battery ventilation and drainage.

c. Whenever the cable to the starting motor passes through a metal compartment, the cable shall be protected against grounding by an acid and waterproof insulating bushing.

d. Whenever a battery and a fuel tank are both placed under the driver's seat, they shall be partitioned from each other and each compartment shall be provided with an independent cover, ventilation, and drainage.

19VAC30-70-360. Motorcycle lights: headlamp, rear, signal, warning.

A. Inspect for and reject if:

1. Motorcycle is not equipped with at least one motorcycle headlamp.

2. Any motorcycle headlamp is not of an approved type (SAE-M). A motorcycle may have one or more headlamps. In addition to the headlamp(s), a motorcycle may be equipped with not more than two auxiliary headlamps of a type approved (SAE-C) by the superintendent and identified as "auxiliary front lamps."

3. Lens and reflector do not match except in sealed units, or if the lens is cracked, broken or rotated, or if the lens and reflector are not clean or bright.

4. Any motorcycle lights-headlamp, rear lamp, signal or warning lamp has any wire, unapproved lens or plastic covers, any other materials that are not original equipment or any colored material placed on or in front of lamp or lens.

~~5. Motorcycles may be equipped with means of modulating the high beam of their headlights between high and low beam at a rate of 200 to 280 flashes per minute, provided they are equipped with a switch or device that prevents flashing of headlights when headlights are required to be lighted.~~

~~6.~~ 5. Lamp is not focused or any filament or bulb fails to burn.

~~7. The center of the hot spot is set more than four inches up or down from the horizontal centerline or more than four inches to the left or right from the vertical centerline.~~

~~8.~~ 6. Lamp is not mounted securely or if switch does not operate properly.

Regulations

NOTE: Motorcycles may be equipped with means of modulating the high beam of their headlights between high and low beam at a rate of 200 to 280 flashes per minute, provided they are equipped with a switch or device that prevents flashing of headlights when headlights are required to be lighted.

NOTE: The center of the hot spot is set more than four inches up or down from the horizontal centerline or more than four inches to the left or right from the vertical centerline.

NOTE: Inspection is to be performed with lamp on high beam.

NOTE: The use of strobe lights being placed inside the headlamps of police motorcycles is permitted. The strobe light system developed by Harley-Davidson for use in police motorcycle headlamps has been tested and does meet the current standard; therefore, strobe light systems of this type and similar types may be used in police motorcycle headlamp systems.

B. Aiming the headlamp. All headlamps that do not comply with subdivision A 7 of this section shall be aimed straight ahead. (Zero inches up or down and zero inches to the right or left.)

C. Rear lamp.

Inspect for and reject if:

1. The high beam indicator does not burn when the high or "country" beam is on or does not go off when the low beam is on.
2. Motorcycle is not equipped with a rear lamp of approved type SAE-T-S-P-A).
3. Lamp is not mounted near rear of vehicle, or is not mounted securely, or if lamp does not make a good electrical connection.
4. Lenses are not red to the rear and clear or amber to the front or any lens has a piece broken from it. The lens may have one or more cracks provided an off-color light does not project through the crack(s).

~~NOTE: With the changing technology, there are a few rear lamps that do not have a red lens but rather white with red diode bulbs that have been approved.~~

NOTE: LED (light emitting diode) lights with a clear lens are acceptable if of an approved type. For those vehicles that are equipped with a multiple LED light (not filament burning bulbs), they will pass inspection if more than 50% of the diode lights are burning.

5. Filaments in all lamps do not burn when headlamp switch is turned on to any position.

6. The rear license plate is not illuminated by an approved license plate lamp.

D. Signal device (intention to stop or turn).

1. Signal devices are not required on motorcycles; however, if installed, they must operate and be inspected.
2. Signal lamp lenses installed on the front of the motorcycle shall be amber and be located on each side of the vertical centerline of the motorcycle and as far apart as practicable and not closer than nine inches, measured from the optical centerline of the lamps, and to be located on the same level and not less than 20 inches above the ground plate. The optical centerline of the lamp shall not be less than four inches from the retaining ring of the headlamp unit.
3. Signal lamps installed on the rear of the motorcycle shall be red or amber and shall be located on each side of the vertical centerline of the motorcycle as far apart as practicable but not closer than nine inches, measured from the optical centerline of the lens, and shall be located on the same level and not less than 20 inches above the ground level.
4. Inspect for and reject if:

- a. Motorcycle, except an antique vehicle not originally equipped with a stop lamp, is not equipped with at least one stop lamp of an approved type that automatically exhibits a red or amber light to the rear when the brake control foot pedal or hand grip brake control device is activated. (On motorcycles manufactured prior to January 1, 1972, the activation of the front wheel brake control device is not required to activate the stop lamp.)
- b. The signal lamp is not of an approved type (SAE-D) or does not flash.
- c. Lens in brake lamp or signal lamp has a piece broken from it. (Lens in brake lamp or signal lamp may have one or more cracks provided an off-color light does not project through the crack or cracks.)
- d. Wiring or electrical connections are defective or any filaments do not burn.
- e. Switch is not convenient to the driver and not of an approved type.
- f. Signal devices are not installed as provided in subdivisions D 1 and 2 of this section.

E. Warning lights.

Inspect for and reject if:

1. Warning lamps are not of an approved type or have been altered.
2. Any lighted advertising sign is present.

19VAC30-70-370. Motorcycle mirror.

~~INSPECT FOR AND REJECT IF~~ Inspect for and reject if:

1. Motorcycle is not equipped with a mirror.
2. Reflecting surface of mirror is cracked, broken, peeled, pitted, clouded, tarnished, has sharp edges, or reflects more than one image or a distorted image.
3. Mirror is not mounted securely.
4. Operator does not have a view of the road 200 feet to the rear.

19VAC30-70-400. Motorcycle tires, wheels, rims.

~~INSPECT FOR AND REJECT IF~~ Inspect for and reject if:

1. Any tire has a cut or puncture, not to include a plug or patch that may be used as a manner of repair, or is worn so that the fabric is visible.

NOTE: Plugs/patches shall be in the tread area only. Plugs/patches are not permitted in the side wall of the tire.

2. Any tire has knots or bulges in any side wall or if there is evidence of a broken belt under the tread or of the tread separating from the fabric.

3. Any bolts, nuts, lugs or spokes are bent, loose or missing. Rims or wheels are bent, cracked or damaged so as to affect the safe operation of the motorcycle.

4. Wheel bearings are excessively worn or out of adjustment.

5. Any motorcycle is equipped with a tire that has a tread depth measuring less than $\frac{2}{32}$ of an inch when measured in accordance with the instructions set forth in subdivisions 6, 7, and 8 of 19VAC30-70-130.

6. Any tire is marked specifically for use other than on the highway such as "For Farm Use Only," ~~or~~ "For Off-Highway Use Only-" or "For Mobile Home Use Only."

7. Any motorcycle tire has been recut or regrooved.

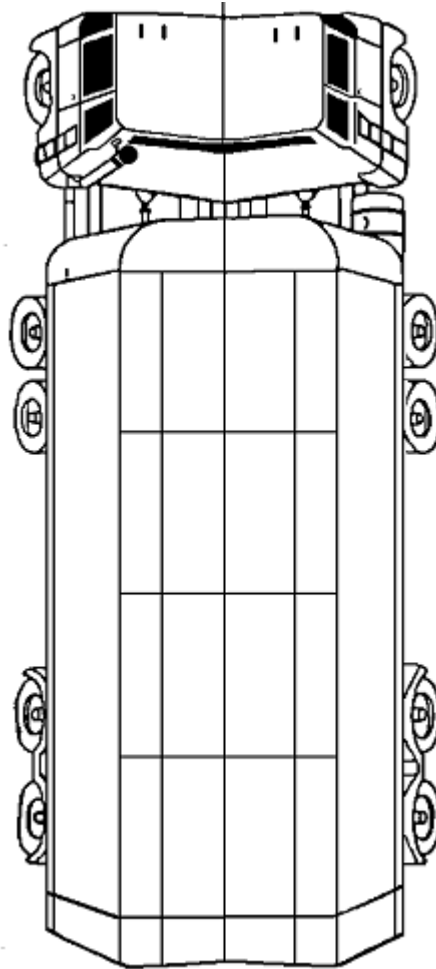
8. Directional tires and/or wheels designed and manufactured to go in a certain direction or rotation are not installed in the proper direction of rotation.

Regulations

19VAC30-70-430. Inspection procedure -- heavy vehicles.

Inspection procedure -- heavy vehicles:

1. Remove existing inspection sticker (all vehicles).
2. While in right front, inspect right side glass and right side lug nuts, windshield, seat belts, and door latches.
3. Drive vehicle into inspection lane.
4. While in driver's seat, check left side glass and window crank, windshield, driver's seat, seat belts, door latches and parking or holding brake. Check service brake, high beam indicator, turn signal switch, air brake low air warning, air pressure loss, (single/combo) horn, windshield wiper, defroster, mirrors, steering lash and floor pan.
5. Check exhaust system and fuel tank.
6. Check right side marker and clearance reflectors.
7. Check all rear lights (including brake and turn signal). Check all rear reflectors.



8. Check left side marker, clearance lights and reflectors.
9. Check all wheels for brakes, push rod travel, tires, rims and suspension.
10. Check headlights, fog, driving, turn signals, other lights and reflectors.
11. Check steering system, ball joints/king pin, shocks, springs.
12. Open hood and check latching mechanism, master cylinder, engine mounts, and compressor belts.
13. Check frame (all vehicles) and coupling device.
14. Check air lines and couplings. Disconnect emergency air line (red) (left) and check for automatic operation of trailer breakaway brakes. Check tractor air protection valve. (Combination vehicle only).
15. Issue approval or rejection sticker.

Required lamps and reflectors on commercial vehicles.

Lamps and reflex reflectors. Table 1 specifies the requirements for lamps, reflective devices and associated equipment by the type of commercial motor vehicle. The diagrams in this section illustrate the position of the lamps, reflective devices and associated equipment specified in Table 1. All commercial motor vehicles manufactured on or after December 25, 1968, must, at a minimum, meet the applicable requirements.

Table 1
Required Lamps and Reflectors on Commercial Motor Vehicles

| <u>Item on the vehicle</u> | <u>Quantity</u> | <u>Color</u> | <u>Location</u> | <u>Position</u> | <u>Height above the road surface in millimeters (mm) (with English units in parenthesis) measured from the center of the lamp at curb weight</u> | <u>Vehicles for which the devices are required</u> |
|---|-----------------|--------------|-----------------------------|---|--|--|
| <u>Headlamps</u> | <u>2</u> | <u>White</u> | <u>Front</u> | <u>On the front at the same height, with an equal number at each side of the vertical center line as far apart as practicable.</u> | <u>Not less than 559 mm (22 inches) nor more than 1,372 mm (54 inches)</u> | <u>A, B, C</u> |
| <u>Turn signal (front)^{2, 12}</u> | <u>2</u> | <u>Amber</u> | <u>At or near the front</u> | <u>One on each side of the vertical centerline at the same height and as far apart as practicable.</u> | <u>Not less than 381 mm (15 inches) nor more than 2,108 mm (83 inches.)</u> | <u>A, B, C</u> |
| <u>Identification lamps (front)¹</u> | <u>3</u> | <u>Amber</u> | <u>Front</u> | <u>As close as practicable to the top of the vehicle, at the same height, and as close as practicable to the vertical centerline of the vehicle (or the vertical centerline of the cab where different from the centerline of the vehicle) with lamp centers spaced not less than 152 mm (6 inches) or more than 305 mm (12 inches) apart. Alternatively, the front lamps may be located as close as practicable to the top of the cab.</u> | <u>All three on the same level as close as practicable to the top of the motor vehicle.</u> | <u>B, C</u> |
| <u>Tail lamps^{5, 11}</u> | <u>2</u> | <u>Red</u> | <u>Rear</u> | <u>One lamp on each side of the vertical centerline at the same height and as far apart as practicable.</u> | <u>Both on the same level between 381 mm (15 inches) and 1,829 mm (72 inches).</u> | <u>A, B, C, D, E, F, G, H</u> |

Regulations

| | | | | | | |
|--|----------|--------------|---|---|---|----------------------------|
| <u>Stop lamps</u> ^{5, 13} | <u>2</u> | <u>Red</u> | <u>Rear</u> | <u>One lamp on each side of the vertical centerline at the same height and as far apart as practicable</u> | <u>Both on the same level between 381 mm (15 inches) and 1,829 mm (72 inches).</u> | <u>A, B, C, D, E, F, G</u> |
| <u>Clearance lamps</u> ^{8, 9, 10, 15, 17} | <u>2</u> | <u>Amber</u> | <u>One on each side of the front of the vehicle.</u> | <u>One on each side of the vertical centerline to indicate overall width.</u> | <u>Both on the same level as high as practicable.</u> | <u>B, C, D, G, H</u> |
| | <u>2</u> | <u>Red</u> | <u>One on each side of the rear of the vehicle.</u> | <u>One on each side of the vertical centerline to indicate overall width.</u> | <u>Both on the same level as high as practicable.</u> | <u>B, D, G, H</u> |
| <u>Reflex reflector, intermediate (side).</u> | <u>2</u> | <u>Amber</u> | <u>One on each side</u> | <u>At or near the midpoint between the front and rear side marker lamps, if the length of the vehicle is more than 9,144 mm (30 feet)</u> | <u>Between 381 mm (15 inches) and 1,524 (60 inches).</u> | <u>A, B, D, F, G</u> |
| <u>Reflex reflector (rear)</u> ^{5, 6, 8} | <u>2</u> | <u>Red</u> | <u>Rear</u> | <u>One on each side of the vertical centerline, as far apart as practicable and at the same height.</u> | <u>Both on the same level, between 381 mm (15 inches) and 1,524 mm (60 inches).</u> | <u>A, B, C, D, E, F, G</u> |
| <u>Reflex reflector (rear side)</u> | <u>2</u> | <u>Red</u> | <u>One on each side (rear).</u> | <u>As far to the rear as practicable.</u> | <u>Both on the same level, between 381 mm (15 inches) and 1,524 mm (60 inches).</u> | <u>A, B, D, F, G</u> |
| <u>Reflex relector (front side)</u> ¹⁶ | <u>2</u> | <u>Amber</u> | <u>One on each side (front).</u> | <u>As far to the front as practicable</u> | <u>Between 381 mm (15 inches) and 1,524 mm (60 inches).</u> | <u>A, B, C, D, F, G</u> |
| <u>License plate lamp (rear)</u> ¹¹ | <u>1</u> | <u>White</u> | <u>At rear license plate to illuminate the plate from the top or sides.</u> | <u>As far to the front as practicable</u> | <u>No requirements</u> | <u>A, B, C, D, F, G</u> |
| <u>Side marker lamp (front)</u> ¹⁶ | <u>2</u> | <u>Amber</u> | <u>One on each side</u> | | <u>Not less than 381 mm (15 inches).</u> | <u>A, B, C, D, F</u> |

Regulations

| | | | | | | |
|---|---------------|-----------------------|--------------------------|---|--|----------------------------|
| <u>Side marker lamp intermediate</u> | <u>2</u> | <u>Amber</u> | <u>One on each side</u> | <u>At or near the midpoint between the front and rear side marker lamps, if the length of the vehicle is more than 9,144 mm (30 feet).</u> | <u>Not less than 381 mm (15 inches).</u> | <u>A, B, D, F, G</u> |
| <u>Side marker lamp (rear)</u> ^{4, 8} | <u>2</u> | <u>Red</u> | <u>One on each side.</u> | <u>As far to the rear as practicable.</u> | <u>Not less than 381 mm (15 inches), and on the rear of trailers not more than 1,524 mm (60 inches).</u> | <u>A, B, D, F, G</u> |
| <u>Turn signal (rear)</u> ^{5, 12} | <u>2</u> | <u>Amber or red</u> | <u>Rear</u> | <u>One lamp on each side of the vertical centerline as far apart as practicable.</u> | <u>Both on the same level, between 381 mm (15 inches) and 2,108 mm (83 inches).</u> | <u>A, B, C, D, E, F, G</u> |
| <u>Identification lamp (rear)</u> ^{3, 7, 15} | <u>3</u> | <u>Red</u> | <u>Rear</u> | <u>One as close as practicable to the vertical centerline. One on each side with lamp centers spaced not less than 152 mm (6 inches) or more than 305 mm (12 inches) apart.</u> | <u>All three on the same level as close as practicable to the top of the vehicle.</u> | <u>B, D, G</u> |
| <u>Vehicular hazard warning signal flasher lamps</u> ^{5, 12} | <u>2</u> | <u>Amber</u> | <u>Front</u> | <u>One lamp on each side of the vertical centerline, as far apart as practicable.</u> | <u>Both on the same level, between 381 mm (15 inches) and 2,108 mm (83 inches).</u> | <u>A, B, C</u> |
| | <u>1 or 2</u> | <u>Amber or red</u> | <u>Rear</u> | <u>One lamp on each side of the vertical centerline, as far apart as practicable.</u> | <u>Both on the same level, between 381 mm (15 inches) and 2,108 mm (83 inches).</u> | <u>A, B, C, D, E, F, G</u> |
| <u>Backup lamp</u> ¹⁴ | <u>1 or 2</u> | <u>White</u> | <u>Rear</u> | <u>Rear</u> | <u>No requirement</u> | <u>A, B, C</u> |
| <u>Parking lamp</u> | <u>2</u> | <u>Amber or white</u> | <u>Front</u> | <u>One lamp on each side of the vertical centerline, as far apart as practicable.</u> | <u>Both on the same level, between 381 mm (15 inches) and 2,108 mm (83 inches).</u> | <u>A</u> |

Legend: Types of commercial motor vehicles shown in the last column of Table 1:

A. Buses and trucks less than 2,032 mm (80 inches) in overall width.

B. Buses and trucks 2,032 mm (80 inches) or more in overall width.

C. Truck tractors.

D. Semi-trailers and full trailers 2,032 mm (80 inches) or more in overall width except converter dollies.

E. Converter dolly.

F. Semi-trailers and full trailers less than 2,032 mm (80 inches) in overall width.

Regulations

G. Pole trailers.
H. Projecting loads.

Note: Lamps and reflectors may be combined as permitted by equipment combinations.

NOTES:

¹Identification lamps and reflectors may be mounted on the vertical centerline of the cab where different from the centerline of the vehicle, except where the cab is not more than 42 inches wide at the front roofline, then a single lamp at the center of the cab shall be deemed to comply with the requirements for identification lamps. No part of the identification lamps or their mountings may extend below the top of the vehicle windshield.

²Unless the turn signals on the front are so constructed (doubled-faced) and located as to be visible to passing drivers, two turn signals are required on the rear of the truck tractor, one at each side as far apart as practicable.

³The identification lamps need not be visible or lighted if obscured by a vehicle in the same combination.

⁴Any semitrailer or full trailer manufactured on or after March 1, 1979, shall be equipped with rear side-marker lamps at a height of not less than 381 mm (15 inches), and on the rear of the trailers not more than 1,524 mm (60 inches) above the road surface, as measured from the center of the lamp on the vehicle at curb weight.

⁵Each converter dolly, when towed singly by another vehicle and not as part of a full trailer, shall be equipped with one stop lamp, one tail lamp, and two reflectors (one on each side of the vertical centerline, as far apart as practicable) on the rear. Each converter dolly shall be equipped with rear turn signals and vehicular hazard warning signal flasher lamps when towed singly by another vehicle and not as part of a full trailer, if the converter dolly obscures the turn signals at the rear of the towing vehicle.

⁶Pole trailers shall be equipped with two reflex reflectors on the rear, one on each side of the vertical centerline as far as practicable, to indicate the extreme width of the trailer.

⁷Pole trailers, when towed by motor vehicles with rear identification lamps and mounted at a height greater than the load being transported on the pole trailer, are not required to have rear identification lamps.

⁸Pole trailers shall have on the rearmost support for the load: (1) two front clearance lamps, one on each side of the vehicle, both on the same level and as high as practicable to indicate the overall width of the pole trailer; (2) two rear clearance lamps, one on each side of the vehicle, both at the same level and as high as practicable to indicate the overall width of the pole trailer; (3) two rear side marker lamps, one on each side of the vehicle, both on the same level, not less than 375 mm (15 inches) above the road surface; (4) two rear reflex reflectors, one on each side, both on the same level, not less than 375 mm (15 inches) above the road surface to indicate maximum width of the pole trailer; and (5) one red reflector on each side of the rearmost support for the load. Lamps and reflectors may be combined.

⁹Any motor vehicle transporting a load that extends more than 102 mm (4 inches) beyond the overall width of the motor vehicle shall be equipped with the following lamps in addition to other required lamps when operated during the hours when headlamps are required to be used.

(1) The foremost edge of that portion of the load that projects beyond the side of the vehicle shall be marked (at its outermost extremity) with an amber lamp visible from the front and side.

(2) The rearmost edge of that portion of the load that projects beyond the side of the vehicle shall be marked (at its outermost extremity) with a red lamp visible from the rear and side.

(3) If the projecting load does not measure more than 914 mm (3 feet) from front to rear, it shall be marked with an amber lamp visible from the front, both sides, and rear, except that if the projection is located at or near the rear it shall be marked by a red lamp visible from front, side, and rear.

¹⁰Projections beyond rear of motor vehicles. Motor vehicles transporting loads that extend more than 1,219 mm (4 feet) beyond the rear of the motor vehicle, or that have tailboards or tailgates extending more than 1,219 mm (4 feet) beyond the body, shall have these projections marked as follows when the vehicle is operated during the hours when headlamps are required to be used:

(1) On each side of the projecting load, one red side marker lamp, visible from the side, located so as to indicate maximum overhang.

(2) On the rear of the projecting load, two red lamps, visible from the rear, one at each side; and two red reflectors visible from the rear, one at each side, located so as to indicate maximum width.

¹¹To be illuminated when tractor headlamps are illuminated.

¹²Every bus, truck, and truck tractor shall be equipped with a signaling system that, in addition to signaling turning movements, shall have a switch or combination of switches that will cause the two front turn signals and the two rear signals to flash simultaneously as a vehicular traffic signal warning. The system shall be capable of flashing simultaneously with the ignition of the vehicle on or off.

