



COMMONWEALTH of VIRGINIA


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MEMORANDUM

TO: Jo Anne P. Maxwell
VDOT Policy Director

FROM: Jeffrey R. Allen
Senior Assistant Attorney General 

DATE: June 22, 2018

SUBJECT: Amendment to the *Rules and Regulations for the Administration of Parking Lots and Environs* (24 VAC30-100) to Comply with Chapter 765 of the 2016 Acts of Assembly

At your request, I have reviewed VDOT's suggested revisions to the *Rules and Regulations for the Administration of Parking Lots and Environs* (24 VAC30-100) to comply with Chapter 765 of the 2016 Acts of Assembly. Your request for this legal review was received in this Office on June 21, 2018.

In my capacity as legal counsel for the Virginia Department of Transportation and the Commonwealth Transportation Board, it is my legal opinion that the Virginia Department of Transportation and the Commonwealth Transportation Board has the authority to amend the *Rules and Regulations for the Administration of Parking Lots and Environs* (24 VAC30-100) to comply with Chapter 765 of the 2016 Acts of Assembly. §33.2-210 of the Code of Virginia provides that the Commonwealth Transportation Board has the power and duty to make regulations that are not in conflict with the laws of the Commonwealth for the protection of and covering traffic on and for the use of systems of state highways, and shall have the authority to add to, amend, or repeal such regulations. The suggested changes to the *Rules and Regulations for the Administration of Parking Lots and Environs* (24 VAC30-100) to Comply with Chapter 765 of the 2016 Acts of Assembly have been reviewed and appear appropriate with regard to the legislative directive.

Chapter 765 of the 2016 Acts of Assembly states that this regulatory action is exempt from the APA.

If any other questions arise, please do not hesitate to contact me.