



**COMMONWEALTH of VIRGINIA**  
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**MEMORANDUM**

**TO:** Col. W.S. Flaherty, Superintendent  
Department of State Police

**FROM:** Matthew A. Conrad  
Assistant Attorney General

**DATE:** November 14, 2007

**SUBJECT:** Regulations Relating to the Issuance of Nonresident Concealed Handgun Carry Permits (Final) –  
19 VAC 30-190-10, *et seq.*

In response to a request from the Department of State Police, I have reviewed the regulations, 19 VAC 30-190-10, *et seq.*, relating to the issuance of nonresident concealed handgun carry permits. Virginia Code § 18.2-308(P)(1) requires the Superintendent of the State Police to promulgate regulations, pursuant to the Administrative Process Act (§ 2.2-4000 *et seq.*), for the implementation of an application process for obtaining such permits. Upon review of the aforesaid regulations, I find the regulations, in their final stage, to be constitutional, consistent with the statutory authority granted by § 18.2-308 of the Code of Virginia, and in conformity with existing statutory provisions.

*Please note that this memorandum is intended to provide legal interpretations and legal advice, not policy advice. To the extent that this communication may advise you that a certain action is lawful, the decision whether to take such action remains a policy decision within the discretion of your agency and this communication should not be construed as a comment for or against the merits of such action.*