¹³To be actuated upon application of service brakes.

¹⁴Backup lamp required to operate when bus, truck, or truck tractor is in reverse.

¹⁵(1) For the purposes, the term "overall width" refers to the nominal design dimension of the widest part of the vehicle, exclusive of the signal lamps, marker lamps, outside rearview mirrors, flexible fender extensions, and mud flaps.

(2) Clearance lamps may be mounted at a location other than on the front and rear if necessary to indicate the overall width of a vehicle, or for protection from damage during normal operation of the vehicle.

(3) On a trailer, the front clearance lamps may be mounted at a height below the extreme height if mounting at the extreme height results in the lamps failing to mark the overall width of the trailer.

(4) On a truck tractor, clearance lamps mounted on the cab may be located to indicate the width of the cab, rather than the width of the vehicle.

(5) When the rear identification lamps are mounted at the extreme height of a vehicle, rear clearance lamps are not required to be located as close as practicable to the top of the vehicle.

¹⁶A trailer subject to this part that is less than 1,829 mm (6 feet) in overall length, including the trailer tongue, need not be equipped with front side marker lamps and front side reflex reflectors.

¹⁷A boat trailer subject to this part whose overall width is 2,032 mm (80 inches) or more need not be equipped with both front and rear clearance lamps provided an amber (front) and red (rear) clearance lamp is located at or near the midpoint on each side so as to indicate its extreme width.

19VAC30-70-440. Service brakes.

A. The inspector, ~~as~~ at a minimum, must drive all vehicles into the inspection lane and test both service and parking brakes, except vehicles the inspector is not qualified to drive. In these cases, the inspector will ride in the vehicle and observe the application of the brakes.

B. A minimum of one wheel or one wheel and drum or dust cover must be removed from each vehicle at the time of inspection except vehicles having open brake mechanisms that will permit the inspection of the brake lining, or discs and disc pads, without removing the wheel and rim.

WARNING: Failure to properly torque lug nuts may cause severe damage to the wheel.

The inspection receipt (approval and rejection) shall be marked to reflect which wheel and drum or dust cover was removed or inspected.

C. If any braking problem is detected, the inspector may test drive or require a test drive of the vehicle.

D. Inspect for and reject if:

1. Any commercial motor vehicle manufactured on or after October 20, 1994, is equipped with an air brake system but is not equipped with the proper and functioning automatic brake adjuster system and brake adjuster indicator.

2. Vehicles equipped with air brakes: when the air brake adjustment on vehicles is equal to or exceeds values in the following tables for cam brakes or brake shoe travel is greater than 1/16" on wedge brakes when measured according to Illustrations #1 and #2. (See procedure in addition to illustrations.)

Regulations

| TABLE 1 MINIMUM CRITERIA FOR BRAKE ADJUSTMENT COMMERCIAL VEHICLE SAFETY ALLIANCE NORTH AMERICAN STANDARD OUT-OF- SERVICE CRITERIA | | |
|--|------------------|---|
| Brake adjustment shall not exceed those specifications contained hereunder relating to "Brake adjustment limit." (Dimensions are in inches.) | | |
| CLAMP TYPE BRAKE CHAMBER DATA | | |
| Type | Outside Diameter | Brakes Exceeding the Maximum Brake Adjustment Limit Shall be Readjusted |
| 6 | 4-1/2 (114mm) | 1-1/4 (32mm) |
| 9 | 5-1/4 (133mm) | 1-3/8 (35mm) |
| 12 | 5-11/16 (145mm) | 1-3/8 (35mm) |
| 16 | 6-3/8 (162mm) | 1-3/4 (45mm) |
| 20 | 6-25/32 (172mm) | 1-3/4 (45mm) |
| 24 | 7-7/32 (184mm) | 1-3/4 (45mm) |
| 30 | 8-3/32 (206mm) | 2.0 (51mm) |
| 36 | 9.0 (229mm) | 2-1/4 (57mm) |
| NOTE: A brake found at the adjustment limit is not to be rejected. | | |
| LONG STROKE CLAMP TYPE BRAKE CHAMBER DATA | | |
| Type | Outside Diameter | Brakes Exceeding the Maximum Brake Adjustment Limit Shall be Readjusted |
| 12 | 5-11/16 (14.5mm) | 1-3/4 (45mm) |
| 16 | 6-3/8 (162mm) | 2.0 (51mm) |
| 20 | 6-25/32 (172mm) | 2.0 (51mm) |
| 24 | 7-7/32 | 2.0 (51mm) |

| | (184mm) | |
|--|------------------|---|
| 24* | 7-7/32 (184mm) | 2.5 (64mm) |
| 30 | 8-3/32 (206mm) | 2.5 (64mm) |
| *For 3" maximum stroke type 24 chambers | | |
| NOTE: A brake found at the adjustment limit is not to be rejected. | | |
| NOTE: 3" long stroke brake chambers are identified by square air line ports and a trapezoidal tag attached to the chamber. | | |
| BOLT TYPE BRAKE CHAMBER DATA | | |
| Type | Outside Diameter | Brakes Exceeding the Maximum Brake Adjustment Limit Shall be Readjusted |
| A (12) | 6-15/16 (176mm) | 1-3/8 (35mm) |
| B (24) | -3/16 (234mm) | 1-3/4 (45mm) |
| C (16) | 8-1/16 (205mm) | 1-3/4 (45mm) |
| D (6) | 5-1/4 (133mm) | 1-1/4 (32mm) |
| E (9) | 6-3/16 (157mm) | 1-3/8 (35mm) |
| F (36) | 11.0 (279mm) | 2-1/4 (57mm) |
| G (30) | 9-7/8 (251mm) | 2.0 (51mm) |
| NOTE: A brake found at the adjustment limit is not to be rejected. | | |
| ROTOCHAMBER DATA | | |
| Type | Outside Diameter | Brakes Exceeding the Maximum Brake Adjustment Limit Shall be Readjusted |
| 9 | 4-9/32 (109mm) | 1-1/2 (38mm) |
| 12 | 4-13/16 (122mm) | 1-1/2 (38mm) |
| 16 | 5-13/32 (138mm) | 2.0 (51mm) |

| | | |
|----|--------------------|--------------|
| 20 | 5-15/16 (151mm) | 2.0 (51mm) |
| 24 | 6-13/32 (163mm) | 2.0 (51mm) |
| 30 | 7-1/16 (180mm) | 2-1/4 (57mm) |
| 36 | 7-5/8 (194mm) | 2-3/4 (70mm) |
| 50 | 8-7/8 (226mm) | 3.0 (76mm) |

NOTE: A brake found at the adjustment limit is not to be rejected.

DD-3 BRAKE CHAMBER DATA

| Type | Outside Diameter | Brakes Exceeding the Maximum Brake Adjustment Limit Shall be Readjusted |
|------|------------------|---|
| 30 | 8-1/8 (206mm) | 2-1/4 (57mm) |

NOTE: This chamber has three air lines and is found on motor coaches.

NOTE: A brake found at the adjustment limit is not to be rejected.

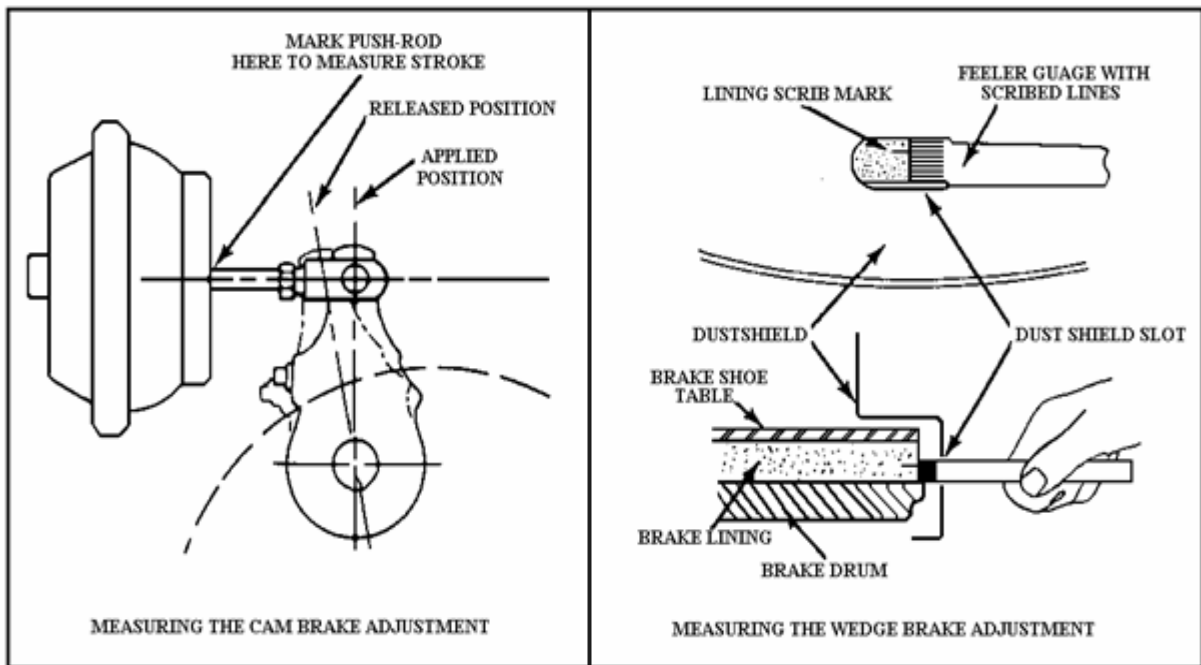
WEDGE BRAKE DATA

The combined movement of both brake shoe lining scribe marks shall not exceed 1/8 inch (3.18mm).

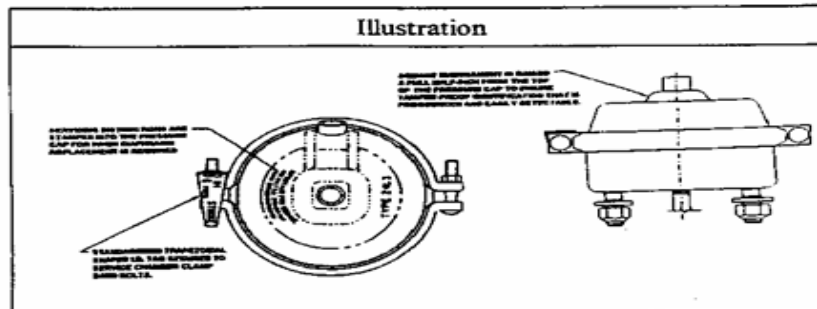
PROCEDURE FOR MEASURING CAM AND WEDGE BRAKES AND HOW TO PROPERLY IDENTIFY 3" LONG STROKE CHAMBERS

On vehicles equipped with cam brakes, mark each brake chamber push rod at the face of the brake chamber with the brakes released. Apply the air brakes fully, minimum air pressure of 90 to 100 psi, and measure the distance the push rod travels from the face of the chamber to the mark previously made when the brakes were released. This measurement is the push-rod stroke (see illustration).

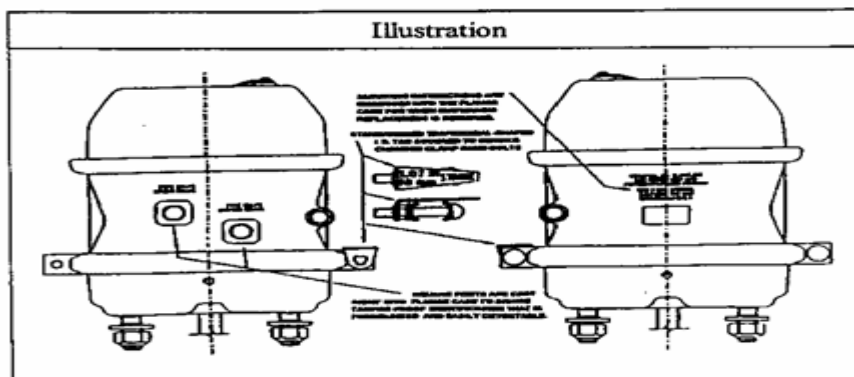
On vehicles equipped with wedge brakes, remove the inspection hole cover at each dust shield and with the brakes released, scribe a line on the edge of the brake lining. Apply the air brakes fully and measure the distance the brake lining travels.



3" Long Stroke Chamber Identification Service Chambers



3" Long Stroke Chamber Identification Spring Brake Chamber



3. Brake hose and tubing. There is any leakage in any hydraulic, air or vacuum lines; hoses have any cracks, crimps, restrictions, or are abraded exposing fabric into second ply of fabric; tubing or connections leak, are crimped, restricted, cracked, or broken.

a. Hose with any damage extending through the reinforcement ply. Rubber impregnated fabric cover is not a reinforcement ply. Thermoplastic nylon may have braid reinforcement or color difference between cover and inner tube. Exposure of second color is cause for rejection.

b. Bulge or swelling when air pressure is applied.

c. Two hoses improperly joined (such as a splice made by sliding the hose ends over a piece of tubing and clamping the hose to the tube).

d. Brake tubing and hose must:

(1) Be long and flexible enough to accommodate without damage all normal motions of the parts to which it is attached;

(2) Be secured against chaffing, kinking, or other mechanical damage; and

(3) Be installed in a manner that prevents it from contacting the vehicle's exhaust system or any other source of high temperatures.

4. Service brakes.

a. There is less than 1/5 reserve in pedal travel of the service brake when fully applied on all hydraulic, mechanical, or power-assisted hydraulic braking systems.

b. When tested on dry, hard, approximately level road free from loose material at a speed of 20 miles per hour

without leaving a 12-foot wide lane, a distance in excess of the following stopping distance is obtained:

Any bus, truck or tractor - 40 feet;

All combinations of vehicles - 40 feet.

c. Every motor vehicle, trailer or semitrailer is not equipped with operational brakes on all wheels (except as shown in subdivision a below) or any brake has been disconnected or rendered inoperative or improperly installed.

(1) Road tractors, tractor trucks, or trucks if manufactured prior to July 25, 1980, having three or more axles are not required to have brakes on the steering axle; however, if installed must be inspected and meet all requirements of this section.

(2) Missing, bent or broken mechanical components including: shoes, lining pads, spring, anchor pin, spiders, cam rollers, push rods and air chamber mounting bolts, air reservoirs not securely mounted or leaks.

(3) Absence of braking action on any axle required to have brakes, upon application of the service brakes (such as missing brakes or brake shoes, failing to move upon application of a wedge, S-cam or disc brake).

(4) Loose brake components including air chambers, spiders and cam shaft support brackets.

(5) Audible air leak at brake chamber (example: ruptured diaphragm, loose chamber clamp, etc.)

d. Linings or pads are broken or cracked so that brake pad is not firmly attached to the shoe or improperly installed or cracks on the friction surface extends to the open edge.

(1) Rivets or bolts are loose or missing.

(2) Lining or pad friction surface is saturated with oil, grease or brake fluid.

e. Nonsteering axles. Lining has a thickness less than 1/4 inch at the shoe center for air drum brakes, 1/16 inch or less at the shoe center for hydraulic and electric drum brakes and less than 1/8 inch for air disc brakes, lining with a thickness less than 3/16 inch for a shoe with a continuous strip of lining or to wear indicators if so equipped.

(1) Steering axles. Lining has thickness less than 1/4 inch at the shoe center from drum brakes, less than 1/8 inch for air disc brakes and 1/16 inch or less for hydraulic disc and electric brakes, lining with a thickness less than 3/16 inch for a shoe with a continuous strip of lining or to wear indicators if so equipped.

(2) Mismatch across any power unit steering axle of:

(a) Air chamber sizes.

(b) Slack adjuster length.

f. Thickness of riveted or bolted lining is less than 2/32 of an inch above the rivet or bolt head(s).

g. Any lining or pad is misaligned or does not make full contact with the drum or rotor.

5. Brake Drums and Discs.

a. Brake drums or brake discs (rotors) are worn or scored to the extent that their remachining would result in a failure to meet manufacturer's specifications.

b. Brake drums or discs with any external crack or cracks that open upon brake application.

NOTE: Do not confuse short hairline heat cracks with flexural cracks.

6. Mechanical linkage.

Any portion of the drum or rotor missing or in danger of falling away.

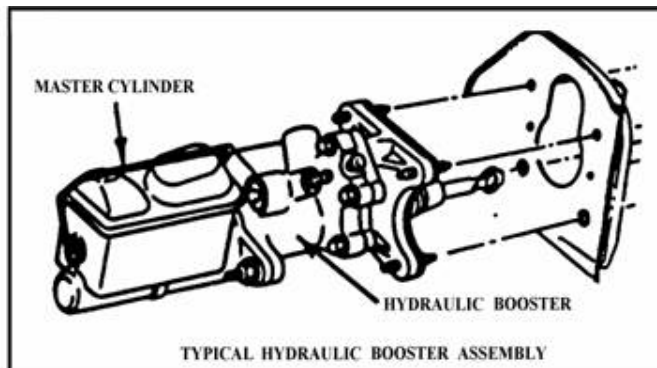
7. Hydraulic.

NOTE: Some motor vehicles, beginning with 1976 models, have a hydraulic power system that serves both the power assisted brakes and power assisted steering system. Some vehicles, beginning with 1985 models, have an integrated hydraulic actuation and anti-lock brake unit using only brake fluid.

8. Hydraulic System Operation.

Stop engine, then depress brake pedal several times to eliminate all pressure. Depress pedal with a light foot-force (30 pounds). While maintaining this force on the pedal, start engine and observe if pedal moves slightly when engine starts.

Reject vehicle if pedal does not move slightly as engine is started while force is on brake pedal.



Regulations

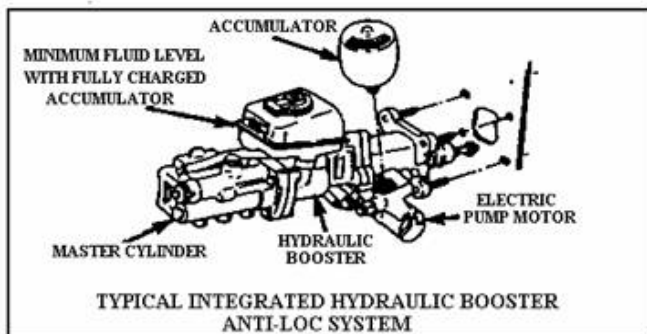
9. Condition of hydraulic booster power brake system.

Inspect system for fluid level and leaks. Reject vehicle if there is insufficient fluid in the power steering pump reservoir; if there are broken, kinked or restricted fluid lines or hoses; if there is any leakage of fluid at the pump, steering gear or brake booster, or any of the lines or hoses in the system; or if belts are frayed, cracked or excessively worn.

10. Integrated hydraulic booster/anti-lock system operation.

With the ignition key in the off position, depress brake pedal a minimum of 25 times to deplete all residual stored pressure in the accumulator. Depress pedal with a light foot-force (25 lbs.). Place ignition key in the on position and allow 60 seconds for the brake warning light to go out and the electric pump to shut off.

Reject vehicle if the brake pedal does not move down slightly as the pump builds pressure or if the brake and anti-lock warning lights remain on longer than 60 seconds.



11. Condition of integrated hydraulic booster/anti-lock system with electronic pump.

With the system fully charged, inspect system for fluid level and leaks.

Reject vehicle if there is insufficient fluid in the reservoir; if there are broken, kinked or restricted fluid lines or hoses; or if there is any leakage of fluid at the pump or brake booster, or any of the lines or hoses in the system.

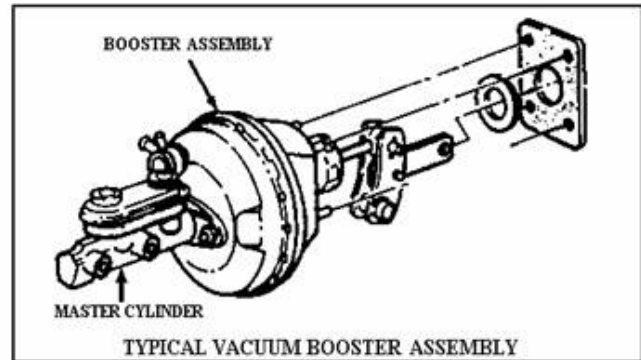
12. Vacuum system operation.

Stop engine then depress brake pedal several times to eliminate all vacuum in the system. Depress pedal with a light foot-force (25 lbs.). While maintaining this force on the pedal, start engine and observe if pedal moves down slightly when engine starts.

Reject vehicle if pedal does not move down slightly as engine is started while force is on the brake pedal. In full vacuum-equipped vehicles, there is insufficient vacuum reserve for one full service brake application after engine is stopped.

a. Has insufficient vacuum reserve to permit one full brake application after engine is shut off.

b. Lacks an operative low-vacuum warning device as required.



13. Condition of vacuum booster power brake system.

a. Visual inspection. Reject vehicle if there are collapsed, cracked, broken, badly chafed or improperly supported hoses and tubes, loose or broken hose clamps.

b. There is any leakage in the hydraulic system. (Do not disturb the dust boot when checking for leaking wheel cylinders.)

c. Fluid level in master cylinder is below the proper level for the particular vehicle.

d. There is any evidence of a caliper sticking or binding.

14. Air brakes.

a. Motor vehicle is equipped with air brakes and does not have an operating air pressure gauge.

b. Any bus, truck, road tractor and tractor truck manufactured after March 15, 1975, must have a visible low air warning device. Those manufactured on or before March 15, 1975, may have either an audible or visible low air warning device.

Low pressure warning device is missing, inoperative or does not operate at 55 psi and below or 1/2 the governor cut out pressure, whichever is less.

c. Compressed air reserve is not sufficient to make one full service brake application after engine is stopped, or with system fully charged, the reservoir pressure is lowered more than 30% by one full brake application.

Brake chamber push rods do not follow application of service brake pedal, or do not reach full released position (example: defective return spring).

d. Any bus, truck, road tractor, or tractor truck manufactured after February 28, 1975, if equipped with a manually operated device to reduce or remove the braking effort upon its front wheels.

