



townhall.virginia.gov

Exempt Action Final Regulation Agency Background Document

Agency name	Commonwealth Transportation Board
Virginia Administrative Code (VAC) citation(s)	24 VAC30-610
Regulation title(s)	List of Differentiated Speed Limits
Action title	Repeal of List of Differentiated Speed Limits
Final agency action date	July 17, 2019
Date this document prepared	July 25, 2019

While a regulatory action may be exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the *Code of Virginia*, the agency is still encouraged to provide information to the public on the Regulatory Town Hall using this form. However, the agency may still be required to comply with the Virginia Register Act, Executive Order 14 (as amended, July 16, 2018), the Regulations for Filing and Publishing Agency Regulations (1 VAC7-10), and the *Virginia Register Form, Style, and Procedure Manual for Publication of Virginia Regulations*.

Brief Summary

Please 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 Commonwealth Transportation Board recommends repeal of this regulation. The regulation is duplicative of the requirements in § 46.2-878.

Mandate and Impetus

Please 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, board decision, etc.). "Mandate" is defined as "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the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

A periodic review of the List of Differentiated Speed Limits regulation was conducted in accordance with §§ 2.2-4007.1 and 2.2-4017. As a result of that periodic review, the Commonwealth Transportation Board determined that the regulation was duplicative of the statutory requirements found in § 46.2-878 and was therefore unnecessary.

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.

The Commonwealth Transportation Board voted on July 17, 2019 to repeal the 24 VAC 30-610, List of Differentiated Speed Limits.

Periodic Review Small Business Impact Review Report of Findings

If you are using this form to report the result of a periodic review/small business impact review that is being conducted as part of this regulatory action, and was announced during the proposed stage, please indicate whether the regulatory change meets the criteria set out in Executive Order 14 (as amended, July 16, 2018), e.g., is necessary for the protection of public health, safety, and welfare; minimizes the economic impact on small businesses consistent with the stated objectives of applicable law; and is clearly written and easily understandable.

In addition, as required by § 2.2-4007.1 E and F of the Code of Virginia, include a discussion of the agency's consideration of: (1) the continued need for the regulation; (2) the nature of complaints or comments received concerning the regulation from the public; (3) the complexity of the regulation; (4) the extent to which the regulation overlaps, duplicates, or conflicts with federal or state law or regulation; and (5) the length of time since the regulation has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the regulation.

Section 46.2-870 and §§46.2-873-46.2-875 of the *Code of Virginia* specify statutory speed limits on various highways. Section 46.2-878 of the *Code of Virginia* authorizes the Commissioner of Highways to increase or decrease the speed limits on the highways under his jurisdiction from those statutorily prescribed limits based on a traffic engineering study. Section 46.2-878 further requires that for those increased or decreased speed limits to be effective, the Commissioner of Highways must post the new speed limit on appropriate signs and is required to maintain a list of all speed limits increased or decreased in accordance with that section in the Central Office of the Virginia Department of Transportation.

A periodic review of the List of Differentiated Speed Limits regulation was conducted in accordance with §§ 2.2-4007.1 and 2.2-4017. As a result of that periodic review, the Commonwealth Transportation Board determined that the regulation was duplicative of the statutory requirements found in § 46.2-878 and was therefore unnecessary.

This action is not being used to announce a periodic review or a small business impact review. No comments were received from the public during the most recent periodic review.

Commenter	Comment	Agency response