



Exempt Action Final Regulation Agency Background Document

Agency name	Virginia Department of Transportation
Virginia Administrative Code (VAC) citation	24 VAC 30-510
Regulation title	Frontage Roads
Action title	Repeal existing regulation incorporated into Access Management Regulations
Final agency action date	November 19, 2009
Document preparation date	October 15, 2009

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 36 (06) and 58 (99).

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

A frontage road is a road that generally runs parallel to a highway between the highway and the abutting properties, provides access to the abutting properties, reduces the number of entrances to the highway, and separates the abutting property traffic from through-traffic on the highway. *Frontage Roads* (24 VAC 30-510) sets forth the Virginia Department of Transportation's (VDOT) policy on construction and maintenance of frontage roads. Generally, the policy may be stated as follows:

- Frontage or service roads may be constructed by VDOT where justified by existing or anticipated traffic needs, right of way requirements, etc. within funds available.
- Where frontage or service roads have not been constructed by VDOT, the Department may cooperate with others in the construction of service roads to promote highway safety and provide suitable locations for public utility services.

- VDOT may furnish assistance if the construction of a frontage road will provide significant public service and eliminate undesirable ingress and egress through the establishment of safe and properly spaced access points.
- Frontage roads constructed in cities, municipalities, or towns of more than 3,500 or along Primary routes in those counties which maintain their Secondary roads shall meet all minimum VDOT standards or the standards of the city, town or county as provided by ordinance, whichever is stricter.

VDOT is repealing the *Frontage Roads* regulation (24 VAC 30-510) because the subject matter has been addressed in Appendix F (page 76) and Appendix G (page 84) of VDOT's Road Design Manual, which is incorporated by reference into the *Access Management Regulations: Principal Arterials* (24 VAC 30-72) and *Access Management Regulations: Minor Arterials, Collectors, and Local Streets* (24 VAC 30-73). The former regulation went into effect July 1, 2008, and the latter went into effect October 14, 2009.

The statutory authority concerning the construction, specifications, and regulation of traffic over such roads is found in § 33.1-61 of the *Code of Virginia*. The regulation is exempt from the requirements of the Administrative Process Act pursuant to § 2.2-4002 B 3, as certified by the Office of the Attorney General by a letter dated October 9, 2009.

Statement of final agency action

Please 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 November 19, 2009, the Commonwealth Transportation Board approved the repeal of *Frontage Roads* (24 VAC 30-510).

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

The repeal of this regulation will have no impact on the institution of the family and family stability.