15. Electric brakes.
 - a. Trailers show an amperage value more than 20% above or 30% below the brake manufacturer's maximum current rating for each brake.
 - b. Ammeter shows no reading or indicator is not steady on application and release of brake controller.
 - c. Any terminal connections are loose or dirty; wires are broken, frayed or unsupported; any single conductor or nonstranded wire or wires below size recommended by brake manufacturers are installed.
 - d. Electrical trailer brakes do not apply automatically when breakaway safety switch is operated.
 - e. Absence of braking action on any wheel required to have brakes.
 - f. Missing or inoperative breakaway braking device(s).
16. Air compressor.
 - a. Compressor drive belts are in condition of impending or probable failure.
 - b. Loose compressor mounting bolts or compressor leaks.
 - c. Cracked, broken or loose pulley.
 - d. Tractor protection valve(s) is defective or inoperative.
 - e. Air safety relief valve is defective or inoperative.

19VAC30-70-450. Brakes: emergency parking or holding.

A. Some vehicles are equipped with an actual emergency brake, while others have only a parking or holding brake. Some types may be actuated by a foot or hand lever, while others may incorporate a switch or valve to actuate the brake. Air and vacuum brake systems may employ spring activating parking brakes.

B. Inspect for and reject if:

1. Vehicle or combination of vehicles is not equipped with a parking, holding, or emergency brake in good working order of the type installed as original standard factory equipment for the vehicle on which it is installed.
2. The brake actuating mechanism does not fully release when the control is operated to the off position.
3. Any mechanical parts are missing, broken, badly worn, or are inoperative.
4. Cables are stretched, worn, or frayed or not operating freely.
5. Parking brake will not hold the vehicle stationary with the engine running at slightly accelerated speed with shift lever in drive position for automatic transmission or shift

lever in low gear with clutch engaged for standard shift transmission.

6. On vehicles equipped with automatic transmissions, the vehicle will start in any gear other than (P) park or (N) neutral. If the gearshift indicator does not identify the park (P) and neutral (N) positions, then the vehicle shall be rejected.

7. On vehicles equipped with manual transmissions, the vehicle will start in any gear if the clutch is not depressed or disengaged.

NOTE: This will not apply to older vehicles, which were not originally equipped with a neutral-safety switch, clutch disengagement system or clutch pedal position sensor by the manufacturer.

~~7. There are any~~ 8. Any nonmanufactured hole(s) in the spring brake housing section of a parking brake.

8. NOTE: All commercial motor vehicles manufactured after March 7, 1990, shall be equipped with a parking brake system adequate to hold the vehicle or combination under any condition of loading except agricultural commodity trailers, converter dollies, heavy haulers and pulpwood trailers.

C. Battery mounting and storage.

~~10. NOTE: The storage battery shall be attached to a fixed part of the motor vehicle or protected by a removable cover or enclosure if the battery is installed in a location other than the engine compartment. This includes all brackets, hardware, bolts, and bushings used for securely mounting the storage battery to the vehicle.~~

1. Removable covers or enclosures shall be substantial and shall be securely latched or fastened.

2. The storage battery compartment shall have openings to provide ample battery ventilation and drainage.

3. Whenever the cable to the starting motor passes through a metal compartment, the cable shall be protected against grounding by an acid and waterproof insulating bushing.

4. Whenever a battery and a fuel tank are both placed under the driver's seat, they shall be partitioned from each other, and each compartment shall be provided with an independent cover, ventilation, and drainage.

19VAC30-70-460. Brakes: trailer (GVWR 10,000 pounds or more).

A. All trailers and semitrailers registered for or having an actual gross weight of 10,000 pounds or more shall be equipped with operational brakes acting on all wheels.

B. ~~INSPECT FOR AND REJECT IF~~ Inspect for and reject if:

Regulations

1. Trailer brakes do not comply with provisions of 19VAC30-70-430, 19VAC30-70-440 and 19VAC30-70-450.
2. Operator does not have full control over brakes.
3. Combination will not stop as required in 19VAC30-70-440 D 5.
4. Trailers are not equipped with emergency breakaway brakes designed to:
 - a. Apply automatically upon breakaway from towing vehicle.
 - b. Remain fully applied for at least 15 minutes.
 - c. Apply and release by operation of the manual emergency control.
 - d. Apply automatically when the pressure in the towing vehicle reservoir is reduced to a point between 45 and 20 PSI by a series of foot applications, when equipped with air brakes.

~~5.~~ NOTE: A minimum of one wheel must be removed from each axle equipped with brakes to inspect the brake components.

Exceptions:

- a. Wheels on trailers equipped with open brake mechanisms are not required to be removed.
- b. The inspection receipt (approval and rejection) shall be marked to reflect ~~on which side the wheel or wheels were pulled, drum or dust cover was removed~~ or inspected.

19VAC30-70-470. Steering.

~~A. This system requires moving components to be checked for steering wheel lash, loose parts or binding. To properly inspect the power steering components, the engine must be running.~~

~~B.~~ Inspect for and reject if:

1. Play at any point in the steering mechanism is excessive. The steering mechanism is unusually tight and binding when turning the steering wheel completely to the right and left. The steering mechanism will not turn in both directions, stop to stop, or steering stops have been removed. On certain model passenger buses, it may be necessary to open the inspection access door to allow visual inspection of the steering shaft universal joints.
2. Power steering is defective and affects adequate steering of the vehicle or fluid level in reservoir is below operating level or if there is an obvious leak of power steering fluid. Do not reject for dampness. Belts ~~do~~ or the serpentine belt does not have sufficient tension or are worn, frayed, or missing. Damage to hoses or leaks in hoses or fittings.

3. Any modification has been made to any part of the steering system that affects proper steering. A repair kit or preventive maintenance kit has been installed on a tie rod end, idler arm, ball joint, or any other part of the vehicle's steering gear.

NOTE: This system requires moving components to be checked for steering wheel lash, loose parts or binding. To properly inspect the power steering components, the engine must be running.

NOTE: The repair kit or preventive maintenance kit usually consists of a small spring and a plastic cap that is placed over the bolt stud of the component and held in place by a retaining nut. There is nothing in this paragraph that prohibits the replacement of parts or components of a motor vehicle's steering gear in order to correct deficiencies in the steering gear.

4. Steering Lash/Travel-Trucks.

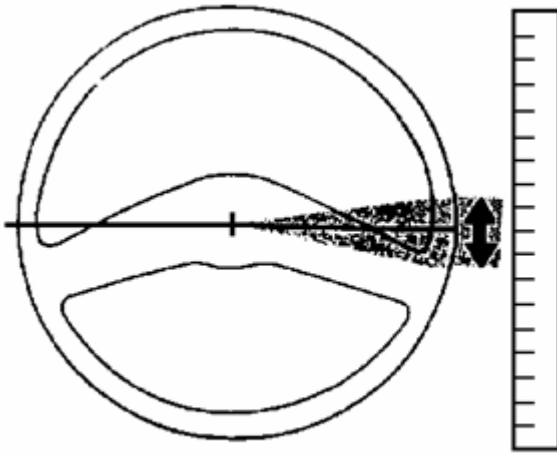
- a. Before inspection the vehicle must be placed on a smooth, dry, level surface. For vehicles equipped with power steering, the engine must be running and the fluid level, belt tension and condition must be adequate before testing.
- b. With road wheels in straight ahead position, turn steering wheel until motion can be detected at the front road wheels. Align a reference mark on steering wheel with a mark on a ruler and slowly turn steering wheel in the opposite direction until motion can be detected at the front road wheel. Measure lash at steering wheel. Special lash-checking instruments are also available, measuring free play in inches or degrees. Such instruments should always be mounted and used according to the manufacturer's instructions. With vehicle raised, visually inspect steering linkage, ball studs, tie rod end socket assemblies and all pivot points. ~~NOTE:~~ On vehicles with power steering, engine must be running.
- e. Reject vehicle if steering wheel movement exceeds:

Steering Wheel Size and Lash

| Manual Steering | Power Steering |
|-------------------------------------|--------------------------------|
| 16 in. or less — 4 1/2 in. (11.5cm) | 16 in. or less — 2 in. (5.1cm) |
| 18 in. — 4 3/4 in. (12.0cm) | 18 in. — 2 1/4 in. (5.4cm) |
| 20 in. — 5 1/4 in. (13.5cm) | 20 inches — 2 1/2 in. (6.4cm) |
| 22 in. — 5 3/4 in. (14.5cm) | 22 inches — 2 3/4 in. (7.0cm) |

| <u>Steering wheel diameter</u> | <u>Manual steering system</u> |
|--------------------------------|-------------------------------|
| <u>16 inches or less</u> | <u>2 inches (51 mm)</u> |
| <u>18 inches</u> | <u>2 1/4 inches (57 mm)</u> |
| <u>19 inches</u> | <u>2 3/8 inches (60 mm)</u> |
| <u>20 inches</u> | <u>2 1/2 inches (64 mm)</u> |

⚡ Reject vehicle if visual inspection reveals excessive wear and/or looseness in any ball stud, end assembly, pivot point or mechanical linkage.



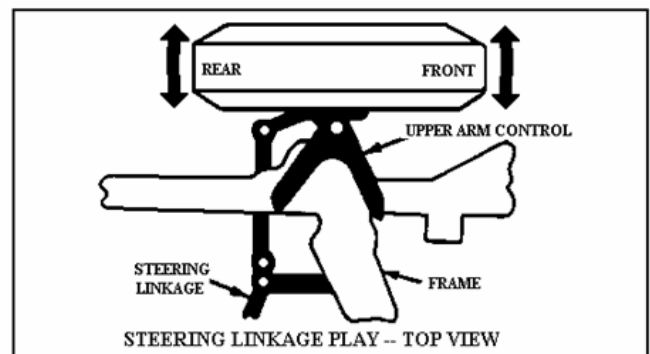
STEERING LASH

5. Any modification or replacement has been made to the steering wheel which affects proper steering. It shall be rejected if it is of a smaller size than the original factory equipment.
6. Steering column has any missing or loose bolts or positioning parts, resulting in motion of the steering column from its normal position. Steering shaft universal joints are loose or exhibit any abnormal movement when shaft is rotated. Any welded repairs are made to the steering system, steering column, steering gear box, pitman arm or universal joints. Any movement of a steering nut under steering load.
7. Any missing or loose bolts or other parts resulting in motion of the steering gear box at the point of attachment to the vehicle's frame.
8. Any looseness of the pitman arm on the steering gear box, output shaft or gear box.
9. Any control arm bushing is missing.
10. Any vehicle equipped with an idler arm shows excessive looseness.

11. Any motion, other than rotational, between any linkage member and its attachment point of more than 1/8 inch measured with hand pressure only.
12. Loose clamps, clamp bolts on tie rod ends or drag links.
13. Any looseness in any threaded joint.
14. Loose or missing nut on tie rods, pitman arm, drag ink, steering arm or tie rod ends.
15. Wheel bearings/steering linkage.
 - a. With the front end of vehicle lifted properly, push pads away from rotor on disc brakes, and grab front tire at top and bottom, rock vigorously in and out and record movement. Wheel bearing looseness is detected by the relative movement between the brake drum or disc and the backing plate or splash shield.
 - (1) Reject vehicle if relative movement between drum and backing plate (disc and splash shield) is more than 1/4 inch measured at the outer circumference of the tire for vehicles more than 10,000 pounds GVWR.
 - (2) Reject vehicle if any wheel bearing is excessively worn or not properly adjusted; any cotter key or other locking device is missing or inoperative.
 - b. Steering linkage play. First eliminate all wheel bearing movement by applying service brake. With vehicle lifted as shown below and wheels in straight ahead position, grasp front and rear of tire and attempt to move assembly right and left without moving the steering gear.

Reject vehicle if measured movement at front or rear of tire is greater than:

| | | |
|-------------|------------------------------|--------------------|
| Wheel size: | 16 inches or less | - 1/4 inch (6.5mm) |
| | 17 to 18 inches | - 3/8 inch (9.5mm) |
| | over 18 inches | - 1/2 inch (13mm) |

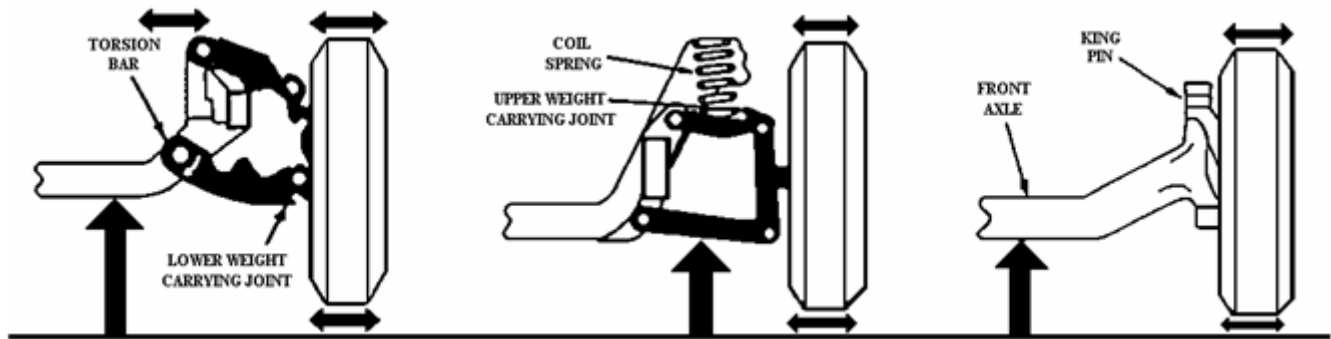


Regulations

c. ~~Kingpin play~~ King pin. If vehicle is equipped with ~~kingpins~~ king pins, first eliminate all wheel bearing movement by applying service brake. With front end lifted as illustrated for inspecting wheel bearings, (Figure C) grasp the tire at the top and bottom and attempt to move in and out to detect looseness. Measure the movement at the top or bottom of the tire at the outer circumference.

Reject vehicle if measured movement at top or bottom of tire is greater than:

| | | |
|-------------|-------------------|------------|
| Wheel size: | 16 inches or less | - 1/4 inch |
| | 17 to 18 inches | - 3/8 inch |
| | over 18 inches | - 1/2 inch |



Proper lifting for wheel bearing, steering linkage looseness, and ~~kingpin~~ king play action

FIGURE A

FIGURE B

FIGURE C

46. NOTE: Ball joint wear: There is a trend among U.S. automobile manufacturers toward the use of "wear-indicating" ball joints on light trucks. Many vehicles on the road, however, do not have wear-indicating ball joints. The inspection of both types will be discussed.

Figures 1, 2, 3 and 4 below illustrate the proper hoisting for checking ball joints.

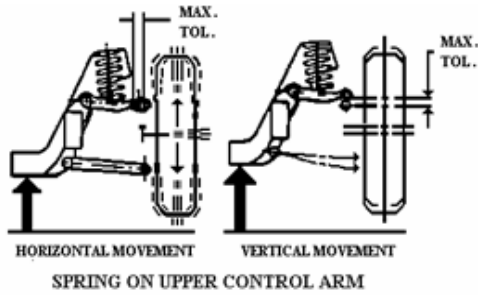
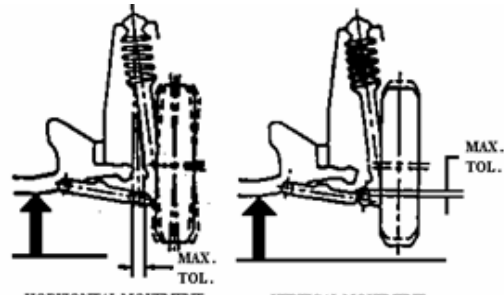


FIGURE 1



MACPHERSON STRUT
FIGURE 2

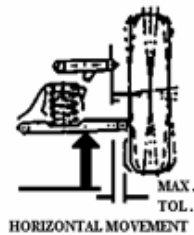


FIGURE 3

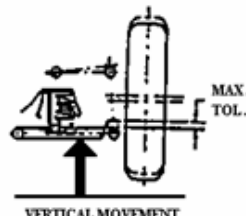


FIGURE 4

SPRING OR TORSION BAR ON LOWER CONTROL ARM
RAISING POSITIONS FOR SUSPENSION SYSTEMS

a. NOTE: To check ball joint wear on vehicles when the spring is supported on the upper control arm or when the spring is a part of a MacPherson strut or wear in any other type suspension not using ball joints when the front wheels are suspended on a solid axle, the vehicle must be hoisted as shown in Figure 1 or 2.

b. NOTE: Upper control arm must be stabilized in normal load carrying position by means of an upper control or other support tool to insure ball joint is in unloaded position.

c. NOTE: To check ball joint wear on vehicles not listed in above referred to section and diagram or tables when the spring is supported on the lower control arm; and to check the kingpin wear in any other type suspension not previously described when the wheels are independently suspended, the vehicle must be hoisted as shown in Figure 3 or 4.

47. 16. Vehicles without wear indicator ball joint.

a. Reject vehicle if there is noticeable play in the lower ball joint when hoisted as in Figures 1 or 2, or in the upper ball joint when hoisted as in Figures 3 or 4. If play is detected in any ball joint without "wear-indicating" ball joints, it will be necessary for the inspection to be made in accordance with the manufacturer's recommended procedures and specifications prior to rejecting the vehicle.

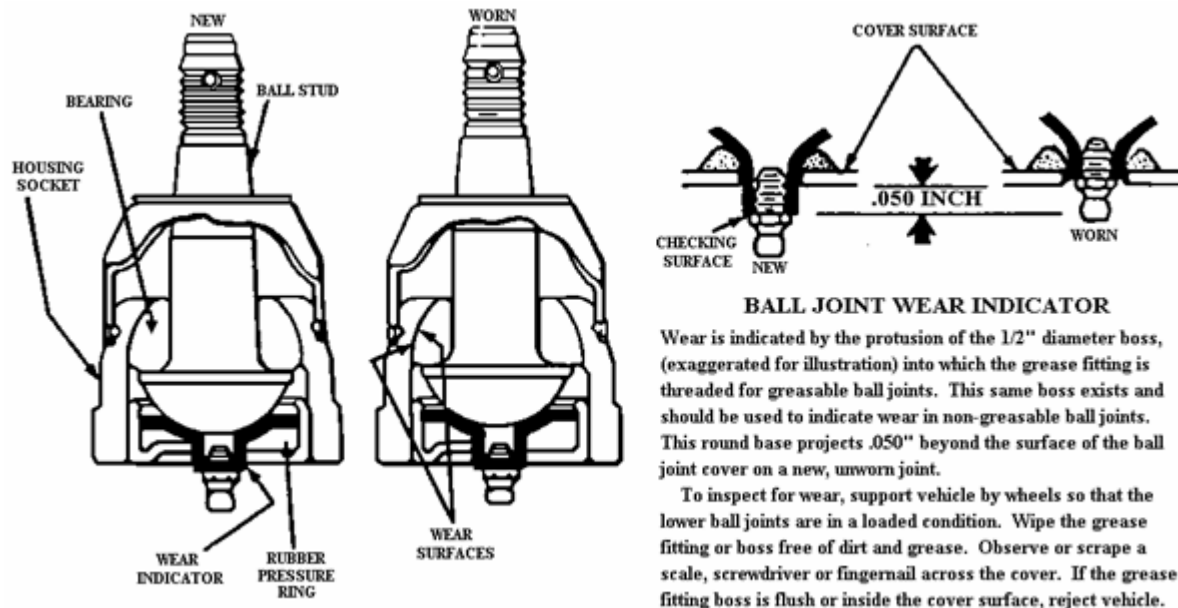
~~b. Reject vehicle if there is lateral movement in either front wheel in excess of 1/4 inch measured at the outside of the tire up to and including a 16 inch wheel; or in excess of 3/8 inch when the wheel is over 16 inches. This check must be made by grasping the tire at the extreme top and bottom and moving the wheel laterally across the surface. If play is noted, accurate measurement must be made by using the block test or with an accurate measuring device. No rejection should be made unless the specified tolerances are exceeded. If there are no manufacturer's recommended procedures and specifications, the lower ball joints will be checked when hoisted as in Figures 1 or 2, or in the upper ball joints when hoisted as in Figures 3 or 4. There should be no noticeable play detected in the ball joints when checked in this manner.~~

c. Reject vehicle if play exceeds the manufacturer's specifications. It is recommended that inspectors use a dial indicator or ball joint checking gauge when checking for play of a ball joint when procedures and specifications are provided by the manufacturer.

18. 17. Ball joints with wear indicators (trucks). Support vehicle with ball joints loaded (in normal driving attitude). Wipe grease fitting and checking surface free of dirt and grease. Determine if checking surface extends beyond the surface of the ball joint cover.

Regulations

Reject vehicle if checking surface is flush with or inside the cover surface.



18. Any vehicle inspected in accordance with the recommendation of the manufacturer of such vehicle and found to be within the specification shall be deemed to meet inspection regulations.

19VAC30-70-490. Frame, engine mounts, coupling devices and emergency chains.

Inspect for and reject if:

1. Frame of any bus, truck, ~~truck~~ tractor truck is cracked, loose, broken or sagging. Frame of any trailer or semi-trailer has any broken or cracked, loose, or sagging top or bottom frame rails or frame is cracked or broken.
2. Engine, transmission or cab mounts ~~are~~, to include all hardware, bolts, and bushings used to connect the mount to the vehicle, frame, engine, or transmission are broken or missing. Cab mounts should be rejected if they do not properly secure the body to the frame.
3. Trailer hitch or pintle hook is not securely attached. Reject if the pintle eye or trailer drawbar has any cracks or if any welding repairs have been made to the pintle eye.
4. Chains, cables, etc., used to attach a towed vehicle are not securely attached, or are broken, worn or abraded.
5. Fifth wheel does not lock in position or have a locking mechanism that is in proper working order.

NOTE: Reject if horizontal movement exceeds 1/2 inch between upper and lower fifth wheel halves.

