



Economic Impact Analysis Virginia Department of Planning and Budget

6 VAC 20-80 – Rules Relating to Certification of Criminal Justice Instructors
Department of Criminal Justice Services
December 31, 2014

Summary of the Proposed Amendments to Regulation

The Criminal Justice Services Board (Board) proposes to amend its Rules Relating to Certification of Criminal Justice Instructors to reflect that law enforcement entities in the Commonwealth now may use either Radio Detecting and Ranging (radar) or Light Detection And Ranging (lidar) for speed measurement. Specifically, the Board proposes to change three instances of the phrase “radar detection” to “speed measurement” to make section 20 of this regulation consistent with the rest of the regulation that was amended in 2008 (see <http://townhall.virginia.gov/L/ViewAction.cfm?actionid=1813> for details of this action).

Result of Analysis

Benefits likely outweigh costs for these proposed changes.

Estimated Economic Impact

Currently section 20 of this regulation requires that individuals who will provide speed measurement instruction have two years experience in radar operation and also requires that they complete radar instructor school. The rest of this regulation was amended in 2008 to change phrases referencing radar and radar detection to the more general term speed measurement to reflect the advent of new lidar detection technology that was being used by police departments. The Board now proposes to change the remaining references to radar to speed measurement not only to make section 20 consistent with language in the rest of the regulation but also to remove any confusion that the current language might cause (since individuals must be trained in, and show competency with, all speed measurement technologies in which they provide instruction).

No entities are likely to incur costs on account of these regulatory changes. To the extent that these changes make requirements more clear, affected entities will benefit.

Businesses and Entities Affected

This proposed regulation will affect all speed measurement instructors in the Commonwealth as well as any individuals who may want to provide speed measurement instruction in the future. All of these entities are likely to be employed by public law enforcement agencies.

Localities Particularly Affected

No localities will likely be disproportionately affected by this proposed regulatory change.

Projected Impact on Employment

This regulatory action will likely have little impact on employment in the Commonwealth.

Effects on the Use and Value of Private Property

This regulatory action will likely have no impact on the use or value of private property.

Small Businesses: Costs and Other Effects

No small businesses are likely to be affected by this proposed regulation.

Small Businesses: Alternative Method that Minimizes Adverse Impact

No small businesses are likely to be affected by this proposed regulation.

Real Estate Development Costs

This regulatory action will likely have no effect on real estate development costs in the Commonwealth.

Legal Mandate

General: The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007.04 of the Code of Virginia and Executive Order Number 17 (2014). Section 2.2-4007.04 requires that such economic impact analyses determine the public benefits and costs of the proposed amendments. Further the report should include but not be limited to:

- the projected number of businesses or other entities to whom the proposed regulation would apply,
- the identity of any localities and types of businesses or other entities particularly affected,
- the projected number of persons and employment positions to be affected,
- the projected costs to affected businesses or entities to implement or comply with the regulation, and
- the impact on the use and value of private property.

Small Businesses: If the proposed regulation will have an adverse effect on small businesses, § 2.2-4007.04 requires that such economic impact analyses include:

- an identification and estimate of the number of small businesses subject to the proposed regulation,
- the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the proposed regulation, including the type of professional skills necessary for preparing required reports and other documents,
- a statement of the probable effect of the proposed regulation on affected small businesses, and
- a description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation.

Additionally, pursuant to § 2.2-4007.1, if there is a finding that a proposed regulation may have an adverse impact on small business, the Joint Commission on Administrative Rules (JCAR) is notified at the time the proposed regulation is submitted to the *Virginia Register of Regulations* for publication. This analysis shall represent DPB's best estimate for the purposes of public review and comment on the proposed regulation.

AMH

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