State Agency Guide to Fast-track Regulatory Process

The fast-track process is a one-stage process for promulgating a regulation that is expected to be noncontroversial.

Sources: Section 2.2-4012.1 of the Code of Virginia and Office of Regulatory Management Procedures (2022) to implement Executive Order 19 (2022)

For more information, visit the Virginia Regulatory Town Hall at townhall.virginia.gov

An example of a regulation that was promulgated as a fast-track: https://townhall.virginia.gov/L/viewaction.cfm?actionid=5662

This chart was produced by the Virginia Department of Planning and Budget’s Planning, Evaluation, and Regulation Division, 12/22

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**Fast-track process:**

1. **Adopt fast-track regulation. Submit package (including Form TH-4 & sync RIS project) on the Town Hall**

2. **Executive branch review**
   - Office of the Attorney General – no deadline;
   - DPB review including 10 day determination period – up to 40 days;
   - Cabinet Secretary - within 14 days;
   - Office of Regulatory Management/Governor – no deadline

3. **Contact the Clerks of the House and Senate directly to verify which committees need to be notified of the action. (Notification covered in next step.)**

4. **Before submitting to the Virginia Register of Regulations, select the appropriate House and Senate committees to be notified about the fast-track. The Town Hall will then immediately notify those committees, as well as the Joint Commission on Administrative Rules (JCAR).**

5. **Within 14 days of Governor approval, submit regulatory package to the Register via the Town Hall.**

6. **Town Hall will send an email notification to registered public users five days before publication in the Register.**

7. **Fast-track stage is published in the Register, the 30-day public comment period begins, and the Town Hall public comment forum opens.**

8. **The regulation becomes effective 15 days after the close of the public comment period unless objections are filed, the action is withdrawn, or the agency specifies a later date.**

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If objections are received from any of the following during the public comment period, the publication of the fast-track action will serve as the NOIRA and the standard rulemaking process may be used to promulgate the regulation:

- Any member of the applicable standing committee of the Senate,
- Any member of the applicable standing committee of the House of Delegates,
- Any member of JCAR
- 10 or more members of the public