6. Fifth wheel assembly system has any leak of fluid or air.
 7. Fifth wheel has any broken, missing, or damaged parts; or is not securely attached to the frame. This includes fore and aft stops.
 8. Trailer ~~kingpin~~ king pin is not secure, or is broken, or worn so as to prevent secure fit in fifth wheel. The upper coupler device is not securely attached.
 9. Any cracks, breaks or damaged parts in the stress or load bearing areas of a coupling device.
 10. Trailer is not equipped with ~~an~~ emergency chain chain(s) or chains steel cable(s).
- NOTE: Fifth wheel assembly does not require emergency ~~chains~~ chain or steel cable. A fifth wheel is defined as a device that interfaces with and couples to the upper coupler assembly of a semitrailer. The upper coupler assembly is a structure consisting of an upper coupler plate, kingpin king pin and supporting framework which interfaces with and couples to a fifth wheel. Ball and socket connections also referred to as hitch and coupling connections are not fifth wheel assemblies and do require ~~safety chains~~ an emergency chain or steel cable.
11. ~~Reject if sliding~~ Sliding trailer tandem or multi-axle assemblies do not lock in place or have worn, broken or missing parts.

19VAC30-70-500. Tires, wheels, rims.

Inspect for and reject if:

1. Any tire is marked specifically for use other than on the highway, such as "For Farm Use Only," or "For Off-Highway Use Only," or any tire marked "Not for Steering Axle-" or "For Mobile Home use only."
2. A radial tire is mismatched on the same axle with a bias ply tire or a bias belted tire.
3. Bias ply or bias belted tires are used on the rear axle when radial ply tires are used on the front axle. Except:
 - a. On a two-axle vehicle equipped with truck tires with 20-inch rim diameter and larger. Bias or radial tires may be used on either axle if the vehicle has dual rear wheels or is equipped with wide-base single tires.
 - b. Either bias or radial tires may be used on the steering axle of vehicles with three or more axles.
4. Bias tires and radial tires are mixed in a tandem-drive axle combination on a vehicle equipped with truck tires with 20-inch rim diameter and larger.
5. Any tire on the front wheel of a bus, truck or any tractor truck has a tread groove pattern of 4/32 inch or less when measured at any point on a major tread groove.
6. Any bus has regrooved, recapped or retreaded tires on the front wheels.
7. Any motor vehicle, trailer or semitrailer, except the dual wheels installed on motor vehicles having seats for more than seven passengers: (i) operated wholly within a municipality, or (ii) operated by urban and suburban bus lines, which are defined as bus lines operating over regularly scheduled routes and the majority of whose passengers use the buses for traveling a distance of not exceeding 40 miles, measured one way, on the same day between their place of abode and their place of work, shopping areas, or schools, is equipped with a tire that has a tread depth measuring less than 2/32 of an inch when measured as follows: NOTE: The exemptions provided in clauses (i) and (ii) of this paragraph do not apply to buses owned or operated by any public school district, private school or contract operator of buses.

8. NOTE: Measure in two adjacent tread grooves where tread is thinnest. If either of the grooves measure 2/32 of an inch or more, no further measurements are necessary and tread depth is satisfactory. Do not measure on tread wear indicators.

If both adjacent grooves measure less than 2/32 of an inch, the tire tread depth must be measured again at two additional equally spaced intervals around the circumference of the tire in a like manner as the first measurement. If the tread depth is less than 2/32 of an inch

in two adjacent tread grooves at each of the equally spaced intervals, the tire must be rejected.

NOTE: Refer to Figures 1, 2, 3, and 4 in this section for illustrations of how to measure tire tread.

MEASURE WHERE THE TREAD IS THINNEST IN TWO ADJACENT TREAD GROOVES

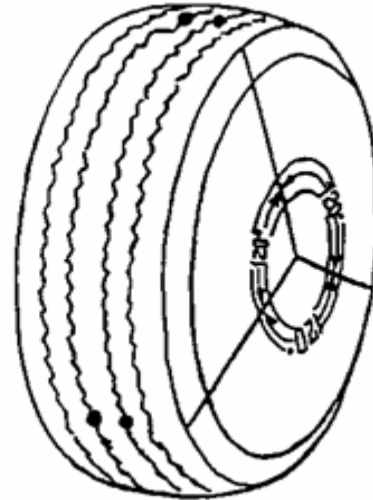


FIGURE 1

IF THE DEPTH IS LESS THAN 2/32-INCH IN BOTH GROOVES MEASURE AT TWO ADDITIONAL EQUALLY SPACED INTERVALS

9. 8. A tire equipped with tread wear indicators if found to have such indicators in contact with the pavement in any two adjacent grooves at three equally spaced intervals around the circumference of the tire. Refer to Figure 2.

Regulations

REJECT IF THE TREAD WEAR INDICATORS ARE IN CONTACT WITH THE PAVEMENT IN ANY TWO ADJACENT GROOVES AT THREE EQUALLY SPACED LOCATIONS

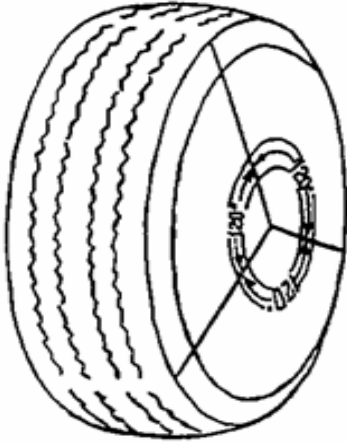


FIGURE 2

~~40-~~ 9. Any tire has a cut to the extent a ply or belt material is exposed or puncture, not to include a plug or patch that may be used as a manner of repair.

NOTE: Plugs/patches shall be in the tread area only. Plugs/patches are not permitted in the sidewall of the tire.

~~41-~~ 10. Any tire is worn so that the fabric or steel cord is visible.

~~42-~~ 11. Any tire has knots or bulges in its sidewalls or if there is evidence of a broken belt under the tread, or if the tread is separating from the fabric.

~~43-~~ 12. Any tire ~~which~~ that has been recut or regrooved except commercial tires so designed and constructed to provide for acceptable and safe recutting and regrooving. Each tire that has been regrooved must be labeled with the word "Regroovable" molded on or into the tire on both sidewalls in raised or recessed letters.

~~44-~~ 13. Any tire is flat or has an audible air leak.

~~45-~~ 14. Any tire so mounted or inflated that it comes into contact with its mate or any parts of the vehicle.

~~46-~~ 15. Rims, or lock rings or wheels are bent, cracked or damaged so as to affect safe operation of the vehicle. Reject if lug nut holes are elongated (out of round).

~~47-~~ 16. Any bolts, nuts, lugs or other fasteners (both spoke and disc wheels) are loose, broken, cracked, stripped, missing or damaged or otherwise ineffective.

~~48-~~ 17. Any welded repair on aluminum wheel(s) on a steering axle or any welded repair (other than disc to rim

attachment) on steel drive wheel(s) mounted on the steering axle.

18. Directional tires and/or wheels, designed and manufactured to go in a certain direction of rotation not installed in the proper direction of rotation.

FIGURE 3

ATTACHMENT TO BMCS NOTICE DATED 8/21/69

HOW TO MEASURE TIRE TREAD

When measuring tread depth, a gauge calibrated in 32nds of an inch should be used.

The gauge should be placed at the point in one of the treads indicated by an arrow. Depth reading should not be taken in treads marked with a circle, since these are classified as "minor" treads.

Persons taking measurements will have to use discretion in measuring tread depths not pictured here. However, measurements should not be made in treads which are obviously of a "minor" nature.

This guide merely depicts a number of the most common treads.



MAJOR TREAD GROOVE

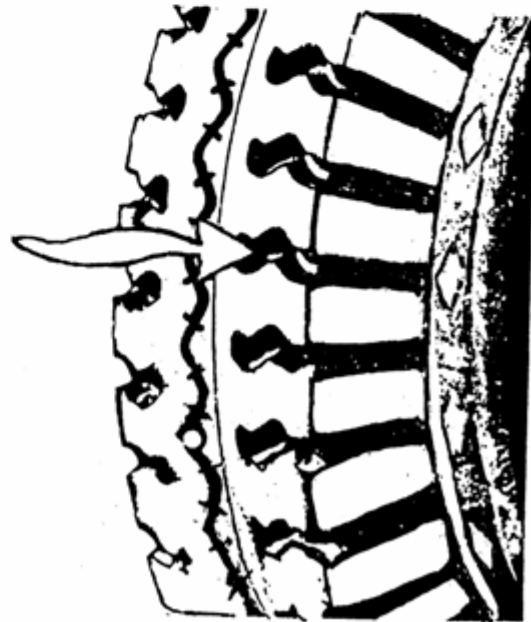
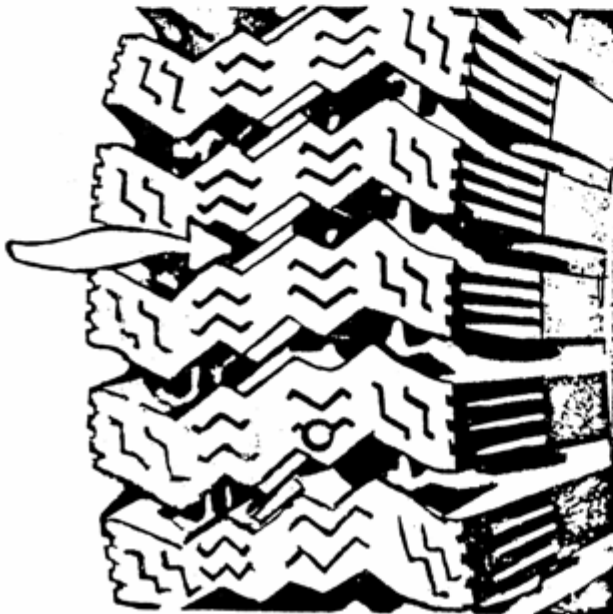
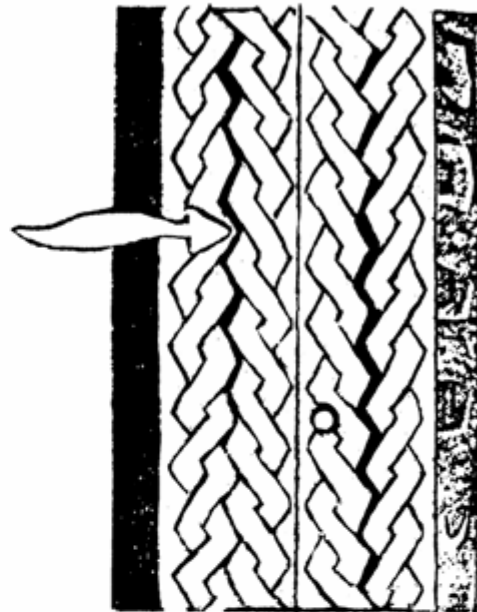
Grooves in the tread design molded through the complete thickness of the tread rubber running around and/or across the tire surface.

○ MINOR TREAD GROOVE

Remaining tire tread design other than major tread grooves.

◎ TIE-BAR

Molded rubber located in major tread grooves for the purpose of connecting and supporting the tire treads.



more

FIGURE 4



19VAC30-70-510. Headlamps.

A. ~~INSPECT FOR AND REJECT IF~~ Inspect for and reject if:

1. Any motor vehicle is not equipped with headlamps of an approved type. The approval designation letter that must appear is DOT or SAE-H, HG, HH or HR.
 2. Headlights are not of the same approved type except sealed beam headlamps. At least two headlamps are required.
 3. In any headlamp the lens is cracked, broken, discolored, or rotated away from the proper position, or the reflector is not clean and bright. A clear plastic headlight assembly lens with a crack may be repaired by procedures similar to that required of a windshield repair. The inside reflector surface must be in satisfactory condition and the repair cannot effect the headlight aim pattern when checked with an approved headlight aiming machine. This repair does not apply to headlamps and headlamp assembly lenses that are designed where the aiming pattern is part of the lens.
 4. Moisture or water buildup in headlamp is such that it affects the aimable aiming pattern.
 5. Lens is other than clear.
 6. Bulbs are not of an approved type (must have DOT stamp and the manufacturer's name) or are over 32 candlepower. (Sealed beam lamps including the ones that permit the use of a replacement halogen bulb are the only lamps approved with over 32 candlepower.) Ordinary lenses and reflectors were not designed for over 32 candlepower bulbs.
- NOTE: The Sylvania 9003 (HB2), 9004 (HB1), 9005 (HB3) and 9006 (HB4) Cool Blue xenon bulbs were found to comply with FMVSS 108. There is a noticeable blue tint around the outside of the lamp pattern but the concentrated light is white. Only the Sylvania has approval and is marked with DOT.
7. Any filament or bulb in headlamps fails to burn properly or headlamps are not at the same location or configuration as designed by the manufacturer. (Location and type of headlamps can be found in subsection B of this section.)
 8. Wiring is dangling or connections are loose, or if proper filaments do not burn at different switch positions, or if switches -- including foot or hand dimmer -- do not function properly, and are not convenient to the driver.
 9. Foreign material is placed on or in front of the headlamp lens or interferes with the beam from the lamp. No glazing may be placed over or in front of the headlamps unless it is a part of an approved headlamp assembly.
 - a. Reject if the vehicle has wire, unapproved plastic covers, any other materials that are not original

equipment or any colored material placed on or in front of the headlamps.

b. EXCEPTION: A clear impact film known as Headlight Savers produced by Grand Prix Motoring Accessories may be applied to the headlight lens to absorb impact of rocks, etc.

NOTE: Headlamps, auxiliary driving lamps and front fog lamps shall be mounted so that the beams are aimable and the mounting shall prevent the aim of the lighting device from being disturbed while the vehicle is operating on public roads. All lamps shall be securely mounted on a rigid part of the vehicle.

10. Lamps can be moved easily by hand due to a broken fender or loose support, or if a good ground is not made by the mounting.

Headlamps, auxiliary driving lamps and front fog lamps shall be mounted so that the beams are aimable and the mounting shall prevent the aim of the lighting device from being disturbed while the vehicle is operating on public roads. All lamps shall be securely mounted on a rigid part of the vehicle.

11. A headlamp visor is over two inches long unless part of the original body design.

12. The beam indicator in the driver's compartment does not burn when the high or "country" beam is on. (Vehicles not originally equipped with an indicator are not required to comply unless sealed beam headlamps have been installed.)

13. Headlamps are not aimed within the following tolerances using optical aimer:

- a. The center of the hot spot of all Type 1 lamps, all single element high beam lamps, and all lamps that do not have Type 2 embossed in the lens, is set more than four inches up or down from the horizontal centerline or more than four inches to the left or right from the vertical centerline.
- b. The left edge of the lamp pattern of any low beam lamp or any combination or multielement lamp or Type 2 lamp is more than four inches to the left or right of the vertical centerline or the top edge of the lamp pattern is more than four inches above or below the horizontal centerline.

Aiming the Headlamps:

14. NOTE: Headlamps shall be checked for proper aim by using either an optical or a mechanical headlamp aimer on every motor vehicle inspected.

Regulations

Optical Aimer:

45. NOTE: Approved optical headlamp machines may be used to properly aim any of the headlamps. Optical aimers must be properly calibrated and used in the manner recommended by the manufacturer.

46. NOTE: When aiming headlamps, first look for the type of lamp, which will be found embossed on the lens. The type determines which aiming requirements must be followed for the optical aimer.

47. NOTE: All Type 2 headlamps and all low beam or multielement headlamps must be set by aiming the lamp pattern with the lamps set on low beam.

NOTE: If attempting to align a composite or sealed beam lamp with a high and low beam within the same housing, align only the low beam. If aligning a four-lamp system with high and low beams in separate housings, it may be necessary to cover the low beam while aligning the high beam, if all four lamps are on at the same time.

48. NOTE: Pattern should be aimed so that the left edge does not extend to the left or right of straight ahead, and the top of the pattern should be even with the horizontal.

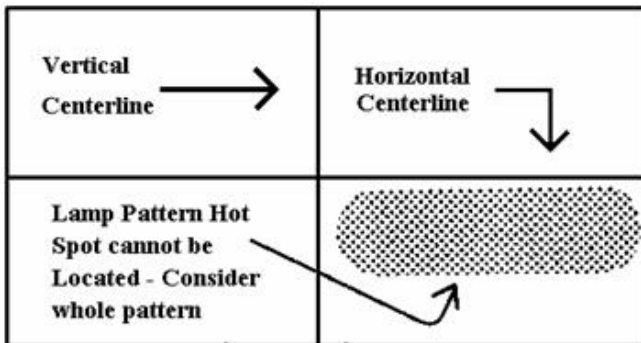
NOTE: All VOL and VOR headlamps will be aimed as follows:

To properly aim a combination multielement or low beam VOL or VOR headlamp assembly, the headlamp pattern should be aimed on low beam only.

Letters marked on the headlamp cover should properly identify VOL and VOR headlamps.

NOTE: VOL and VOR headlamps will normally have only one adjustment, which will be for the vertical aim only. The horizontal aim should be disregarded, as the horizontal aim is preset at the factory.

Pattern "A" represents the light pattern, as it should appear on the view screen of the approved aimer when checking the low beam pattern on a single element headlamp or a combination multi-element headlamp.

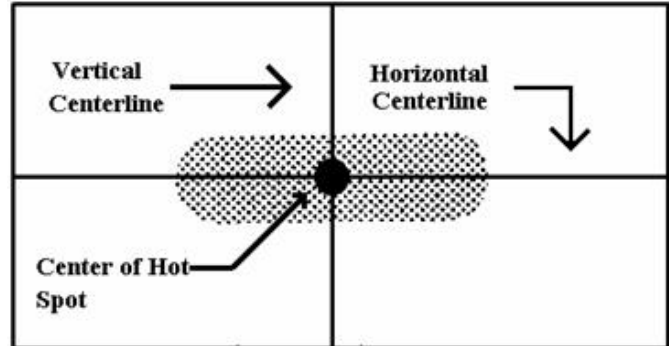


PATTERN A - TYPE 2 LAMP

49. NOTE: All Type 1 headlamps and all headlamps that do not have Type 2 embossed in the lens shall be set by aiming the center of the hot spot with the lamps set on high beam.

20. NOTE: Aim straight ahead-center of the hot spot should be centered with the vertical and horizontal centerlines.

Pattern "B" represents the light pattern as it should appear on the view screen of the approved aimer.



PATTERN B - TYPE 1 LAMP

21. NOTE: The four headlamp system combines four 5-3/4-inch lamps in pairs.

22. NOTE: One lamp embossed at the top as Type "1" and one embossed on the top as a Type "2" are arranged as a pair on each side.

23. NOTE: When lamp pairs are mounted horizontally, the Type "2" lamp must be on the outer side.

24. NOTE: The four headlamp system must be wired so that only the lower beam in the Type "2" lamps will burn when the light beams are depressed. When switched to high beams, both the Type "1" and Type "2" will burn.

NOTE: Light patterns shown on the following page will be displayed on the most recently approved light machines produced by Hopkins and Symtech Corporations.

Mechanical Aimers:

25. NOTE: Mechanical aimers can be used to aim only those headlamps that have "aiming" pads molded into the lens.

26. NOTE: Mechanical aimers must be properly calibrated and used in the manner recommended by the manufacturer.

27. NOTE: Turn on headlamps and check all filaments—both high and low beam. Turn off headlamps before checking for adjustments. Do not turn on headlamps while mechanical aimers are attached to the headlamp.

Aiming the Headlamps (Mechanical Aimer):

28. **NOTE:** All headlamps that are found not to be within the 4 inch tolerance shall be adjusted to zero inches up or down and zero inches to the right or left.

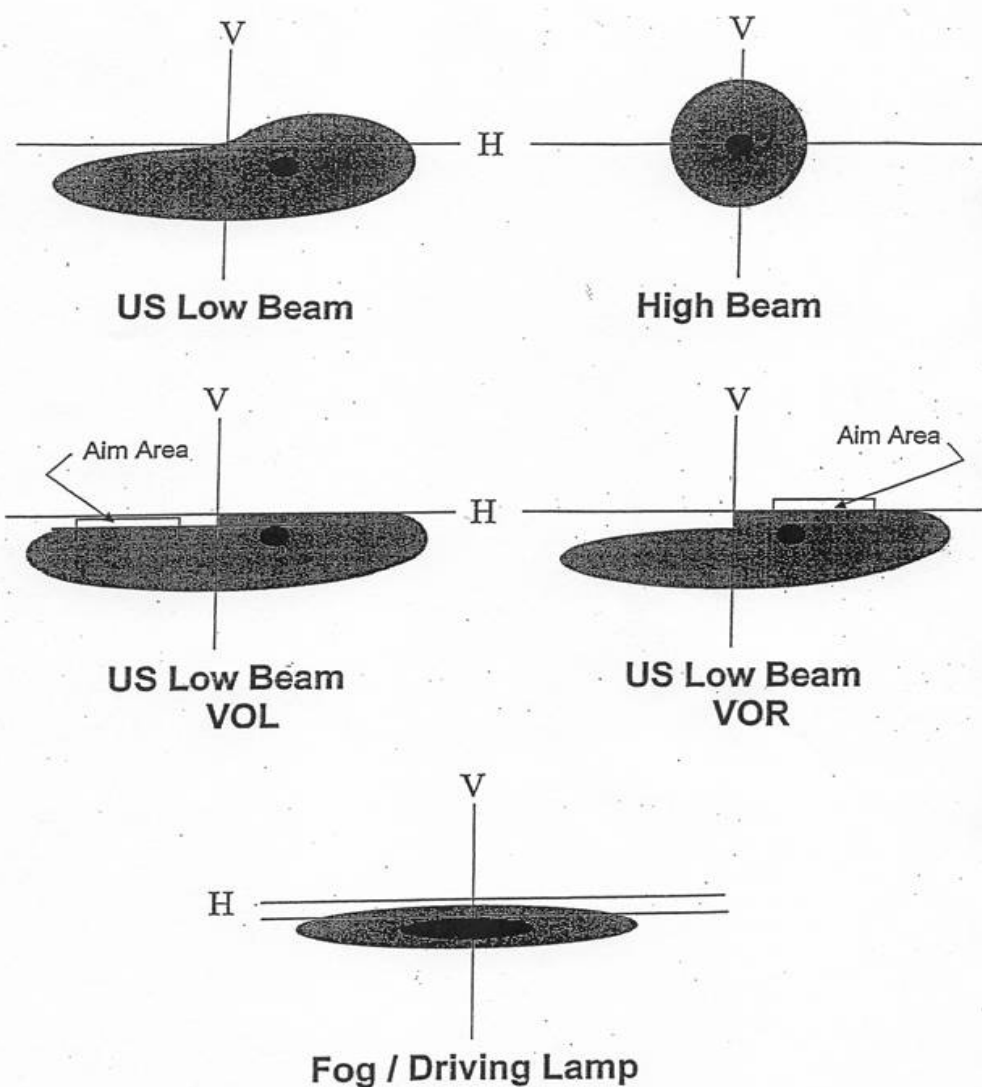
Headlamps on Vehicles used for Snow Removal:

29. **NOTE:** Approved auxiliary headlamps (SAE-Z) may be mounted above the conventional headlamps. (These lamps must be in compliance with 19VAC30-70-140, in its entirety, 19VAC30-70-150, subdivision 7, and 19VAC30-70-170, subsection A, of this manual.)

