



townhall.virginia.gov

Exempt Action: Final Regulation Agency Background Document

Agency name	Commonwealth Transportation Board
Virginia Administrative Code (VAC) Chapter citation(s)	24 VAC30-430
VAC Chapter title(s)	Maintenance of Roads Crossing the Interstate System
Action title	Repeal
Final agency action date	
Date this document prepared	

Although a regulatory action may be exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the *Code of Virginia*, the agency is still encouraged to provide information to the public on the Regulatory Town Hall using this form. However, the agency may still be required to comply with the Virginia Register Act, Executive Order 14 (as amended, July 16, 2018), the Regulations for Filing and Publishing Agency Regulations (1VAC7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

The regulation describes the policy of the CTB in determining which maintenance activities on roads crossing over or under the Interstate Highways are eligible for funding by the CTB. The regulation specifies the expected responsibilities of various types of localities (cities and towns with populations over 3500 persons, counties, and counties that have withdrawn from the state highway system) and the responsibilities of the Virginia Department of Transportation in the maintenance of various types of highways that cross over or under Interstate Highways.

Code of Virginia § 33.2-319 states that the "Commissioner of Highways, subject to the approval of the [CTB], shall make payments for maintenance, construction, or reconstruction of highways to all cities and towns eligible for funds under this section. Such payments, however, shall only be made if those highways functionally classified as principal and minor arterial roads are maintained to a standard satisfactory to the Department." The CTB has determined that its purpose may be accomplished through a written CTB Policy and/or a guidance document, and is not necessary as a regulation.

Mandate and Impetus

Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, internal staff review, petition for rulemaking, periodic review, or board decision). "Mandate" is defined as "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

The Commonwealth Transportation Board conducted a periodic review of this regulation, and based on that review, determined that the regulation should be repealed.

Statement of Final Agency Action

Provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.

The Commonwealth Transportation Board voted on *****, 2021 to repeal 24VAC30-430, Maintenance of Roads Crossing the Interstates.