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## Final Regulation Agency Background Document

<b>Agency name</b>	Commonwealth Transportation Board
<b>Virginia Administrative Code (VAC) Chapter citation(s)</b>	24 VAC 30-61
<b>VAC Chapter title(s)</b>	Rules and Regulations Governing the Transportation of Hazardous Materials Through Bridge-Tunnel Facilities
<b>Action title</b>	Chapter 61 Regulatory Reform and Periodic Review
<b>Date this document prepared</b>	November 25, 2025

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), 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, 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.*

The Rules and Regulations Governing the Transportation of Hazardous Materials Through Bridge-Tunnel Facilities, 24VAC30-61, establishes the rules by which transporters of hazardous materials are governed while traveling through state owned bridge-tunnel facilities. The Commonwealth Transportation Board (CTB) has undertaken a comprehensive review of 24VAC30-61. The intent of this action is to remove or update redundant or obsolete language.

### Acronyms and Definitions

*Define all acronyms used in this form, and any technical terms that are not also defined in the "Definitions" section of the regulation.*

CTB means the Commonwealth Transportation Board.

### 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) that the agency has “adopted final amendments” to the regulation; 3) the name of the agency taking the action; and 4) the title of the regulation. A suggested statement is, “On [insert date] the Board/Department of [insert name] adopted final amendments to the [title of regulation(s)].”*

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On December 4, 2024, the CTB adopted final amendments to 24VAC30-61, Rules and Regulations Governing the Transportation of Hazardous Materials Through Bridge-Tunnel Facilities.

### Mandate and Impetus

*List all changes to the information reported on the Agency Background Document submitted for the previous stage regarding the mandate for this regulatory change, and any other impetus that specifically prompted its initiation. If there are no changes to previously reported information, include a specific statement to that effect.*

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There are no changes to previously reported information.

### Legal Basis

*Identify (1) the promulgating agency, and (2) the state and/or federal legal authority for the regulatory change, including the most relevant citations to the Code of Virginia and Acts of Assembly chapter number(s), if applicable. Your citation must include a specific provision, if any, authorizing the promulgating agency to regulate this specific subject or program, as well as a reference to the agency’s overall regulatory authority.*

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The Commonwealth Transportation Board is authorized to make regulations for the protection of and covering traffic on and for the use of systems of state highways pursuant to § 33.2-210 of the Code of Virginia, and that authority is extended to Interstate highways pursuant to § 33.2-300. 49 USC 5112 and 49 CFR Part 397 authorize each state to establish, maintain, and enforce designations of specific highway routes over which hazardous material may and may not be transported by motor vehicles in commerce and limitations and requirements related to highway routing.

### Purpose

*Explain the need for the regulatory change, including a description of: (1) the rationale or justification, (2) the specific reasons the regulatory change is essential to protect the health, safety, or welfare of citizens, and (3) the goals of the regulatory change and the problems it is intended to solve.*

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The proposed regulatory changes are intended to remove or update redundant or obsolete language. The regulatory changes are necessary to protect the health, safety, and welfare of the traveling public as they add clarity to the regulation, which will reduce confusion for regulated entities. The changes align 24VAC30-61 with the current federal regulation, ensuring consistency and ease of interpretation for the regulated community.

### Substance

*Briefly identify and explain the new substantive provisions, the substantive changes to existing sections, or both. A more detailed discussion is provided in the "Detail of Changes" section below.*

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The proposed amendments will achieve administrative updates, eliminate redundancy, and clarify the regulatory language.

### Issues

*Identify the issues associated with the regulatory change, including: 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions; 2) the primary advantages and disadvantages to the agency or the Commonwealth; and 3) other pertinent matters of interest to the regulated community, government officials, and the public. If there are no disadvantages to the public or the Commonwealth, include a specific statement to that effect.*

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The proposed changes benefit the public through removing or updating redundant or outdated language and providing clarity and are not anticipated to present a disadvantage to the public or the Commonwealth.