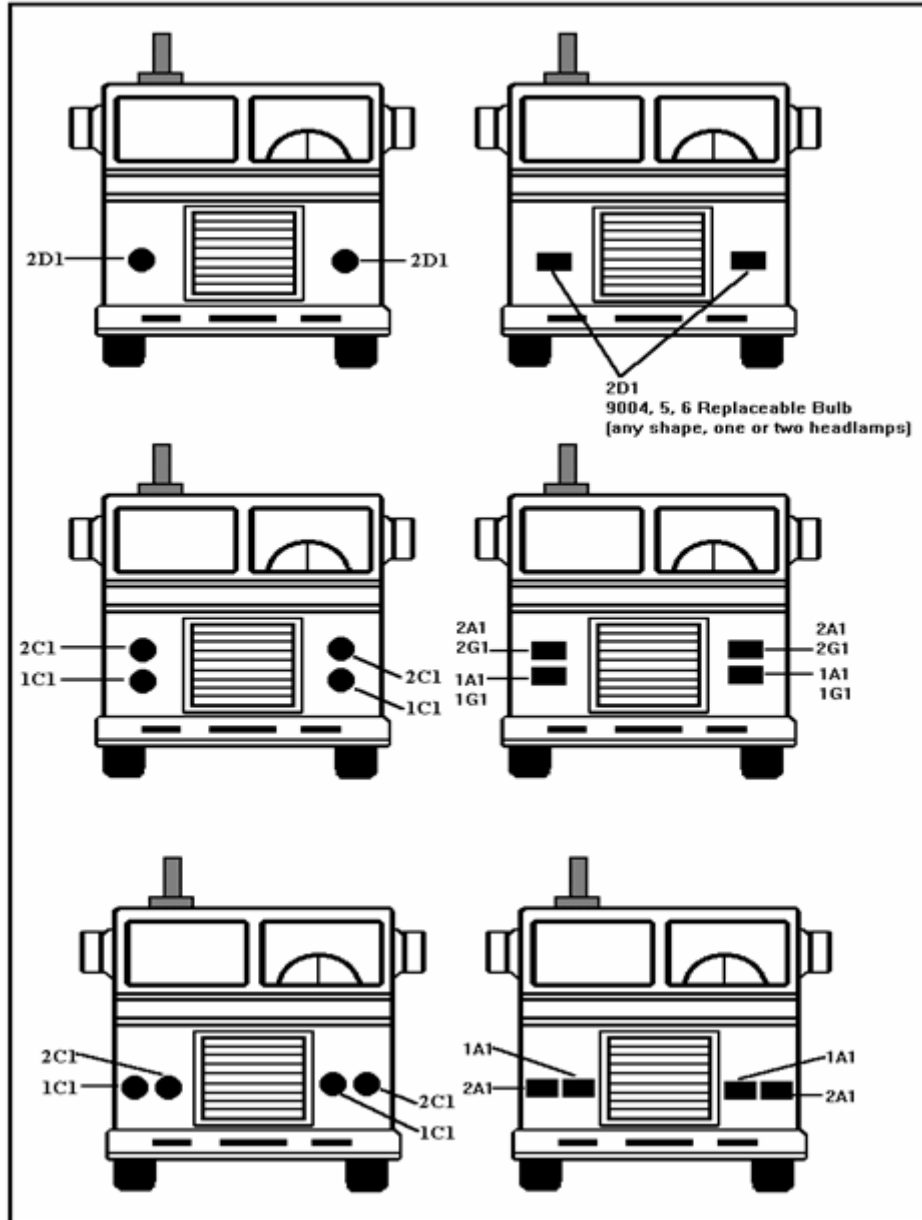
B. ~~INSPECT FOR AND REJECT IF~~ Inspect for and reject if:

1. Lamps are not approved type headlamps.
2. Lamps are not mounted in a manner that will permit proper aiming.
3. Lamps are mounted so as to obstruct the driver's vision.
4. The auxiliary headlamp circuit does not contain a switch that will deactivate the primary headlamp system when the auxiliary headlamps are in use.
5. Auxiliary headlamps are not aimed in accordance with the provisions of this section.

HEADLAMP PATTERNS



Regulations



NOTE: ALWAYS inspect the following sealed beam and replacement bulb headlamps on LOW BEAM only:

- 5-3/4 inch, marked Type 2 or 2CI
- 7 inch, marked Type 2 or 2DI
- 6-1/2 X 4-1/4 inch rectangular, marked Type 2QA or 2A1
- 2000 X 142mm rectangular, marked Type 2B or 2B1

19VAC30-70-520. Rear lamps: tail lamp; license plate lamps; and rear lamp combinations.

A. ~~INSPECT FOR AND REJECT IF~~ Inspect for and reject if:

1. Vehicle is not equipped with a rear (tail lamp) or rear lamp combination of an approved type and the light or light assembly does not work as approved. The approval designation letters that must appear are DOT or SAE-A-I-

S-T-P for single lamps and DOT or SAE-A-I-S-T-P-R if a backup light is incorporated.

~~NOTE: Any combination of letters must be preceded by the manufacturer's name and followed by the two digit year when manufactured. If either the manufacturer and/or two digit year is not present, then reject.~~

2. The vehicle is equipped with more than one rear lamp, if all are not in operating condition.

3. The vehicle is not equipped with a license plate lamp of an approved type (DOT or SAE-L) which emits a white light. The license plate lamp may be a separate lamp or part of a combination rear lamp. (A road tractor or tractor-truck that does not have a rear license plate is not required to have a license plate lamp.)

4. Lens for license plate lamp is not ~~clear~~ illuminated by an approved license plate lamp that admits a white light.

5. Lens on rear lamps, or lens area in combination rear lamps (tail lamps) are not red or contain a ~~dot~~ DOT of another color. LED (light emitting diode) lights with a clear lens are acceptable, if of an approved type. For those vehicles that are equipped with a multiple LED light (not filament burning bulbs), they will pass inspection if more than 50% of the diode lights are burning.

6. Lens has piece broken from it or does not fit properly. The lens may have one or more cracks provided an off-color light does not project through the crack(s).

NOTE: Taping or gluing cracks or pieces is not allowed.

7. Filament in all rear (tail) lamps does not burn when headlamp switch is turned on to any position, or if lamps do not provide a red light visible to the rear through an approved red lens as annotated in subdivision 1 of this subsection.

8. Rear (tail) lamp is not mounted near extreme rear of vehicle. Dump trucks and other specially constructed vehicles may mount the rear lamp at a point other than on the extreme rear, provided such rear lamp is clearly visible from the rear, and further provided that a red reflector of an approved type is mounted on the extreme rear. In unusual cases, the rear lamp may be mounted on the cab. Reject if the lamp is hidden by a bolster or other part of the body or frame, is not mounted securely, or if the lamp does not make a good electrical contact.

9. Wiring or electrical connections are defective or filaments do not burn.

10. Any vehicle has unapproved lens or plastic covers, any other materials that are not original equipment or any colored material placed on or in front of rear lamps, tail lamps, license plate lamps or rear lamp combinations.

19VAC30-70-530. Auxiliary lamps: backup; cornering; driving; fog; spot and warning.

A. Auxiliary lamps on a vehicle consist of seven general types: backup lamps (SAE-R), cornering lamps (SAE-K), driving lamps (SAE-Y), front fog lamps with an amber or clear lens (SAE-F) and rear fog lamps with red lens (SAE-F2), spot lamps (SAE-O), warning lamps (SAE-W), and daytime running lamps (DRLs) (SAE-Y2).

1. School buses may be equipped with an eight-lamp warning system of two red and two amber warning lamps of an approved type (SAE-W2) on the front and rear of such vehicle.

a. In addition to required warning lamps, school buses may be equipped with a stop signal arm consisting of an octagonal sign that meets FMVSS specifications (Federal Motor Vehicle Safety Standards, 49 CFR Part 571). The stop signal arm shall be reflectorized or be equipped with two red warning lamps of an approved type.

b. School buses may also be equipped with roof mounted flashing white or amber warning lamps of an approved type (SAE-W2).

2. Reject if the vehicle has wire, unapproved plastic covers, any other materials that are not original equipment or any colored material placed on or in front of any auxiliary lamps-backup, cornering, driving, fog, spot or warning lamps.

EXCEPTION: Any lighting device that is both covered and not illuminated, other than lamps required or permitted by this manual, shall not be considered for inspection. Fog and driving lamps mounted below the level of the regular headlights must be checked for aim as outlined in subdivisions ~~H K~~ 10 i and ~~H K~~ 11 g of this section, if not covered.

NOTE: The covers shall be a type that would be installed as original equipment and not tape, paper bags, aluminum foil or similar materials.

B. There is no limit on the number of backup lamps that a vehicle may have so long as they are of an approved type (SAE-R).

C. No more than four lamps, including two headlamps may be lighted at any time to provide general illumination ahead of the vehicle.

D. Approved type (DOT or SAE-W) blue or blue and red lights are permitted on Department of Corrections vehicles designated by the Director of the Department of Corrections and any law-enforcement vehicle.

E. Approved type blue or blue and red lights as well as approved type hide-away or undercover strobe warning lights

Regulations

are permissible for use on Department of Corrections and any law-enforcement vehicles.

1. Approved type secondary warning lights installed only on the four corners, on Department of Corrections and any law-enforcement vehicles, fire apparatus, government-owned vehicle operated on official business by a local fire chief or other local fire official, rescue squad vehicle, ambulance, or any other emergency medical vehicles. These lights shall also have primary warning lights installed.

2. The hide-away or undercover strobe lights shall be installed in the side marker lights, tail lights or parking lights. The strobe itself must be clear and the lens color must continue to be the same type and color as originally approved. It will not be permissible to install the hide-away lights in the headlights or in the backup lights.

F. Approved type (SAE-W) red warning lights or red and white lights showing to the front are permitted on fire department vehicles, including publicly owned state forest warden vehicles, ambulances, any rescue vehicle used for emergency calls, local Departments of Emergency Management, animal warden vehicles, school buses and vehicles used by security personnel at the Newport News Shipbuilding and Drydock Company, Bassett-Walker, Incorporated, the Tultex Corporation, ~~or~~ the Winchester Medical Center, or the National Aeronautics and Space Administration's Wallops Flight Facility.

G. No more than two flashing or steady-burning red or combination red and white lights of an approved type may be installed on one vehicle owned by any member of a fire company, volunteer fire company, volunteer rescue squad or any ambulance driver employed by a privately owned ambulance service.

H. Vehicles mentioned in subsections D, E and F permitted to be equipped with flashing, blinking or alternating red, red and white, blue, or blue and red emergency lights (except vehicles owned by any member of a fire company, volunteer fire company, volunteer rescue squad or an ambulance driver employed by a privately owned ambulance service) may be equipped with the means to flash their headlamps when their emergency warning lamps are activated provided:

1. The headlamps are wired to allow either the upper beam or lower beam to flash but not both and;
2. The headlamp system includes a sensor that prevents flashing of headlamps when headlamps are required to be lighted pursuant to current statute.

Emergency vehicles in Chesapeake, Poquoson, and York County may be equipped with flashing headlights that will function whenever their warning lights are activated.

I. Any fire vehicle used exclusively for fire fighting, any ambulance or rescue or lifesaving vehicle used for the

principal purpose of emergency relief or any wrecker used for the principal purpose of towing disabled vehicles may be equipped with clear auxiliary lamps that shall be used exclusively for lighting emergency scenes. Such lamps shall be of a type permitted by the Superintendent. Any government-owned police vehicle may be equipped with clear auxiliary lamps of a type approved by the Superintendent.

J. Approved type (SAE-W) amber flashing, blinking or alternating lights are permitted on vehicles used for the principal purpose of towing or servicing disabled vehicles or in constructing, maintaining and repairing highways or utilities on or along public highways and vehicles used for the principal purpose of removing hazardous or polluting substances from the state waters or drainage areas on or along public highways. Such lamps are permitted on vehicles used for servicing automatic teller machines, refuse collection vehicles, hi-rail vehicles and on vehicles used for towing or escorting over-dimensional materials, equipment, boats, or manufactured housing units by authority of highway hauling permit.

1. Approved type (DOT or SAE-W) amber, red, and red and white flashing, blinking or alternating warning lights are permitted on fire apparatus, ambulances, and rescue and life-saving vehicles, provided the lights are mounted or installed as to be visible from behind the vehicle.

2. Approved type (DOT or SAE-W) amber flashing, blinking or alternating lights are permitted on vehicles owned and used by municipal safety officers in the performance of their official duties, by businesses providing security services and vehicles used to collect and deliver the United States mail, vehicles used by law-enforcement personnel in the enforcement of laws governing motor vehicle parking, and government-owned law-enforcement vehicles provided the lights are used for giving directional warning and vehicles used to provide escort for funeral processions.

3. An approved type amber flashing, blinking or alternating lights are permitted on vehicles used as pace cars, security vehicles, or fire-fighting vehicles by any speedway or motor vehicle race track.

4. An approved type (DOT or SAE-W) amber flashing, blinking or alternating light may be mounted on the rear of any vehicle used to transport petroleum products. The light must be wired through the reverse gear circuit and activate in conjunction with the backup lights and audible alarm.

5. An approved type (SAE-W) green warning light is permitted on vehicles used by police, fire-fighting, or rescue personnel as command centers at the scene of incidents. Such lights shall not be activated while the vehicle is operating upon the highway.

K. Inspect for and reject if:

1. Vehicle has an auxiliary lamp being used for a purpose other than that for which it was approved.

Do not reject tractor trucks equipped with cargo lights of an approved type (SAE-G) that are mounted on the rear of the tractor cab and wired through an independent switch used to illuminate brake connectors and fifth-wheels for nighttime hookups.

2. A vehicle has installed on it a warning lamp that is not of an approved type or has been altered.

3. Vehicle is equipped with a combination of auxiliary lamps which include more than two fog lamps, or more than two spot lamps, or more than two driving lamps. Motor vehicles may be equipped with more than two fog or auxiliary lights; however, only two of these types of lights can be illuminated at any time. Reject a vehicle equipped with a headlamp mounted or used as an auxiliary lamp.

NOTE: Vehicles equipped from the factory, with two driving lamps should not be rejected.

4. Vehicle is equipped with an auxiliary lamp that does not function properly. (If an auxiliary lamp has been modified by removing the wiring, bulb and socket, the unit will be considered an ornament and not a lamp and will not be considered ~~in~~ for inspection.)

5. Vehicle is equipped with a lighted advertising sign. ~~Except,~~ except commercial motor vehicles and buses operated as public carriers. These vehicles may be equipped with vacant and destination signs and one ~~steady~~ steadily burning white light for illumination of external advertising. Do not reject approved identification lights.

6. Any lamp is not of an approved type or if lamps to be burned together as a pair do not emit the same color light.

7. The lens has a piece broken from it. The lens may have one or more cracks provided an off-color light does not project through the crack or cracks.

8. Backup lamps are not required. However, if installed they must operate and be inspected.

Inspect for and reject if:

a. Lamps are not of an approved type (DOT or SAE-R) or a lamp has been altered.

b. Wiring or electrical connections are defective or filaments do not burn.

c. The lens has a piece broken from it. The lens may have one or more cracks provided an off-color light does not project through the crack or cracks.

d. Lens is other than clear. LED (light emitting diode) lights with a clear lens are acceptable, if of an approved type. For those vehicles that are equipped with a multiple LED light (not filament burning bulbs), they will pass

inspection if more than 50% of the diode lights are burning.

e. Lamps are not wired into the reverse gear or an independent circuit.

9. Cornering lamps are not required. However, if installed they must operate and be inspected.

Inspect for and reject if:

a. Lamps are not of an approved type (DOT or SAE-K) or a lamp has been altered.

b. Wiring or electrical connections are defective or filaments do not burn.

c. The lens has a piece broken from it. The lens may have one or more cracks provided an off-color light does not project through the crack or cracks.

d. The color of the light is other than clear or amber.

e. The lamps do not burn in conjunction with the turn signals.

10. Driving lamps are not required. However, if installed they must operate and be inspected.

Inspect for and reject if:

a. Driving lamps are installed on vehicles equipped with the four-headlamp system, except the "F" type headlamp system.

b. A vehicle is equipped with more than two driving lamps.

c. Driving lamps are not of an approved type (DOT or SAE-Y) or have been altered.

d. The color of the lamp is other than white.

e. The lens has a piece broken from it or is rotated away from its proper position. The lens may have one or more cracks provided an off-color light does not project through the crack or cracks.

f. Wiring or electrical connections are defective or filaments do not burn.

g. Any driving lamp is mounted above the level of the regular headlamps, or is not mounted firmly to prevent excessive vibration.

h. Driving lamps are not wired so that they will burn only when the high beams of the regular headlamps are activated.

i. Driving lamps are not aimed so that the center of the hot spot drops three inches in 25 feet so that the hot spot is directly ahead of the lamp.

Regulations

NOTE: Driving lamps must be aimed using the optical headlight aimer. A tolerance of four inches in 25 feet is allowed in both the horizontal and the vertical adjustment.

11. Fog lamps are not required. However, if installed they must operate and be inspected.

Inspect for and reject if:

a. ~~A vehicle is equipped with more than two fog lamps.~~
A vehicle may be equipped with more than two fog lamps; however, not more than two lamps can be illuminated at any time.

b. Lamps are not of an approved type (SAE or DOT-F or F2) or a lamp has been altered.

c. The lens is other than clear or amber. (Fog lamps may have black end bulbs or small metal caps over the end of the bulb.)

d. The lens has a piece broken from it or is rotated away from its proper position. The lens may have one or more cracks provided an off-color light does not project through the crack or cracks.

e. Wiring or electrical connections are defective or filaments do not burn.

f. Any fog lamp is mounted above the level of the regular headlamps, or is not mounted firmly.

g. Lamps are not wired and aimed according to the following instructions:

(1) Fog lamps are general illumination lamps as covered in 19VAC30-70-160 D. They must burn through the tail light circuit even if on a separate switch. If installed on a vehicle with a four-headlamp system or a vehicle equipped with driving lamps, they must be wired into the low beam circuit.

(2) Fog lamps must be aimed so that the top edge of the high intensity zone is set at the horizontal centerline and the left edge of the high intensity zone is set at the vertical centerline. (Same as low beam headlights.)

NOTE: Fog lamps must be aimed using the optical headlight aimer.

(3) A tolerance of four inches in 25 feet is allowed in both the horizontal and the vertical adjustment.

12. Spot lamps are not required. However, if installed they must operate and be inspected.

Inspect for and reject if:

a. Vehicle is equipped with more than two spot lamps.

b. Lamps are not of an approved type (DOT or SAE-O) or a lamp has been altered.

c. The lens in any spot lamp is other than clear.

d. The lens has a piece broken from it or is rotated away from its proper position. The lens may have one or more cracks provided an off-color light does not project through the crack or cracks.

e. Wiring or electrical connections are defective or filaments do not burn.

13. Daytime running lamps (DRLs) are not required. However, if installed they must operate and be inspected. DRLs must be installed in pairs.

NOTE: DRLs may or may not be wired into the tail light circuit.

Inspect for and reject if:

a. Any lamp, except headlamps, used as DRLs is not an approved type (SAE-Y2) and is not marked "DRL."

b. Fog lamps or parking lamps are used as DRLs.

c. More than one pair ~~is~~ of lamps are used and or designated as DRLs.

d. A DRL is mounted higher than 34 inches measured to the center of the lamp.

e. The color is other than white ~~to~~ or amber.

f. DRLs do not deactivate when the headlamps are in any "on" position.

Any DRL optically combined with a turn signal or hazard lamp must deactivate when the turn signal or hazard lamp is activated and then reactivate when the turn signal or hazard lamp deactivates.

19VAC30-70-540. Parking lamps.

Parking lamps are not required. However, if installed they must operate and be inspected. Parking lamps may burn in conjunction with the headlamps.

~~INSPECT FOR AND REJECT IF~~ Inspect for and reject if:

1. Lamps are not of an approved type (DOT or SAE-P) or a lamp has been altered.

2. Parking lamps have other than ~~white~~ clear or amber lenses showing to the front. If the lens is clear, then the bulb shall be amber.

3. Parking lamps do not burn with the rear lamps.

4. If lens has a piece broken from it. Lens may have one or more cracks provided no off-color light projects through the crack or cracks.

5. Wiring or electrical connections are defective or filaments do not burn.

6. Any vehicle has unapproved lens or plastic covers, any other materials which are not original equipment or any colored material placed on or in front of parking lamps.

NOTE. LED (light emitting diode) lights with a clear lens are acceptable if of an approved type. For those vehicles that are equipped with a multiple LED light (not filament burning bulbs), they will pass inspection if more than 50% of the diode lights are burning.

19VAC30-70-550. Clearance lamps and reflectors.

Inspect for and reject if:

1. Any motor vehicle, trailer, semitrailer or other vehicle is not equipped with clearance lamps if the vehicle is over seven feet wide or if any portion extends four inches or more outside the front fender line.

Trailers of 80 inches or more overall width, and with a GVWR over 10,000 pounds, manufactured on or after December 1, 1993, except pole trailers and trailers designed exclusively for living or office use, shall be equipped with either retroreflective sheeting, reflex reflectors, or a combination of retroreflective sheeting and reflex reflectors.

When a motor vehicle with a trailer attached is presented, the combination may be considered as one unit in meeting this requirement. If presented separately, the individual unit must meet these requirements except that any tractor-truck need not be equipped with rear red dimension or marker lamps.

