



COMMONWEALTH of VIRGINIA

*Office of the Attorney General
Richmond 23219*

Mark R. Herring
Attorney General

900 East Main Street
Richmond, Virginia 23219
804 - 786 - 2071
804 - 225 - 4541 TDD

MEMORANDUM

To: C. Ray Davenport
Commissioner
Virginia Department of Labor and Industry

From: Joshua E. Laws
Assistant Attorney General

Date: December 17, 2014

Subject: Letter of Assurance for Proposed Regulations – Corrections to Vehicle-Mounted Elevating and Rotating work Platforms, § 1910.67, and Logging Operations, § 1910.266

I have reviewed the Department of Labor and Industry's and Safety and Health Codes Board's proposed Corrections to Vehicle-Mounted Elevating and Rotating work Platforms, § 1910.67, and Logging Operations, § 1910.266 that were posted on the Virginia Regulatory Town Hall on December 16, 2014. In my view, as counsel to the Department of Labor and Industry and the Safety and Health Codes Board, these regulations may be promulgated pursuant to Title 40.1 of the Code of Virginia. Further, I certify that all of the proposed changes are exempt from the Administrative Process Act under Code of Virginia §§ 2.2-4006(A)(3) and 2.2-4006(A)(4)(c) as the changes are regulations that consist only of changes in style or form or corrections of

technical errors and are necessary to meet the requirements of federal law or regulations and they do not materially differ from those required by federal law or regulation.

This memorandum addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of the proposed regulations.