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Exempt Action: Final Regulation Agency Background Document

Agency name	Virginia State Police
Virginia Administrative Code (VAC) Chapter citation(s)	19 VAC 30-20
VAC Chapter title(s)	19VAC30-20. Motor Carrier Safety Regulations
Action title	Motor Carrier Safety Regulations – Summer 2022 Amendments (FINAL)
Final agency action date	1 July 2022
Date this document prepared	24 August 2022

This information is required for executive branch review pursuant to Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19. In addition, this information is required by the Virginia Registrar of Regulations pursuant to the Virginia Register Act (§ 2.2-4100 et seq. of the Code of Virginia). Regulations must conform to the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

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

Section 19VAC30-2—80 of the Virginia Regulations, Mandated by §52-8.4(A) of the Code of Virginia, is being amended to bring Virginia into compliance with the Federal Motor Carrier Safety Regulations promulgated by the U.S. Department of Transportation, Federal Motor Carrier Safety Administration, with amendments in effect as of October 1, 2022, pursuant to the United States Motor Carrier Safety Act found in 49 CFR Part 385 and 49 CFR 395 as amended. This amendment grants qualified Virginia law enforcement officers the authority to enforce the existing federal motor carrier regulations.

Mandate and Impetus

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the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

These regulations are mandated by §52-8.4 and 49 CFR Part 390. The impetus for this regulation are to insure all amendments to 49 CFR Parts 385 and 395 of the Federal Motor Carrier Safety Regulations promulgated by the U.S. Department of Transportation, Federal Motor Carrier Safety Administration, and effective on October 1, 2022 are brought within scope of Virginia enforcement.

Statement of Final Agency Action

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

On July 1, 2022, the Virginia State Police adopted final amended regulations for 19 VAC 30-20, the Motor Carrier Safety Regulations. The amendments alter section 19VAC30-20-80 as follows:

19VAC30-80-20 was updated to grant qualified Virginia Law Enforcement Officers the authority to enforce changes to the Federal Motor Carrier Safety regulations in effect on and after October 1, 2022