2. Lamps (DOT or SAE-P2, P3, PC or PC2) or reflectors (DOT or SAE-A or B) are not of an approved type or a lamp has been altered.

Reject if the lamps or reflectors have unapproved plastic covers, any other materials that are not original equipment or any colored material placed on or in front of lamps or reflectors.

Retro-reflective surfaces. Retro-reflective surfaces other than required reflectors may be used, provided (see diagram):

- a. Designs do not resemble traffic control signs, lights, or devices, except that straight edge striping resembling a barricade pattern may be used.
- b. Designs do not tend to distort the length and/or width of the motor vehicle.
- c. Such surfaces shall be at least three inches from any required lamp or reflector unless of the same color as such lamp or reflector.
- d. No red color shall be used on the front of any motor vehicle, except for display of markings or placards required by law.

3. Lenses on lamps on the front are not amber and lenses on lamps on the rear are not red or if a lens has a piece broken from it. A lens may have one or more cracks provided an off-color light does not project through the crack or cracks.

4. Wiring or electrical connections are defective, or all filaments do not burn.

NOTE: LED (light emitting diode) lights with a clear lens are acceptable, if of an approved type. For those vehicles that are equipped with a multiple LED light (not filament burning bulbs), they will pass inspection if more than 50% of the diode lights are burning.

5. Two amber lamps are not mounted on the front and two red lamps on the rear, so as to indicate the extreme width of the body, and as high on the permanent body as practical, except that approved 180 degree lamps with yellow or amber lens may be mounted on the side of the vehicle at or as near the front as possible, or if the front is not the widest portion, the lamps may be installed on the side and as near that point as possible.

And with the further exception that 180 degree lamps with red lens may be mounted on the side of the vehicle at or as near the rear as possible or if the rear is not the widest portion of the vehicle, the lamps may be installed on the side as near that point as possible.

~~6.~~ NOTE: Any vehicle equipped with three red identification lamps with the lamp centers spaced not less than six inches or more than 12 inches apart and installed as close as practicable to the top of the vehicle and as close as practicable to the vertical centerline of the vehicle may have the rear dimension or marker lamps required by subdivision 5 of this section mounted at any height but indicate as nearly as practicable the extreme width of the vehicle.

~~7.~~ NOTE: Dump trucks with a high lift body, concrete mixer trucks and other specially constructed vehicles may be equipped with the required clearance lamps not mounted on the extreme rear, provided such red lamps are clearly visible from the rear and provided further that two red reflectors of an approved type are mounted on the extreme rear. In unusual cases the rear lamp may be mounted on the cab and another red reflex reflector placed on the extreme rear.

~~8.~~ NOTE: In addition to the required clearance lamps showing to the front and to the rear, a vehicle may be equipped with clearance lamps on the side of the vehicle. When such an installation is used, all of the clearance lamps on the side except the one at or near the rear must have an amber lens. The clearance lamps on the side at or near the rear must have a red lens.

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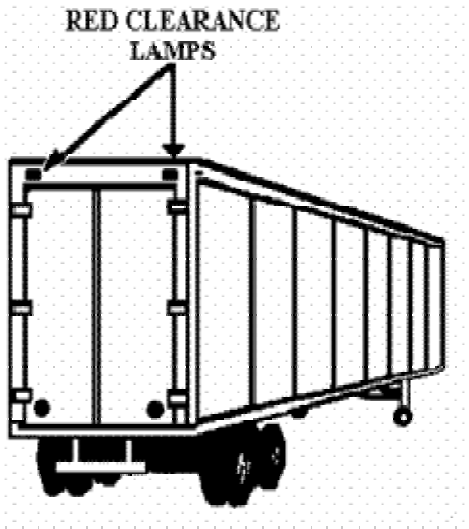
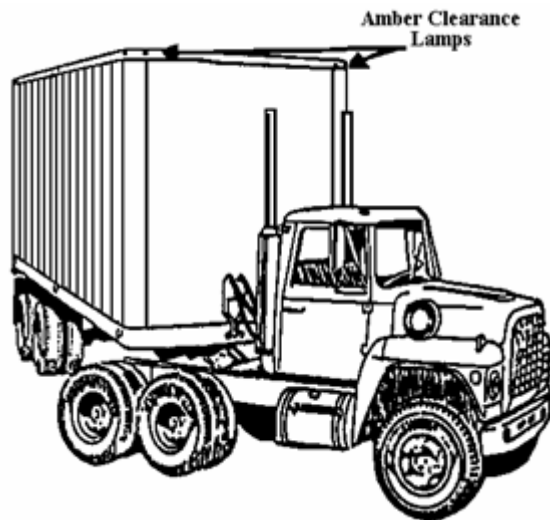
~~9.~~ 6. Any vehicle covered by subdivision 1 of this section, except school buses, is not equipped with amber reflectors on the sides as near the front as practical, and red reflectors on the rear. The reflectors must be at least 15 inches and not more than 60 inches from the ground. No reflector can have a piece broken from its reflective surface, but may have one or more cracks.

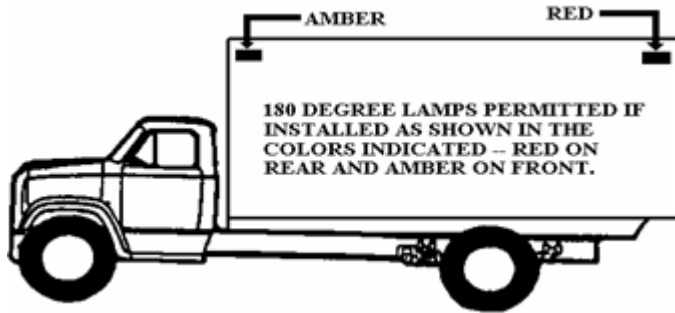
~~10.~~ 7. Any combination of vehicles whose actual length exceeds 35 feet if the vehicles are not wide enough to have clearance lights, if the vehicle is not equipped with reflex reflectors of a type approved by the Superintendent and mounted on the widest part of the towed vehicle so as to be visible from the front and sides of the vehicle. No reflector

can have a piece broken from its reflective surface, but may have one or more cracks.

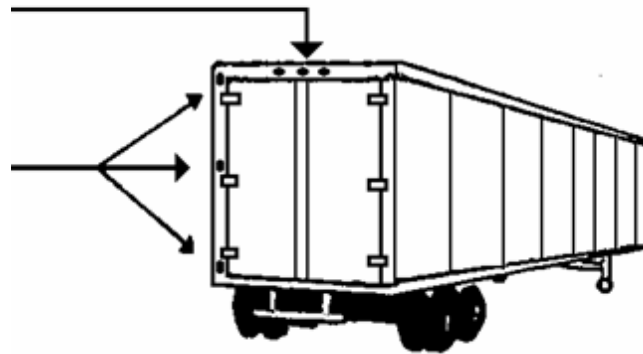
~~11.~~ 8. Any passenger vehicle is equipped with clearance lamps, unless such lamps are used to mark the extreme width of the vehicle or used as taxicab identification, or used as supplemental turn signals. (See 19VAC30-70-190 B.)

~~12.~~ NOTE: Vehicles so constructed as to make compliance with the requirements of subdivisions 1, 5, 7, 9 and 10 of this section impractical, will be equipped with clearance lamps and reflectors at the most practical location to provide maximum visibility.

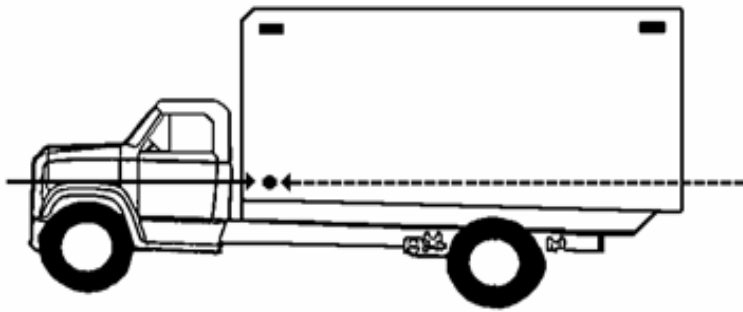




If equipped with three red identification lamps, the required clearance lamps may be mounted at any height so long as they indicate, as nearly as practicable, the extreme width of the vehicle.

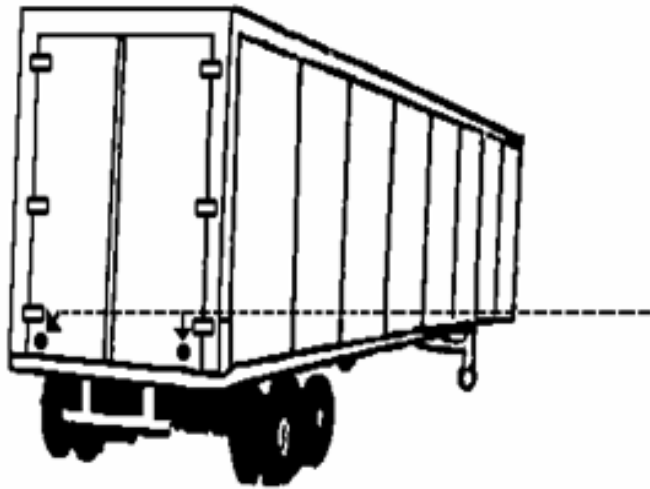


ILLUSTRATIONS FOR PROPER INSTALLATION
OF REFLECTORS

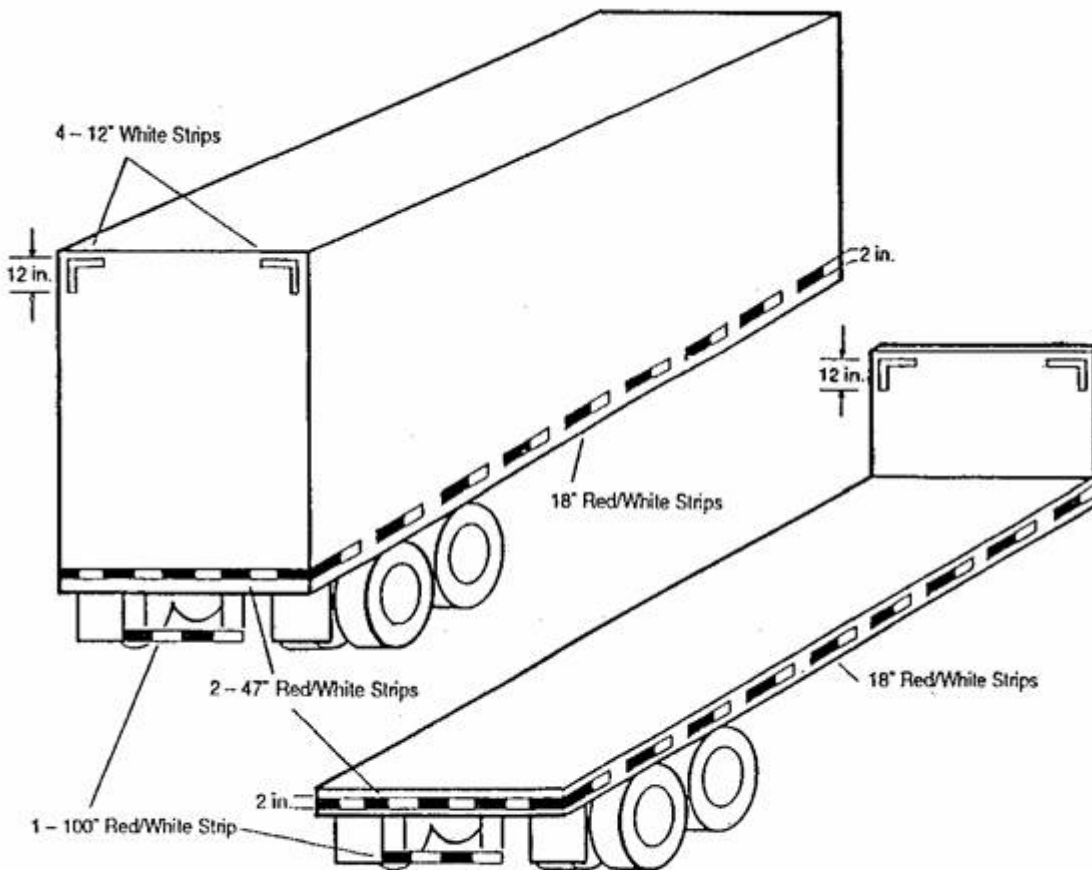


Amber Reflector -- At least 15 inches but not more than 60 inches from the ground

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Red Reflectors -- At least 15 inches and not more than 60 inches from the ground



* NOTE: Suggested application meets the requirements for Vehicle Conspicuity as outlined by NHTSA in the December 1992 Final Ruling.

19VAC30-70-560. Signal device (intention to stop or turn), hazard lights, stop lamps.

A. Any motor vehicle may be equipped with a switch that will permit all turn signal lamps to flash simultaneously.

B. Supplemental turn signals, properly wired into the turn signal circuit may be installed. These may be either approved type turn signals or clearance lamps.

C. Single face lamps are permissible on the front except tractor units shall be equipped with two-faced lamps mounted on the front fenders or on or near the front of the vehicle.

D. ~~INSPECT FOR AND REJECT IF~~ Inspect for and reject if:

1. Motor vehicle, ~~or trailer or semitrailer~~, except an antique vehicle not originally equipped with a stop lamp, is not equipped with at least two stop lamps of an approved type (DOT or SAE-S) that automatically ~~exhibits~~ exhibit a light through a red or amber lens to the rear when the brake pedal is actuated.

2. Proper signals do not go on with each throw of the switch or if stop signals do not go on with slightest pressure on the brake pedal. Turn signals may flash; however, stop signals may not flash ~~except when the vehicle is equipped with a brake warning system or device that will cause the brake lights to flash when the vehicle is in motion but committed to an emergency or panic stop.~~

Every passenger car manufactured for the 1986 or subsequent model year and multipurpose passenger vehicle, truck, or bus whose overall width is less than 80 inches, manufactured September 1, 1993, and subsequent model year is not equipped with a supplemental center high mount stop lamp of an approved type (DOT or SAE-U, U1 or U2) mounted at the vertical centerline of the vehicle that functions only in cooperation with the vehicle's brake lights and hazard lights. Any other vehicle on which a supplemental center high mount stop lamp is mounted shall have the lamp mounted at the vertical center line of the vehicle. The lamps shall be of an approved type and shall function only in conjunction with the stop lamps. The high mount stop lamp must be steady burning and not wired to flash with turn signals or other wig-wag device.

"Multipurpose passenger vehicle" means any motor vehicle that is (i) designed to carry no more than 10 persons and (ii) constructed either on a truck chassis or with special features for occasional off-road use.

NOTE: Camper shells and/or other items that may be temporarily carried on or attached to multipurpose vehicles will not be considered during inspection of the center high mount stop lamp, provided the lamp continues to function as designed.

NOTE: Multipurpose passenger vehicles with an overall width of 80 or more inches or GVWR of 10,000 pounds or more are not required to be equipped with a center high mount stop light.

No sticker or other foreign material shall be affixed to the vehicle in such a manner so as to obscure the center high mount stop lamp.

3. Motor vehicle was manufactured after January 1, 1955, and is not equipped with approved signaling devices.

4. Vehicle is not equipped with a turn signal if such signal is not working properly or does not continue to function in the same manner as when it was originally manufactured. (The turn signal switch shall lock in place when positioned for a left turn or a right turn, and the turn signal indicators must function. Do not reject a vehicle if the self-cancelling mechanism in the switch does not function when the steering wheel is rotated.)

5. Switch is not convenient to the driver and/or not of an approved type.

6. Any vehicle constructed so as to prevent the operator from making a hand and arm signal, if such vehicle is not equipped with an approved type signaling device.

7. Turn signal lens is not clear or amber to the front, or red or amber to the rear. Lens or bulb color has been altered or modified. If the lens is clear, then the bulb shall be amber.

NOTE: LED (light emitting diode) lights with a clear lens are acceptable, if of an approved type. For those vehicles that are equipped with a multiple LED light (not filament burning bulbs), they will pass inspection if more than 50% of the diode lights are burning.

8. Wiring or electrical connections are defective or filaments do not burn.

9. Lens has a piece broken from it. The lens may have one or more cracks provided an off-color light does not project through the crack(s).

NOTE: Taping or gluing cracks or pieces is not allowed.

~~10. Hazard warning lamps do not all flash simultaneously.~~
NOTE: The hazard warning signal operating unit shall operate independently of the ignition or equivalent switch, and when activated, cause all turn signals to flash simultaneously.

NOTE: They are deemed not to be installed if none of the lights burn or flash when the switch is activated and the hazard warning signal flasher unit has been removed.

~~11. 10.~~ Device is not mounted near rear for rear signals, or near front for front signals (except supplemental turn signals) or if the signal is hidden by a bolster or other part of body chassis.

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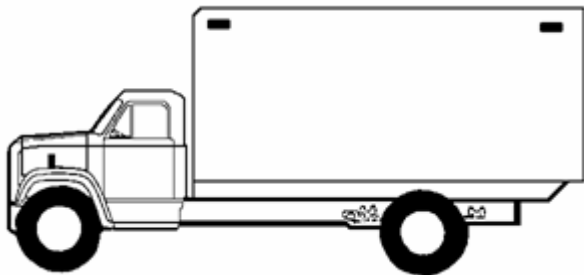
A tractor truck need not be equipped with mechanical or electrical signal devices on the rear if it is equipped with double-faced signal lamps mounted on the front fenders or on the sides near the front of the vehicle clearly visible to the rear.

~~12.~~ 11. All "Class A" signals are not mounted at least three feet apart. (This does not apply to the combination rear signal device.) However, signal lamps that are mounted as

far apart as practical inside and at the rear of the frame so as to be properly visible will meet inspection requirements.

~~13.~~ 12. Any vehicle has unapproved lens or plastic covers, any other materials that are not original equipment or any colored material placed on or in front of signal device (intention to stop or turn), hazard lights or stop lamp.

ILLUSTRATIONS FOR PROPER INSTALLATION AND TYPE OF SIGNAL LIGHTS



TRUCK: Front
Permissible --
Class A Type I
Class A Type II

TRUCK: Rear
Permissible --
Class A Type I Class A
Type II

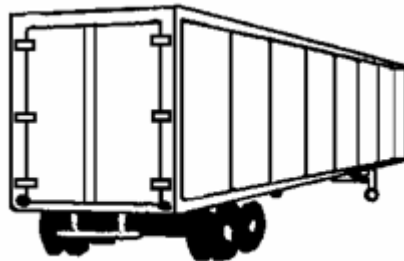
TRACTOR TRAILER: Front
Permissible --
Class A Type I
Class A Type II

Must show to front -
may use two faced

--or--

Two faced lamps - must show to both front and rear

Combination Arrow Tail
Stop & Signal



TRAILER: Rear
Permissible
Class A Type I
Class A Type II

-- or --

Combination
Arrow Tail
Stop & Signal

Class A Type I - Are lamps which indicate a change in direction by giving flashing warning signal (clear lens - amber to front; amber to red on rear) on the side toward which the turn will be made.

Class A Type II - Are lamps which indicate a change in direction by means of illuminated arrow heads (flashing or steady) on the side toward which the turn will be made.



19VAC30-70-570. Permissible lighting equipment.

A. Any vehicle may be equipped with:

1. Running board or courtesy lamps, of not over six candlepower.
2. Vacant or destination signs, if a taxicab or bus.
3. Identification lamps of approved type (SAE-P2 or P3).
4. Interior lights. (Not more than 15 candlepower.)

Exception: This does not apply to alternating, blinking or flashing colored emergency lights mounted inside law-enforcement vehicles or flashing shielded red or red and white lights, mounted inside vehicles owned or used by members of volunteer fire companies, volunteer rescue squads or owned or used by professional firefighters, or police chaplains. Also, this does not apply to firefighting vehicles equipped with map lights.

5. A motor vehicle having a GVWR of 10,001 pounds or more may be equipped with an illuminated bumper guide attached to each end of the front bumper, provided:

- a. The light thereon is amber in color and less than 6 ~~candle power~~ candlepower.
- b. The light is wired to burn only in conjunction with the marker or clearance lamps on the vehicle.

6. Any approved lamp in good working order when used for the purpose for ~~that~~ which it was approved ~~or any colored material placed on or in front of permissible lighting equipment.~~

B. Side marker lamps are not required if the vehicle(s) is over 30 feet in length. If installed they must operate and be inspected. If the bulb, socket and wiring are removed from an individual lamp unit, the unit will not be considered during inspection. This does not include a wraparound tail/marker lamp assembly/lens that are intended to perform multiple functions.

Inspect for and reject if:

1. Lamps are not of an approved type (DOT or SAE-P2, P3, PC), or do not comply with subsection A of this section.
2. Lamps are not installed on the permanent structure of the vehicle with one as far to the rear and one as far forward as practicable and at a location which is not less than 15 inches above the road surface when measured from the center of the lamp.
3. Lamps installed on the side to the rear do not project a red light and lamps installed on the front do not project an amber light.
4. Lens has a piece broken from it. The lens may have one or more cracks provided no off-color light projects through the crack(s).
5. Wiring or electrical connections are defective or filaments do not burn.
6. Any vehicle has unapproved lens or plastic covers, any other materials that are not original equipment or any colored material placed on or in front of permissible lighting equipment.

NOTE: LED (light emitting diode) lights with a clear lens are acceptable, if of an approved type. For those vehicles that are equipped with a multiple LED light (not filament burning bulbs), they will pass inspection if more than 50% of the diode lights are burning.

19VAC30-70-580. Glass and glazing.

A. Motor vehicles may be inspected without windshields, side glasses, or any kind of glazing except that any motor vehicle other than a motorcycle which was manufactured, assembled, or reconstructed after July 1, 1970, must be equipped with a windshield. If glass or other glazing is installed, it must be inspected. If no windshield is installed, see 19VAC30-70-50, C, for location of the sticker.

B. Inspect for and reject if:

1. Any motor vehicle manufactured or assembled after January 1, 1936, or any bus or school bus manufactured or

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assembled after January 1, 1935, is not equipped throughout with safety glass, or other safety glazing material. (This requirement includes slide-in campers used on pickups or trucks, caps, or covers used on pickup trucks, motor homes, and vans.)