### Requirements More Restrictive than Federal

*List all changes to the information reported on the Agency Background Document submitted for the previous stage regarding any requirement of the regulatory change which is more restrictive than applicable federal requirements. If there are no changes to previously reported information, include a specific statement to that effect.*

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There are no changes to previously reported information.

### Agencies, Localities, and Other Entities Particularly Affected

*List all changes to the information reported on the Agency Background Document submitted for the previous stage regarding any other state agencies, localities, or other entities that are particularly affected by the regulatory change. If there are no changes to previously reported information, include a specific statement to that effect.*

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Other State Agencies Particularly Affected

There are no changes to previously reported information.

Localities Particularly Affected

There are no changes to previously reported information.

Other Entities Particularly Affected

There are no changes to previously reported information.

**Public Comment**

*Summarize all comments received during the public comment period following the publication of the previous stage, and provide the agency’s response. Include all comments submitted: including those received on Town Hall, in a public hearing, or submitted directly to the agency. If no comment was received, enter a specific statement to that effect.*

No public comments were received during the public comment period.

**Detail of Changes Made Since the Previous Stage**

*List all changes made to the text since the previous stage was published in the Virginia Register of Regulations and the rationale for the changes. For example, describe the intent of the language and the expected impact. Describe the difference between existing requirement(s) and/or agency practice(s) and what is being proposed in this regulatory change. Explain the new requirements and what they mean rather than merely quoting the text of the regulation. \* Put an asterisk next to any substantive changes.*

No changes have been made to the text since the previous stage was published in the Virginia Register of Regulations.

**Detail of All Changes Proposed in this Regulatory Action**

*List all changes proposed in this action and the rationale for the changes. For example, describe the intent of the language and the expected impact. Describe the difference between existing requirement(s) and/or agency practice(s) and what is being proposed in this regulatory change. Explain the new requirements and what they mean rather than merely quoting the text of the regulation. \* Put an asterisk next to any substantive changes.*

Current chapter-section number	New chapter-section number, if applicable	Current requirements in VAC	Change, intent, rationale, and likely impact of updated requirements
61-10		This section outlines the applicability and purpose of the regulation.	Redundant text will be removed from this section for streamlining and clarity.
61-20		This section includes the list of the state-owned bridge-tunnel facilities to which the regulation applies.	Redundant text will be removed from this section for streamlining and clarity. Clarity will be added to the table in this section by adding the designations of “rural” or “urban.” Language regarding proximity to water will be removed as these geographic distinctions are not necessary and the rural and urban distinctions provide the more appropriate differentiation between the two categories of tunnels and their

			<p>respective restrictions on the transportation of hazardous materials.</p>
<p>61-30</p>		<p>Section 30 explains that there are no restrictions on the transport of hazardous materials through the two rural tunnels named in the regulation, so long as transporters and shippers are in compliance with relevant federal and state regulations.</p>	<p>Language regarding proximity to water will be removed as these geographic distinctions are not necessary and the rural and urban distinctions provide the more appropriate differentiation between the two categories of tunnels and their respective restrictions on the transportation of hazardous materials. Redundant text will be removed from this section for streamlining and clarity.</p>
<p>61-40</p>		<p>Section 40 lists the hazard classes of materials which are designated as either prohibited, restricted, or not restricted in the four urban tunnels named in the regulation.</p>	<p>Language regarding proximity to water will be removed as these geographic distinctions are not necessary and the rural and urban distinctions provide the more appropriate differentiation between the two categories of tunnels and their respective restrictions on the transportation of hazardous materials.</p> <p>The sentence referencing the Chesapeake Bay Bridge Tunnel's regulation concerning the transportation of hazardous materials is proposed to be removed. This information is not necessary to be contained in VDOT's regulation and is proposed to be removed for streamlining and clarity. A similar sentence, however, will remain on VDOT's public hazardous materials website.</p> <p>Updates related to changes to the relevant sections of the Code of Federal Regulations will be made to the tables in this section. Redundant text will be removed from this section for streamlining and clarity.</p>