



Virginia
Regulatory
Town Hall

Exempt Action Final Regulation
Agency Background Document

Agency Name:	Department of State Police
VAC Chapter Number:	19 VAC 30-70
Regulation Title:	Motor Vehicle Safety Rules and Regulations
Action Title:	Revision of Motor Vehicle Safety Inspection Regulations
Date:	02/26/01

Where a regulation is exempt in part or in whole from the requirements of the Administrative Process Act (§ 9-6.14:1 *et seq.* of the *Code of Virginia*) (APA), the agency may provide information pertaining to the action to be included on the Regulatory Town Hall. The agency must still comply the requirements of the Virginia Register Act (§ 9-6.18 *et seq.* of the *Code of Virginia*) and file the final regulation with the Registrar in a style and format conforming with the *Virginia Register Form, Style and Procedure Manual*. The agency must also comply with Executive Order Fifty-Eight (99) which requires an assessment of the regulation's impact on the institution of the family and family stability.

Note agency actions exempt pursuant to § 9-6.14:4.1(B) do not require filing with the Registrar a Notice of Intended Regulatory Action, or at the proposed stage. When the regulation is promulgated and submitted to the Registrar, the agency need only provide a statement citing the specific Virginia Code section referencing the exemption and an authority certification letter from the Attorney General's Office. No specific format is required.

This form should be used for actions **exempt from the Administrative Process Act pursuant to § 9-6.14:4.1(C)** at the final stage. Note that agency actions exempt pursuant to § 9-6.14:4.1(C) of the APA do not require filing with the Registrar a Notice of Intended Regulatory Action, and at the proposed stage.

Summary

Please provide a brief summary of the proposed new regulation, amendments to an existing regulation, or the regulation being repealed. There is no need to state each provision or amendment or restate the purpose and intent of the regulation, instead give a summary of the regulatory action and alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

The existing regulation is being amended in order to make the Motor Vehicle Safety Inspection rules and regulations consistent with recent legislative amendments to § 46.2-1025 of the Code of Virginia. The substantive changes are summarized as follows:

Auxiliary Lamps – Backup-Cornering-Driving-Fog-Spot and Warning, 19 VAC 30-70-160:

Changes the requirement that amber lights be mounted or installed on the rear of a vehicle to a requirement that amber lights be used in addition to flashing red or red and white warning lights and are to be mounted or installed so as to be visible from behind a vehicle. Additional revisions to section permit lights to be installed on vehicles used by municipal safety officers in the performance of their official duties and also on vehicles used as pace cars, security vehicles, or fire-fighting vehicles by any speedway or motor vehicle race track.

Auxiliary Lamps – Backup-Cornering-Driving-Fog-Spot and Warning, 19 VAC 30-70-530:

Changes the requirement that amber lights be mounted or installed on the rear of a vehicle to a requirement that amber lights be used in addition to flashing red or red and white warning lights and are to be mounted or installed so as to be visible from behind a vehicle. Additional revisions to section permit lights to be installed on 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 by municipal safety officers in the performance of their official duties and also on vehicles used as pace cars, security vehicles, or fire-fighting vehicles by any speedway or motor vehicle race track.

Statement of Final Agency Action

Please provide a statement of the final action taken by the agency including the date the action was taken, the name of the agency taking the action, and the title of the regulation.

On December 1, 2000, The Department of State Police submitted this intended regulation revision to the Office of the Attorney General for his determination that the Superintendent has the authority to promulgate the revision. On December 15, 2000, the Department was advised that there is sufficient authority for the drafting and adopting of this regulation. In addition, the Office of the Attorney General ruled this regulation is exempt from the operation of the APA because it is necessary to conform to changes in Virginia statutory law. Virginia Code § 9-6-14.4:1(C)(4)(a) was cited.

Family Impact Statement

Please provide an analysis of the regulatory action that assesses the impact on the institution of the family and family stability including the extent to which the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

The revised regulatory action will have no potential impact on the institution of the family and family stability.