2. Any safety glass or glazing used in a motor vehicle is not of an approved type and properly identified (DOT and AS-1, AS-2, or AS-3). (Replacement safety glass installed in any part of a vehicle other than the windshield need not bear a trademark or name, provided the glass consists of two or more sheets of glass separated by a glazing material, and provided the glass is cut from a piece of approved safety glass, and provided the edge of the glass can be observed.)

3. Any glass at any location where glass is used is cracked or broken so that it is likely to cut or injure a person in the vehicle.

4. Windshield has any cloudiness more than three inches above the bottom, one inch inward from the outer borders, one inch down from the top, or one inch inward from the center strip. The bottom of the windshield shall be defined as the point where the top of the dash contacts the windshield.

5. Any distortion or obstruction that interferes with a driver's vision.

Any alteration has been made to a vehicle that obstructs the driver's clear view through the windshield. This may include but is not limited to large objects hanging from the inside mirror, CB radios or tachometers on the dash, hood scoops and other ornamentation on or in front of the hood that is not transparent.

a. Any hood scoop installed on any motor vehicle manufactured for 1990 or earlier model year cannot exceed 2-1/4 inches high at its highest point measured from the junction of the dashboard and the windshield.

b. Any hood scoop installed on any motor vehicle manufactured for the year 1991 or subsequent model year cannot exceed 1-1/8 inches high at its highest point measured from the junction of the dashboard and the windshield.

6. Windshield glass, on the driver's side, has any scratch more than 1/4 inch in width and six inches long within the area covered by the windshield wiper blade, excluding the three inches above the bottom of the windshield. A windshield wiper that remains parked within the driver's side windshield wiper area shall be rejected.

EXCEPTION: Do not reject safety grooves designed to clean wiper blades if the grooves do not extend upward from the bottom of the windshield more than six inches at the highest point.

7. There is a pit, chip, or star crack larger than 3/4 inch in diameter at any location in the windshield above the topmost portion of the steering wheel except the two-inch border at ~~the top and the one inch border~~ at each side.

8. At any location above the topmost portion of the steering wheel excluding a two-inch border at the top and one-inch border at the sides there is:

a. Any crack over 1/4 inch in width.

b. Any crack 1/4 inch or less in width intersected by another crack.

c. Any damage area 3/4 inch or less in diameter if within three inches of any other damage area.

9. Any sticker is on the windshield other than an official one required by law, or permitted by the Superintendent. Authorization is hereby granted for stickers measuring not more than ~~three 2-1/2~~ inches in width and ~~eight four~~ inches in length to be ~~affixed to the upper edge of the center of the windshield. Any sticker required by law must be placed adjacent to the official inspection sticker and must not extend upward more than three inches from the bottom of the windshield; except, on vehicles operating in interstate commerce, under rules and regulations of ICC, stickers required by law must not extend upward more than 4 1/2 inches from the bottom of the windshield. A valid Commercial Vehicle Safety Alliance or motor carrier inspection sticker issued by certified law enforcement agencies not exceeding three inches in height and two inches in width may be placed at the lower right corner of the windshield on trucks and tractor trucks having a GVWR of 26,001 pounds or more placed in the blind spot behind the rearview mirror. Department of Defense decals measuring no more than three inches in width and eight inches in length may be affixed to the upper edge of the center of the windshield. At the option of the motor vehicle's owner, the decal may be affixed at the lower left corner of the windshield so that the inside or left edge of the sticker or decal is within one inch of the extreme left edge of the windshield when looking through the windshield from inside the vehicle. When placed at this location, the bottom edge of the sticker or decal must be affixed within three inches of the bottom of the windshield. This location can only be used if the owner of the vehicle has chosen not to place any required county, town or city decal there. The normal location for any required county, town, or city decal is adjacent to the official inspection sticker and must not extend upward more than three inches from the bottom of the windshield. Commercial Vehicle Safety Alliance (CVSA) inspection decals may be placed at the bottom or sides of the windshield provided such decals do not extend more than 4-1/2 inches from the bottom of the windshield and are located outside the area swept by the windshield wipers and outside of the driver's sight line.~~

Fastoll transponder devices may be affixed to the inside center of the windshield at the ~~roofline~~ roof line just above the rear view mirror. If space does not allow, then it may be affixed to the immediate right of the mirror at the ~~roofline~~ roof line.

Any sticker required by the laws of any other state or District of Columbia and displayed upon the windshield of a vehicle submitted for inspection in this state is permitted by the superintendent, provided the vehicle is currently registered in that jurisdiction, the sticker is displayed in a manner designated by the issuing authority and has not expired. This includes vehicles with dual registration, i.e., Virginia and the District of Columbia.

~~10.~~ NOTE: Stickers or decals used by counties, cities and towns in lieu of license plates may be placed on the windshield without further authority. Except on privately owned yellow school buses, the sticker or decal shall be placed on the windshield adjacent to the right side of the official inspection sticker or the optional placement to the extreme lower left side of the windshield. The top edge of the sticker or decal shall not extend upwards more than three inches from the bottom of the windshield. The left side edge adjacent to the official inspection sticker shall not be more than 1/4 inch from the right edge of the official inspection sticker when looking through the windshield from inside the vehicle. However, at the option of the motor vehicle owner, the sticker or decal may be affixed to the upper edge of the center of the windshield. (Any expired sticker or decal, excluding a rejection sticker, that is present on the windshield at the time of inspection shall not be issued an approval sticker unless the owner/operator "authorizes" its removal. A rejection sticker will be issued versus an involuntary removal.) On privately owned yellow school buses, the sticker or decal shall be placed on the windshield adjacent to the left side of the official inspection sticker, and not more than 1/4 inch from the official inspection sticker when looking through the windshield from inside the vehicle. The top edge of the sticker shall not extend upward more than three inches from the bottom of the windshield.

~~11. Any~~ 10. Sunshading material attached to the windshield extends more than three inches downward from the top of the windshield, unless authorized by ~~a medical waiver certificate, or replacement of the sunshield in the uppermost area as installed by the manufacturer of the vehicle~~ the Virginia Department of Motor Vehicles and indicated on the vehicle registration.

NOTE: Any Sunshading material on the windshield displaying words, lettering, numbers or pictures ~~is not approved and is not permitted~~ that do not extend below the AS-1 line are permitted.

NOTE: Vehicles with logos made into the glass at the factory that meet federal standards will pass state inspection.

~~12.~~ 11. Any sunscreening material is scratched, distorted, wrinkled or obscures or distorts clear vision through the glazing.

~~13.~~ 12. Front side windows have cloudiness above three inches from the bottom of the glass, or other defects that affect the driver's vision or one or more cracks which permit one part of the glass to be moved in relation to another part. Wind silencers, breezes or other ventilator adaptors are not made of clear transparent material.

~~14.~~ 13. Glass in the left front door cannot be raised or lowered easily so a hand signal can be given. (This does not apply to vehicle equipped with approved turn signals which were not designed and/or manufactured for left front glass to be lowered.) If either front door has the glass removed and material inserted in place of the glass which could obstruct the driver's vision.

Exception: Sunscreening material is permissible if the vehicle is equipped with a mirror on each side.

~~15.~~ 14. Any sticker or other obstruction is on either front side window, rear side windows, or rear windows. (The price label, fuel economy label and the buyer's guide required by federal statute and regulations to be affixed to new/used vehicles by the manufacturer shall normally be affixed to one of the rear side windows.) If a vehicle only has two door windows, the labels may be affixed to one of these windows. If a vehicle does not have any door or side windows the labels may be temporarily affixed to the right side of the windshield until the vehicle is sold to the first purchaser.

NOTE: A single sticker no larger than 20 square inches in area, if such sticker is totally contained within the lower five inches of the glass in the rear window or a single sticker or decal no larger than 10 square inches located in an area not more than three inches above the bottom and not more than eight inches from the rearmost edge of either front side window, is permissible and should not be rejected.

Do not reject a tractor truck having a gross vehicle weight rating of 26,001 pounds or more equipped with one optically grooved clear plastic wide angle lens affixed to the right front side window. Such wide angle lens shall not extend upward from the bottom of the window opening more than six inches or backward from the front of the window opening more than eight inches.

~~16.~~ 15. Rear window is clouded or distorted so that the driver does not have a view 200 feet to the rear.

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EXCEPTIONS: The following are permissible if the vehicle is equipped with a mirror on each side:

- a. There is attached to one rear window of such motor vehicle one optically grooved clear plastic right angle rear view lens, not exceeding 18 inches in diameter in the case of a circular lens or not exceeding 11 inches by 14 inches in the case of a rectangular lens, which enables the operator of the motor vehicle to view below the line of sight as viewed through the rear window.
- b. There is affixed to the rear side windows, rear window or windows of such motor vehicle any sticker or stickers, regardless of size.
- c. There is affixed to the rear side windows, rear window or windows of such motor vehicle a single layer of sunshading material.
- d. Rear side windows, rear window or windows is clouded or distorted.

19VAC30-70-590. Mirrors.

~~INSPECT FOR AND REJECT IF~~ Inspect for and reject if:

1. Any motor vehicle is not equipped with at least one mirror.
2. Any bus, truck, road tractor or tractor truck is not equipped with two outside rear view mirrors, one at each side, firmly attached.

EXCEPTION: Only one outside mirror shall be required, on the driver's side, on vehicles so constructed that the driver has a view to the rear by means of an inside mirror.

Vehicles equipped with only one outside mirror must have the mirror on the driver's side.

~~3.~~ NOTE: No motor vehicle shall be required to be equipped with an inside rear view mirror if it does not have a rear window or if the rear window is so obstructed as to prevent rearward vision by means of an inside rear view mirror, if the motor vehicle has horizontally and vertically adjustable outside rear view mirrors installed on both sides of such motor vehicle in such a manner as to provide the driver of such motor vehicle a rearward clear view along both sides of such motor vehicle for a distance of not less than 200 feet.

~~4.~~ 3. Reflecting surface of mirror is cracked, broken, peeled, pitted, clouded, tarnished, the image is distorted, has sharp edges, reflects more than one image, or is not mounted securely.

~~5.~~ 4. Mirror does not give the driver a clear view of the road 200 feet to the rear.

~~6. Mirror is loose enough that rear view is impaired.~~

~~7. Mirror is mounted so it cannot be adjusted from driver's seat or will not maintain adjustment.~~

~~6.~~ 5. Interior rearview mirror:

a. Mirror is loose enough that rear view is impaired.

b. Mirror cannot be adjusted or will not maintain a set adjustment.

~~7.~~ 6. Exterior rearview mirror:

a. Mirror is loose enough that rear view is impaired.

b. Left mirror is obscured by an unwiped portion of windshield or mirror is mounted so it cannot be adjusted from driver's seat. (Applies to 1969 and subsequent model vehicles.)

NOTE: A right side mirror is not required if the reflecting surface of the mirror has been completely removed from the mirror housing. However, a vehicle will be required to have two outside mirrors if there is a sticker or stickers, regardless of size, sun-shading or tinting film, on the rear side windows or rear window.

NOTE: A single sticker, no larger than 20 square inches, if such sticker is totally contained within the lower five inches of the glass of the rear window, and does not obstruct the center high mount brake light, is allowed and will pass inspection.

19VAC30-70-660. Seat belts.

A. Definitions:

"Bus" means a motor vehicle with motive power designed to carry more than 10 persons.

"Designated seating position" means any plan view (looking down from the top) location intended by the manufacturer to provide seating accommodations while the vehicle is in motion, except auxiliary seating accommodations as temporary or folding jump seats.

"Front outboard designated seating positions" means those designated seating positions for the driver and outside front seat passenger (except for trucks which have the passenger seat nearest the passenger side door separated from the door by a passageway used to access the cargo area.)

"GVWR" means gross vehicle weight rating as specified by the manufacturer (loaded weight of a single vehicle.)

~~"Multi-purpose~~ Multipurpose passenger vehicle" means a any motor vehicle with motive power that is (i) designed to carry no more than 10 persons or less which is and (ii) constructed either on a truck chassis or with special features for occasional off-road operation use. This shall ~~also~~ include a minivan.

"Open-body type vehicle" means a vehicle having no occupant compartment top or an occupant compartment top that can be installed or removed by the user at his convenience.

"Rear outboard front facing designated seating positions" means those designated seating positions for passengers in outside front facing seats behind the driver and front passenger seat, except any designated seating position adjacent to a walkway, that is located between the seat and the nearside of the vehicle and is designated to allow access to more rearward seating positions.

"Truck" means a motor vehicle with motive power designed primarily for the transportation of property or special purpose equipment.

B. Passive Restraint System:

Inflatable occupant restraint (commonly known as air bags).

Passive belt system (automatic deployment around the occupant after the occupant enters the vehicle and closes the door).

INSPECT FOR AND REJECT IF: Inspect for and reject if:

1. Not of an approved type.
2. Installation not in compliance as follows:
 - a. All motor vehicle seat belt anchorages and attachment hardware must meet the standards and specifications set forth by the Society of Automotive Engineers, Inc., and Federal Motor Vehicle Safety Standard Number 209, for such anchorages and attachment hardware.
 - b. Any questions concerning the proper installation of seat belt assemblies should be directed to the nearest Safety Division office.
3. Any of the following motor vehicles manufactured on or after July 1, 1971, not having a lap seat belt assembly for each designated seating position:
 - a. Open-body type vehicles;
 - b. Walk-in van type trucks;
 - c. Trucks (GVWR in excess of 10,000 pounds);
 - d. Multipurpose passenger vehicles (GVWR in excess of 10,000 pounds).
4. Any buses manufactured on or after July 1, 1971, not having a lap seat belt assembly for the driver's seating position.
5. All other motor vehicles manufactured on or after January 1, 1976, except those for which requirements are specified in subdivisions 3 and 4 of this subsection, not having lap/shoulder or harness seat belt assemblies installed for each front outboard designated seating position.

Those vehicles originally equipped and sold by the manufacturer with only a lap belt installed for each

designated seating position, in compliance with Federal Motor Vehicle Safety Standards, will be deemed to be in compliance with this section.

6. Any seat belt buckle, webbing, or mounting is cut, torn, frayed, or no longer operates properly.
7. Any seat belt anchorage is loose, badly corroded, missing or not fastened to belt.
8. Any truck, multi-purpose vehicle, or bus (except school buses and motor homes) with a GVWR of 10,000 pounds or less, manufactured on or after September 1, 1991, is not equipped with a lap/shoulder seatbelt assembly at all forward facing rear outboard designated seating positions.
9. Any of the heretofore described vehicles manufactured on or after September 1, 1992, are not equipped with lap/shoulder seatbelt assembly located at all forward facing rear outboard designated seating positions on a readily removable seat.

C. Air bag and air bag readiness light.

Inspect for and reject if:

1. Air bag. Any defects in the air bag system are noted by the air bag readiness light, or otherwise indicated;
2. The air bag has been deployed and has not been replaced (and is not deactivated because of a medical or other exemption and a notice is posted to indicate that it has been deactivated);
3. Any part of the air bag system has been removed from the vehicle; or
4. If the air bag indicator fails to light or stays on continuously.

NOTE: Air bag readiness light. Turn the ignition key to the on position; the air bag readiness light will indicate normal operation by lighting for six to eight seconds, then turning off. A system malfunction is indicated by the flashing or continuous illumination of the readiness light or failure of the light to turn on.

VA.R. Doc. No. R08-953; Filed December 4, 2007, 9:28 a.m.

GENERAL NOTICES/ERRATA

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Results of Periodic Review

Pursuant to Executive Order 36 (2006), the Department of Agriculture and Consumer Services has completed a periodic review for 2VAC5-140, Health Requirements Governing the Admission of Livestock, Poultry, Companion Animals, and Other Animals or Birds into Virginia. No public comment was received during the periodic review period. In view of its continued need and effectiveness, the department recommends that the regulation remain in effect without change.

Agency Contact: Roy Seward, Department of Agriculture and Consumer Services, 102 Governor Street, Richmond, VA 23219, telephone (804) 786-3535, or email roy.seward@vdacs.virginia.gov.

STATE CORPORATION COMMISSION

REGISTRAR'S NOTICE: The distribution list referenced as Appendix A in the following order is not being published. However, the list is available for public inspection at the State Corporation Commission, Document Control Center, Tyler Building, 1st Floor, 1300 East Main Street, Richmond, Virginia 23219, from 8:15 a.m. to 5 p.m., Monday through Friday.

AT RICHMOND, DECEMBER 3, 2007

COMMONWEALTH OF VIRGINIA

At the relation of the

STATE CORPORATION COMMISSION

CASE NO. PUE-2007-00107

Ex Parte: In the matter of establishing rules and regulations to implement the sale of electricity from renewable sources through a renewable energy portfolio standard program pursuant to § 56-585.2 of the Code of Virginia

ORDER ESTABLISHING PROCEEDING

The General Assembly of Virginia enacted, on April 4, 2007, Chapter 933 of the 2007 Acts of Assembly ("Chapter 933")¹ that, among other provisions, established incentives for regulated electric utilities to implement the sale of electricity from renewable sources through a renewable energy portfolio standard ("RPS") program. The statute, in § 56-585.2, sets forth detailed requirements relating to the incentives offered

¹ Chapter 933 (SB 1416) amends and reenacts §§ 56-233.1, 56-234.2, 56-235.2, 56-235.6, 56-249.6, 56-576 through 56-581, 56-582, 56-584, 56-585, 56-587, 56-589, 56-590, and 56-594 of the Code of Virginia ("Code"); amends the Code by adding sections numbered 56-585.1, 56-585.2, and 56-585.3; and repeals §§ 56-581.1 and 56-583 of the Code, relating to the regulation of electric utility service.

to regulated utilities for achieving renewable goals, the goals that must be attained by regulated utilities seeking to capture incentive payments, the manner in which potential attainment of those goals are to be measured and the identification of the subset of retail customers that will be required to fund the incremental cost of renewable generation, including the specified incentives.

In § 56-585.2 G, the statute further directs the Virginia State Corporation Commission ("Commission") to "promulgate such rules and regulations as may be necessary to implement the provisions of this section including a requirement that participants verify whether the RPS goals are met in accordance with this section." The Commission initiates the above-captioned proceeding to comply with this statutory requirement. We first seek comment on several questions raised by § 56-585.2 of the Code.²

Issues identified for comment

The Commission seeks comment on the following issues:

- (1) Should there be a standard package of data and information that utilities must file in order to demonstrate that they have achieved an RPS goal as those goals change through time as set forth in § 56-585.2 D? If so, what data and information should be provided to the Commission? In the alternative, should such applications be instead handled on a case-by-case basis?
- (2) What special procedural rules, if any, should apply to proceedings³ regarding applications submitted pursuant to § 56-585.2 of the Code for award of incentives to utilities for RPS Goals attained?
- (3) What special procedural rules should apply to proceedings⁴ opened to establish and provide for recovery of all incremental costs incurred for the purpose of such participation in a RPS program?
- (4) Should a tracking system be required to ensure that renewable resource certificates are appropriately and accurately credited to renewable resource facilities? If so, how should such a tracking system be designed and what entity should maintain the tracking system?
- (5) The Commission seeks comment as to whether there are programs or elements of programs adopted by other states that may be appropriate and comply with the provisions set forth in § 56-585.2.⁵

² This order initiating proceeding will not include proposed rules. Rather, as indicated by our questions posed, the Commission seeks stakeholder input as to the type of rules, if any, needing promulgation at this time or in the near future. After comments and reply comments are received, the Commission may issue a further order deciding that no rules are necessary. Alternatively, the Commission may later decide to issue specific proposed rules as may be necessary to implement the provisions of § 56-585.2.

³ Other than the application of the Commission's Rules of Practice and Procedure (5 VAC 5-20-10 *et seq.*)

⁴ *Id.*

⁵ See, e.g., North Carolina's ncGreenPower program. This program provides for voluntary (double tax-deductible) contributions collected by electric companies and then

(6) Virginia Code Section 56-585.2 F states in part:

A participating utility shall be required to fulfill any remaining deficit needed to fulfill its RPS Goals from new renewable energy supplies at reasonable cost and in a prudent manner to be determined by the Commission at the time of approval of any application made pursuant to subsection B.

What standards should the Commission apply in determining the reasonableness and prudence of these resource acquisitions?

(7) Virginia Code Section 56-585.2 E states in part:

All incremental costs of the RPS program shall be allocated to and recovered from the utility's customer classes based on the demand created by the class and within the class based on energy used by the individual customer in the class, except that the incremental costs of the RPS program shall not be allocated to or recovered from customers that are served within the large industrial rate classes of the participating utilities and that are served at primary or transmission voltage.

How shall the Commission determine which customer classes and subclasses should be construed to fall within the "large industrial rate classes of participating utilities" that are not to be allocated incremental costs of the RPS program, given that such a customer may be served at transmission or primary voltage?

To allow for broad and efficient dissemination of information, we will request the filing of responses to these questions, if possible, in electronic form in addition to filing such comments with the Clerk of the Commission as ordered below. The responses will be posted on the Commission's Division of Economics and Finance website. We recognize that responses to some of the questions may contain information which the authors deem confidential. Accordingly, only information that is available in the public domain and not deemed confidential should be supplied in electronic format for posting on the website. Any response deemed confidential should be filed in paper form with the Clerk of the Commission and be prominently marked as confidential in accordance with 5 VAC 5-20-170 of the Commission's Rules of Practice and Procedure.

The Commission Staff has developed lists of individuals, organizations, and companies that may be interested in the Commission's determination of its duties under § 56-585.2 of the Code. The Commission will direct the Staff to provide copies of this Order by electronic transmission or, when

electronic transmission is not possible, by mail to individuals, organizations, and companies on these lists.

Accordingly, IT IS ORDERED THAT:

(1) This matter be docketed as Case No. PUE-2007-00107 and all associated papers filed herein.

(2) Within five (5) business days of the filing of this Order with the Clerk, the Commission Staff shall transmit electronically or mail copies of this Order to interested persons and organizations as discussed in this Order.

(3) On or before December 10, 2007, the Commission Staff shall file with the Clerk a certificate of the transmission or mailing required by paragraph (2) of this Order, and shall include a list of the names and addresses of persons to whom the Order was transmitted or mailed.

