



townhall.virginia.gov

Notice of Intended Regulatory Action (NOIRA) Agency Background Document

Agency name	Department of State Police
Virginia Administrative Code (VAC) citation(s)	19 VAC 30-40
Regulation title(s)	Standards and Specifications for the Stickers or Decals Used By Cities, Counties and Towns in Lieu of License Plates
Action title	Stickers or Decals Used By Cities, Counties and Towns - Summer 2018 Amendments
Date this document prepared	25 JULY 2018

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 17 (2014) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Subject matter and intent

Please describe briefly the subject matter, intent, and goals of the planned regulatory action.

This administrative regulation establishes the specifications related to the size and location in which required stickers are to be placed on the windshields of motor vehicles. The stickers referred to in this section are those required by counties, cities, and towns in lieu of license plates. The 2018 Amendment gives the vehicle owner the option of placing the sticker either behind the rear view mirror or adjacent to the Virginia motor vehicle inspection sticker located in drivers side lower corner of the wind shield.

Legal basis

Please identify the (1) the agency (includes any type of promulgating entity) and(2) the state and/or federal legal authority for the proposed regulatory action, including the most relevant citations to the Code of Virginia or General Assembly chapter number(s), if applicable. Your citation should include a specific provision, if any, authorizing the promulgating entity to regulate this specific subject or program, as well as a reference to the agency's overall regulatory authority.

Code of Virginia § 46.2-1052

Purpose

Please describe the specific reasons why the agency has determined that the proposed regulatory action is essential to protect the health, safety, or welfare of citizens. In addition, please explain any potential issues that may need to be addressed as the regulation is developed.

In 2017 the regulations relating to the placement of the Virginia motor vehicle inspection sticker were amended to shift the placement of that sticker from the lower center to the lower left hand corner, when viewed from inside the vehicle, of the windshield. That amendment impacts the optional placement of the sticker requiring this regulation to be amended to reflect the new proper positioning for the County of City sticker.

Substance

Please briefly identify and explain the new substantive provisions that are being considered, the substantive changes to existing sections that are being considered, or both.

19 VAC 30-40 is being amended to allow the owner of the vehicle an option to place a County sticker or decal either next to the Virginia motor vehicle inspection sticker in the lower drivers side corner of the windshield or behind the rear view mirror. The current regulation allows a placement which may interfere with proper display of the inspection sticker.

Alternatives

Please describe any viable alternatives to the proposal considered and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the action. Also, include discussion of less intrusive or less costly alternatives for small businesses, as defined in § 2.2-4007.1 of the Code of Virginia, of achieving the purpose of the regulation.

The Department provided the vehicle owner with two options that will provide an uninterrupted field of vision thus reducing any burden while ensuring that the County stickers would not interfere with the proper placement of the mandated inspection sticker.

Public participation

Please indicate whether the agency is seeking comments on the intended regulatory action, including ideas to assist the agency in the development of the proposal and the costs and benefits of the alternatives stated in this notice or other alternatives. Also, indicate whether a public hearing is to be held to receive comments. Please include one of the following choices: 1) a panel will be appointed and the agency's contact if you're interested in serving on the panel is _____; 2) a panel will not be used; or 3) public comment is invited as to whether to use a panel to assist in the development of this regulatory proposal.

The agency is seeking comments on this regulatory action, including but not limited to: ideas to be considered in the development of this proposal, the costs and benefits of the alternatives stated in this background document or other alternatives, and the potential impacts of the regulation.

The agency is also seeking information on impacts on small businesses as defined in § 2.2-4007.1 of the Code of Virginia. Information may include: projected reporting, recordkeeping, and other administrative costs; the probable effect of the regulation on affected small businesses; and the description of less intrusive or costly alternatives for achieving the purpose of the regulation.

Anyone wishing to submit comments may do so via the Regulatory Town Hall website (<http://www.townhall.virginia.gov>), or by mail, email, or fax to

**Safety Officer
Virginia Department of State Police
PO Box 27472
Richmond VA 23261-7471**

safety@vsp.virginia.gov

Fax 804-254-1635.

Written comments must include the name and address of the commenter. In order to be considered, comments must be received by midnight on the last day of the public comment period.

A public hearing will not be held following the publication of the proposed stage of this regulatory action.