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## Periodic Review Report of Findings

<b>Agency name</b>	Commonwealth Transportation Board
<b>Virginia Administrative Code (VAC) citation</b>	24VAC30-401
<b>Regulation title</b>	Change of Limited Access Control
<b>Date this document prepared</b>	August 1, 2019

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Order 14 (as amended, July 16, 2018), the Regulations for Filing and Publishing Agency Regulations (1 VAC7-10), and the *Virginia Register Form, Style, and Procedure Manual for Publication of Virginia Regulations*.

## Acronyms and Definitions

*Please define all acronyms used in this Report. Also, please define any technical terms that are used in the document that are not also defined in the "Definition" section of the regulations.*

No special acronyms are used in this reporting.

## Legal Basis

*Please identify (1) the agency or other promulgating entity, and (2) the state and/or federal legal authority for the regulatory change, including the most relevant citations to the Code of Virginia or Acts of Assembly chapter number(s), if applicable. Your citation must 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 or promulgating entity's overall regulatory authority.*

The regulation was promulgated by the Commonwealth Transportation Board based on several Federal and State statutory authorities as found in 23 U.S.Code 106, and sections 33.2-210 and 33.2-401 of the Code of Virginia.

### Alternatives

*Please describe any viable alternatives for achieving the purpose of the regulation that were considered as part of the periodic review. Include an explanation of why such alternatives were rejected and why this regulation is the least burdensome alternative available for achieving its purpose.*

No proposed alternatives were considered viable or are being proposed as part of this review.

### Public Comment

*Please summarize all comments received during the public comment period following the publication of the Notice of Periodic Review, and provide the agency response. Ensure to include all comments submitted: including those received on Town Hall, in a public hearing, or submitted directly to the agency or board. Please indicate if an informal advisory group was formed for purposes of assisting in the periodic review.*

No comments were received from the public during the public comment period.

Commenter	Comment	Agency response

### Effectiveness

*Pursuant to § 2.2-4017, please indicate whether the regulation meets the criteria set out in Executive Order 14 (as amended, July 16, 2018), including why the regulation is (a) necessary for the protection of public health, safety, and welfare, and (b) is clearly written and easily understandable.*

Limited Access highways can provide greater vehicle capacity and improved safety over non-limited access highways by reducing the number of interactions with vehicles entering or exiting the highway and by prohibiting pedestrians and other non-motorized traffic from the highway. This regulation specifies the procedures for which the Commonwealth Transportation Board and the Virginia Department of Transportation will set the limited access boundaries of such highways and adjust those boundaries under certain circumstances. Many of these procedures are required by current Federal and State laws and regulations regarding the requirements for changes of limited access control on all limited access control roadways using state and federal funds. The Commonwealth Transportation Board believes that the regulation is clearly written and easily understandable.

### Decision

*Please explain the basis for the rulemaking entity's decision (retain the regulation as is without making changes, amend the regulation, or repeal the regulation).*

The Commonwealth Transportation Board has chosen to retain the regulation, as is.

### Small Business Impact

*As required by § 2.2-4007.1 E and F of the Code of Virginia, include a discussion of the agency's consideration of: (1) the continued need for the regulation; (2) the nature of complaints or comments received concerning the regulation from the public; (3) the complexity of the regulation; (4) the extent to which the regulation overlaps, duplicates, or conflicts with federal or state law or regulation; and (5) the length of time since the regulation has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the regulation. Also, discuss why the agency's decision, consistent with the stated objectives of applicable law, will minimize the economic impact of regulations on small businesses.*

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The regulation is needed for purposes of complying with state and federal laws and regulations regarding changes of limited access control on all limited access control roadways. The regulation is not overly complex, complements state and federal laws and regulations and is structured to support their policy goals and objectives. The last substantive review of the regulation was in 2006.