(4) On or before February 4, 2008, any person desiring to comment and respond to the issues and questions posed hereinabove shall file an original and fifteen (15) copies of their comments with the Clerk of the Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118, making reference in such comments to Case No. PUE-2007-00107. If possible, complete copies of responses to the questions, including attachments and the like, should be transmitted electronically to econfin@scc.virginia.gov. Any portion of the responses deemed confidential should be deleted from responses transmitted to this electronic address.

(5) The Commission Staff shall post promptly upon receipt all non-confidential materials received by electronic transmission to econfin@scc.virginia.gov on the Division of Economics and Finance Web site, <http://www.scc.virginia.gov/division/eaf/comments.htm>. The Commission Staff shall not be responsible for editing any posted document to remove information deemed confidential.

(6) This matter shall be continued generally pending further Order of the Commission.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to: the regulated electric utilities listed on Appendix A attached hereto; C. Meade Browder, Jr., Senior Assistant Attorney General, Division of Consumer Counsel, Office of Attorney General, 900 East Main Street, 2nd Floor, Richmond, Virginia 23219; and the Commission's Office of General Counsel and Divisions of Economics and Finance, Energy Regulation, and Public Utility Accounting.

provided to an independent § 501(c)3 organization. The monies are paid out to in-state only "green" electricity producers, providing those producers with an incremental cash flow in excess of that provided by the utility's "avoided-cost" established by the North Carolina Public Utilities Commission. The ncGreenPower model may be viewed at <http://www.ncgreenpower.org/>.

General Notices/Errata

DEPARTMENT OF CRIMINAL JUSTICE SERVICES

Edward Byrne Memorial Justice Assistance Grant Program

The Department of Criminal Justice Services intends to submit an application to the Bureau of Justice Assistance of the U.S. Department of Justice to obtain federal fiscal year 2008 funding available through the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. Although the Bureau has not yet determined the specific amount for which we are eligible to apply, we expect it to be approximately \$5.9 million. The application will be submitted no later than January 31, 2008.

The department will use these funds to make grants to support local and state agency law enforcement, prosecution and judicial programs; crime prevention and education programs; corrections and community corrections programs; drug treatment programs; and planning, evaluation and technology improvement programs. Specific guidelines and instructions for agencies interested in submitting grant proposals have been posted on the department's website at <http://www.dcjs.virginia.gov>.

The application to the Bureau of Justice Assistance will be available for public review at the department's offices at 202 North Ninth Street, Richmond, Virginia 23219; and comments from the public are welcome. Inquiries should be directed to Joe Marshall at (804) 786-1577 or by email to joe.marshall@dcjs.virginia.gov.

DEPARTMENT OF ENVIRONMENTAL QUALITY

Proposed Consent Special Order - Gladys Timber Products, Inc.

Purpose of notice: To invite citizens to comment on a proposed consent order for Gladys Timber Products, Inc.

Public comment period: December 24, 2007, to January 23, 2008.

Consent order description: The State Waste Management Board proposes to issue a consent order to Gladys Timber Products, Inc. to address alleged violations of Hazardous Waste Registration No. VAD988203675. The location of the facility where the alleged violations occurred is on Highway 501 South in the Town of Gladys, Virginia. The consent order describes a settlement to resolve alleged containment and inspection documentation provisions of the Virginia Solid Waste Management Regulations.

How to comment: DEQ accepts comments from the public by email, fax or postal mail. All comments must include the name, address and telephone number of the person commenting and be received by close of business on the final day of the public comment period. The public may review the

proposed consent order at the DEQ office named below or on the DEQ website at www.deq.virginia.gov.

Contact for public comments, document requests and additional information: G. Marvin Booth, III, Department of Environmental Quality, South Central Regional Office, 7705 Timberlake Road, Lynchburg, VA 24502, telephone (434) 582-5120 ext. 6237, FAX (434) 582-5125, or email gmbooth@deq.virginia.gov.

Total Maximum Daily Load - Rappahannock River

Announcement of a water quality study to develop a total maximum daily load (TMDL) for the bacteria impairment in the tidal freshwater Rappahannock River.

Purpose of notice: The Virginia Department of Environmental Quality (DEQ) and the Virginia Department of Conservation and Recreation (DCR) announce the second public meeting for the Tidal Freshwater Rappahannock River TMDL study.

Public meeting: Wednesday, January 9, 2008, 7 p.m. - 8:30 p.m., Jepson Science Center, Room 100, Fredericksburg Campus of the University of Mary Washington.

Meeting description: This is the second public meeting for this project. The purpose of this meeting is to present the draft TMDL report and discuss the study with community members.

Description of study: Virginia agencies are working to identify sources of bacteria pollution in a 3.8 square mile segment of the tidal freshwater Rappahannock River. The impaired river segment is located in portions of Caroline, King George, Spotsylvania, and Stafford counties, and the City of Fredericksburg. Below is a description of the impaired portion of the Rappahannock River that will be addressed in this TMDL study.

| Stream Name | Locality | Impairment | Area (mi ²) | Upstream Limit | Downstream Limit |
|--------------------|---|------------|-------------------------|---|--|
| Rappahannock River | Fredericksburg Caroline King George Spotsylvania Stafford | Bacteria | 3.8 | Fall Line at the Route 1 Bridge in Fredericksburg | Confluence with Mill Creek, below the Route 301 Bridge |

During the study DEQ will develop a total maximum daily load (TMDL) for the impaired river segment. A TMDL is the total amount of a pollutant a water body can receive and still meet water quality standards. To restore water quality, pollutant levels have to be reduced to the TMDL allocated amount.

How to comment: The public comment period on the materials presented at the public meeting, including the draft TMDL Report, will extend from January 9, 2008, to February 7, 2008. DEQ accepts written comments by email, fax, or postal mail. Written comments should include the name, address, and telephone number of the person commenting,

and be received by DEQ during the comment period. Please send all comments to the contact listed below.

Contact for additional information: Katie Conaway, Virginia Department of Environmental Quality, 13901 Crown Court, Woodbridge, VA 22193, or email mckonaway@deq.virginia.gov.

Total Maximum Daily Loads - Spring Creek, Little Sandy Creek, Bush River, Briery Creek and Saylers Creek

The Department of Environmental Quality (DEQ) and the Department of Conservation and Recreation seek written and oral comments from interested persons on the development of an Implementation Plan (IP) for bacteria total maximum daily loads (TMDLs) on the following impaired stream segments - 5.5 miles of Spring Creek, 7.35 miles of Little Sandy Creek, 0.78 mile of Bush River, 9.94 miles of Briery Creek and 8.9 miles of the Saylers Creek in Prince Edward and Amelia counties. TMDLs of these five segments were included in the TMDL study completed for the Appomattox River Basin. The TMDLs were approved by EPA on August 8, 2004, a copy of which can be found on DEQ's website at http://gisweb.deq.virginia.gov/tmdlapp/tmdl_report_result.cfm.

Section 62.1-44.19:7 C of the Code of Virginia requires the development of an IP for approved TMDLs. The IP should provide measurable goals and the date of expected achievement of water quality objectives. The IP should also include the corrective actions needed and their associated costs, benefits and environmental impacts.

The first public meeting on the development of the IP for the above impaired segments will be held on Tuesday, January 10, 2008, at 7 p.m. in the South Street Conference Center, located at 112 North South St., Farmville, VA 23901. After a one hour public meeting, stakeholders will break into a working group session to begin the public participation input process for the implementation plan.

The public comment period will end on February 9, 2008. A fact sheet on the development of an IP for the above impaired segments is available upon request. Questions or information requests should be addressed to Ram Gupta with the Virginia Department of Conservation and Recreation. Written comments and inquiries should include the name, address, and telephone number of the person submitting the comments and should be sent to Ram Gupta, Department of Conservation and Recreation, 101 North 14th St., 11th Floor, Monroe Building, Richmond, Virginia 23219, email address ram.gupta@dcr.virginia.gov, telephone (804) 371-0991.

Water Quality Improvement Study - Dan River Watershed

Purpose of notice: To announce a public meeting and seek public comment on a water quality improvement study by the Department of Environmental Quality for the Dan River watershed in Halifax and Pittsylvania counties in Virginia.

Public meeting: Halifax County Board of Supervisors Conference Room, 134 South Main Street, Halifax, VA, on Thursday, January 17, 2008, from 6:30 to 8:30 p.m. In the event of inclement weather, the snow date will be Thursday, January 24, 2008, from 6:30 to 8:30 p.m.

Public comment period: January 17, 2008, to February 18, 2008.

Meeting description: This is a public meeting to discuss a study to restore water quality in stream and river segments in the Dan River watershed.

Description of study: Virginia agencies are working to identify sources of bacteria contamination in stream segments in the Dan River watershed in Central Virginia. This contamination exceeds water quality standards, thus prohibiting swimming and other forms of primary contact recreation. The contamination impairs or decreases the quality of the water.

The following is a list of the "impaired" waters, the length of the impaired segment, their location, and the reason for the impairment:

Dan River (42.8 miles), Pittsylvania County, total fecal coliform; Sandy River (7.21 miles), Pittsylvania County, total fecal coliform; Sandy Creek (9.17 miles), Pittsylvania County, total fecal coliform; Fall Creek (2.3 miles), City of Danville, total fecal coliform; Byrds Branch (2.98 miles), Halifax County, total fecal coliform; Double Creek (8.28 miles), Halifax and Pittsylvania counties, total fecal coliform.

During the study DEQ will develop a total maximum daily load (TMDL) for the impaired waters. A TMDL is the total amount of a pollutant a water body can contain and still meet water quality standards. To restore water quality, contamination levels to have to be reduced to the TMDL amount.

Contact for additional information: Amanda Gray, Virginia Department of Environmental Quality, 7705 Timberlake Road, Lynchburg, VA 24502, telephone (434) 582-6227, FAX (434) 582-5125, or email abgray@deq.virginia.gov.

General Notices/Errata

STATE LOTTERY DEPARTMENT

Director's Orders

The following Director's Orders of the State Lottery Department were filed with the Virginia Registrar of Regulations on November 28, 2007. The orders may be viewed at the State Lottery Department, 900 E. Main Street, Richmond, Virginia, or at the office of the Registrar of Regulations, 910 Capitol Street, 2nd Floor, Richmond, Virginia.

Director's Order Number Sixty-Three (07)

Certain Virginia Instant Game Lotteries; End of Games.

In accordance with the authority granted by §§2.2-4002 B (15) and 58.1-4006 A of the Code of Virginia, I hereby give notice that the following Virginia Lottery instant games will officially end at midnight on November 30, 2007:

| | |
|----------|--------------------------|
| Game 332 | Easy 8's Bingo |
| Game 333 | Bingo |
| Game 621 | Super Blackjack |
| Game 623 | Ruby Red 7's |
| Game 669 | Lightning 7's |
| Game 715 | \$500,000 Maximum Payout |
| Game 729 | Tiki Tripler |
| Game 732 | Take The Money and Run |
| Game 737 | Tropical Island |
| Game 758 | Double Dollars |
| Game 764 | Be My Boop |
| Game 767 | Lucky Symbols |
| Game 768 | Lucky \$5,000 |
| Game 772 | Blackjack Doubler |
| Game 774 | American Idol |
| Game 778 | Wild Cherry |
| Game 779 | Royal Riches |
| Game 781 | Fun In The Sun |
| Game 782 | 10 X The Money |
| Game 794 | Pink Panther |

The last day for lottery retailers to return for credit unsold tickets from any of these games will be January 11, 2008. The last day to redeem winning tickets for any of these games will be May 28, 2008, 180 days from the declared official end of the game. Claims for winning tickets from any of these games will not be accepted after that date. Claims that are mailed and received in an envelope bearing a postmark of the United States Postal Service or another sovereign nation of May 28, 2008, or earlier, will be deemed to have been received on time. This notice amplifies and conforms to the duly adopted State Lottery Board regulations for the conduct of lottery games.

This order is available for inspection and copying during normal business hours at the Virginia Lottery headquarters, 900 East Main Street, Richmond, Virginia; and at any Virginia Lottery regional office. A copy may be requested by

mail by writing to Director's Office, Virginia Lottery, 900 East Main Street, Richmond, Virginia 23219.

This Director's Order becomes effective on the date of its signing and shall remain in full force and effect unless amended or rescinded by further Director's Order.

/s/ Shelia Hill-Christian
Executive Director
November 19, 2007

DEPARTMENT OF MINORITY BUSINESS ENTERPRISE

Notice of Public Comment Period

The Virginia Department of Minority Business Enterprise, pursuant to §2.2-1403 of the Code of Virginia, is required to adopt regulations to implement certification programs for small, women- and minority-owned businesses. Such regulations are exempt from the Administrative Process Act (§2.2-4000 et seq. of the Code of Virginia) pursuant to subdivision B 2 of §2.2-4002.

As a courtesy to the public, however, the Department of Minority Business Enterprise is accepting public comments on the adoption of its new regulations and repeal of existing regulations 7VAC10-10, Public Participation Guidelines, and 7VAC10-20, Regulations to Govern the Certification of Minority Business Enterprises. The purpose of this action is to revise and update the existing administrative regulations that govern the agency's public participation guidelines and the regulations that govern the certification of small, women- and minority-owned businesses in accordance with Chapter 14 (§2.2-1400 et seq.) of Title 2.2 of the Code of Virginia. The draft regulations are available on the Commonwealth's Regulatory Town Hall at www.townhall.virginia.gov as well as on the agency's website at www.dmbe.virginia.gov.

Public comments were received until December 14, 2007.

Agency Contact: Paula Gentius-Harris, Esq./Acting Director, 1111 East Main Street, Suite 300, Richmond, VA 23219, telephone (804) 786-5560, FAX (804) 786-9736, or email paula.gentius-harris@dmbe.virginia.gov.

DEPARTMENT OF TRANSPORTATION

Availability of Revisions to Proposed Replacement Regulation for the Current Land Use Permit Manual (24VAC30-150)

The Virginia Department of Transportation (VDOT) has made revisions to the proposed draft of the Land Use Permit Regulations (24VAC30-151) published in Volume 23, Issue 22 of the Virginia Register on July 9, 2007. These revisions were made in conjunction with the 60-day comment period mandated for Administrative Process Act regulatory actions,

a series of public hearings, and additional meetings with specific stakeholder groups.

The revised regulation has been posted on the following website for informational purposes only:

<http://www.virginiadot.org/business/bu-landUsePermits.asp>

VDOT tentatively plans to present the final regulation to the Commonwealth Transportation Board for consideration at a public business meeting after the General Assembly Session adjourns in March of 2008. The final regulation will become effective after Executive Branch review and approval following the CTB action, and at the close of a 30-day adoption period after its publication in the Virginia Register.

Agency Contact: Mutaz Alkhadra, Land Use Permit Manager, Asset Management Division, Virginia Department of Transportation, 1401 East Broad Street, Richmond, VA 23219, telephone (804) 662-9403, FAX (804) 662-9426, or email mutaz.alkhadra@vdot.virginia.gov.

STATE WATER CONTROL BOARD

Aquatic Life Use Attainability Analysis Study Plan for Straight Creek

In accordance with §62.1-44.19:7 the Code of Virginia, the board conditionally approved at their March 2007 meeting the request from the Virginia Mining Issues Group (Group) to conduct a Use Attainability Analysis (UAA) for Straight Creek in Lee County. One of the conditions was to present a study plan for public comment and Department of Environmental Quality (DEQ) approval before initiation of the UAA study.

A UAA study plan has been submitted to the DEQ on behalf of the Group to conduct an aquatic life use study to determine whether human caused conditions and hydrologic modifications are limiting attainment of the designated aquatic life use in Straight Creek. A UAA is a structured scientific assessment of the factors affecting the attainment of the designated use. Designated uses are those uses specified in water quality standards for each water body or segment whether or not they are being attained. The agency is seeking comment on the submitted UAA study plan. Agency approval of the study plan is pending review of comment submitted. If the study indicates that the current designated use is unattainable, study results may indicate an appropriate use category for regulatory consideration.

The comment period begins on December 24, 2007, and ends February 14, 2008.

The document submitted to the agency by the Group may be found at <http://www.deq.virginia.gov/wqs> or obtained from the contact person listed below.

Comments should be received by February 14, 2008, and submitted to the contact person below.

Agency Contact: David C. Whitehurst, Department of Environmental Quality, 629 East Main Street, P.O. Box 1105, Richmond, VA 23218, telephone (804) 698-4121, FAX (804) 698-4116, or email dcwhitehurst@deq.virginia.gov.

Total Daily Maximum Loads - Appomattox River Basin

Notice is hereby given that the State Water Control Board seeks comment on proposed modifications to the bacteria total maximum daily load (TMDL) developed for the Appomattox River Basin in Appomattox, Buckingham, Cumberland, Prince Edward, Amelia, Nottoway, Powhatan, Chesterfield, Dinwiddie and Prince George counties and cities of Petersburg, Colonial Heights and Hopewell.

The total maximum daily load of E. coli was developed to address bacterial impairment in the Appomattox River Basin. The TMDL was approved by the Environmental Protection Agency (EPA) on August 30, 2004, and can be found at the following website:

http://gisweb.deq.virginia.gov/tmdlapp/tmdl_report_result.cfm.

The Virginia Department of Environmental Quality (VDEQ) seeks written comments from interested persons on the modification of this TMDL. As part of the issuance of new VPDES permit VA0091707, Amelia Courthouse Sanitary District requested a maximum tiered design flow of 3.0 mgd for a new STP discharging to Smacks Creek in Amelia County. VDEQ proposes to modify the wasteload allocation and TMDL to accommodate this expansion at a permitted E. coli concentration of 126 cfu/100ml. To review the proposed revisions to the wasteload allocation tables and TMDL equation tables, please contact Mark Alling using the contact information below.

For the bacterial TMDL, the proposed increase will not cause a water quality violation because Virginia's Water Quality Standards for bacteria require that treated effluent discharged into a receiving stream meet the bacteria criteria for the stream. The EPA considers a less than 1.0% change to the TMDL to be insignificant. The proposed wasteload allocation for this facility will be 0.662% of the TMDL.

The public comment period for this modification will end on January 23, 2008. Questions or information requests should be addressed to Mark Alling. Written comments should include the name, address, and telephone number of the person submitting the comments and should be sent to Mark Alling, Piedmont Regional Office, Department of Environmental Quality, 4949-A Cox Road, Glen Allen, VA 23060, telephone (804) 527-5021, or email msalling@deq.virginia.gov.

Total Daily Maximum Loads - Appomattox River Basin

Notice is hereby given that the State Water Control Board seeks comment on proposed modifications to the bacteria total maximum daily load (TMDL) developed for the Appomattox River Basin in Appomattox, Buckingham, Cumberland, Prince Edward, Amelia, Nottoway, Powhatan, Chesterfield, Dinwiddie and Prince George counties and cities of Petersburg, Colonial Heights and Hopewell.

The total maximum daily load of E. coli was developed to address bacterial impairment in the Appomattox River Basin. The TMDL was approved by the Environmental Protection Agency (EPA) on August 30, 2004 and can be found at the following website:

http://gisweb.deq.virginia.gov/tmdlapp/tmdl_report_result.cfm.

The Virginia Department of Environmental Quality (VDEQ) seeks written comments from interested persons on the modification of this TMDL. In 2004, after approval of the Appomattox River Basin Bacterial TMDL by the U.S. Environmental Protection Agency and the State Water Control Board, the DOC Pocahontas WWTP, VA0023426, was issued a Certificate to Operate at 0.65 mgd. The TMDL needs to reflect the expanded design flow of 0.65 mgd, rather than the 0.55 mgd design flow in effect during TMDL development. VDEQ proposes to modify the wasteload allocation and TMDL to accommodate this expansion at a permitted E. coli concentration of 126 cfu/100ml. To review the proposed revisions to the wasteload allocation tables and TMDL equation tables, please contact Mark Alling using the contact information below.

For the bacterial TMDL, the proposed increase will not cause a water quality violation because Virginia's Water Quality Standards for bacteria require that treated effluent discharged into a receiving stream meet the bacteria criteria for the stream. The EPA considers a less than 1.0% change to the TMDL to be insignificant. The proposed increase in the wasteload allocation for this facility will be 0.002% of the TMDL.

The public comment period for this modification will end on January 23, 2008. Questions or information requests should be addressed to Mark Alling. Written comments should include the name, address, and telephone number of the person submitting the comments and should be sent to Mark Alling, Piedmont Regional Office, Department of Environmental Quality, 4949-A Cox Road, Glen Allen, VA 23060, telephone (804) 527-5021, or email msalling@deq.virginia.gov.

VIRGINIA CODE COMMISSION

Elimination of the Calendar of Events Section

Effective July 1, 2007, the Calendar of Events section will no longer be published in the Virginia Register of Regulations. Chapter 300 of the 2007 Acts of Assembly amended the Administrative Process Act by eliminating the requirement that all state agency meeting notices be published in the Virginia Register. In lieu of publication in the Virginia Register, the Virginia Freedom of Information Act was amended to require that agencies post meeting notices on the agency's website and on the Commonwealth Calendar maintained by the Virginia Information Technologies Agency. To access the Commonwealth Calendar, please visit the Commonwealth of Virginia's homepage at www.virginia.gov and click on the calendar on the right side of the screen. Public hearing information will still be published in the Register and can be found with the corresponding proposed regulation.

Notice to State Agencies

Mailing Address: Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219.

Filing Material for Publication in the Virginia Register of Regulations

Agencies are required to use the Regulation Information System (RIS) when filing regulations for publication in the Virginia Register of Regulations. The Office of the Virginia Register of Regulations implemented a web-based application called RIS for filing regulations and related items for publication in the Virginia Register. The Registrar's office has worked closely with the Department of Planning and Budget (DPB) to coordinate the system with the Virginia Regulatory Town Hall. RIS and Town Hall complement and enhance one another by sharing pertinent regulatory information.

The Office of the Virginia Register is working toward the eventual elimination of the requirement that agencies file print copies of regulatory packages. Until that time, agencies may file petitions for rulemaking, notices of intended regulatory actions and general notices in electronic form only; however, until further notice, agencies must continue to file print copies of proposed, final, fast-track and emergency regulatory packages.