



COMMONWEALTH of VIRGINIA
Office of the Attorney General
Richmond 23219

202 North Ninth Street
Richmond, Virginia 23219
804-786-2071
804-371-8947 TDD

Jason S. Miyares

To: Suzanne Griffin, Chief Compliance Officer
Virginia Polytechnic Institute and State University

From: Mike F. Melis
Senior Assistant Attorney General/Chief
Higher Education Section

Date: April 17, 2024

Re: Proposed Repeal of 8VAC105-11 - Parking and Traffic

I have reviewed the proposed regulatory action identified above to determine whether Virginia Polytechnic Institute and State University (“Virginia Tech”) has the authority to repeal the above-referenced regulations.

Virginia Tech is a public institution of higher education governed by a Board of Visitors established in Virginia Code § 23.1-2600. Virginia Code § 23.1-1301 vests all such governing boards at Virginia’s public institutions of higher education (or their designees) with authority to “[m]ake regulations and policies concerning the institution.” As to Virginia Tech specifically, pursuant to Virginia Code § 23.1-2603 “[t]he board is charged with the care, preservation, and improvement of the property belonging to the University.” Given the authority vested in the Board of Visitors or its designees, it is within Virginia Tech’s authority to repeal the regulations cited above.

Accordingly, I find that the repeal of the regulations is consistent with Virginia Tech’s statutory grant of authority and is consistent with current statutes and regulations. The proposed repeal does not appear to conflict with state or federal statutes. And the proposed repeal appears to have no Constitutional defect.