



## **Economic Impact Analysis Virginia Department of Planning and Budget**

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**18 VAC 25-21 – Auctioneers Board Regulations**  
**Department of Professional and Occupational Regulation**  
June 5, 2013 (modified June 6, 2013)

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### **Summary of the Proposed Amendments to Regulation**

The Auctioneers Board (Board) proposes to amend its regulations to allow licensees to use continuing education hours gained in other, reciprocating states to meet continuing education requirements in Virginia.

### **Result of Analysis**

The benefits likely exceed the costs for most proposed changes.

### **Estimated Economic Impact**

Most of the changes that the Board proposes for these regulations are meant to clarify parts of the regulatory text. For instance, current regulatory text says that the Department of Professional and Occupational Regulation (DPOR) mails out renewal notices to licensees when it is actually Board staff that is responsible for this task. The Board proposes to change the regulatory text so that it is clear that the Board will mail out renewal notices. No affected entity is likely to incur any costs on account of changes such as these. To the extent that some regulated entities may find the current regulatory text confusing, these changes will provide the benefit of additional clarity.

Current regulations do not allow individuals who are licensed in Virginia and in another state to count continuing education classes that they may have taken in that other state to count toward Board renewal requirements. The Board proposes to allow licensees to do this so long as the state where the continuing education is completed has a reciprocal agreement with Virginia that allows the same thing. No entity is likely to incur additional costs on account of this regulatory change. Licensees who are licensed in several states will likely benefit from rules that

allow them to eliminate the time and expense of duplicating continuing education classes in each of the states in which they are licensed.

Current regulations are silent on whether the Board has discretion to deny renewal of licensure. The Board proposes to add language to these regulations that would allow denial of renewal for any of the same reasons that it can deny initial licensure or discipline licensees.

### **Businesses and Entities Affected**

DPOR reports that there are 1,356 individual auctioneers and 253 auctioneer firms currently licensed by the Board. All of these entities will be affected by these regulatory changes.

### **Localities Particularly Affected**

No locality will be particularly affected by this proposed regulatory action.

### **Projected Impact on Employment**

This regulatory action will likely have no impact on employment in the Commonwealth.

### **Effects on the Use and Value of Private Property**

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

### **Small Businesses: Costs and Other Effects**

The proposed amendments are unlikely to significantly affect small businesses.

### **Small Businesses: Alternative Method that Minimizes Adverse Impact**

The proposed amendments are unlikely to significantly adversely affect small businesses.

### **Real Estate Development Costs**

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

### **Legal Mandate**

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.H of the Administrative Process Act and Executive Order Number 36 (06). Section 2.2-4007.H requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the 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. Further, if the proposed regulation has adverse effect on small businesses, Section 2.2-4007.H requires that such economic impact analyses include (i) an identification and estimate of the number of small businesses subject to the regulation; (ii) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the regulation, including the type of professional skills necessary for preparing required reports and other documents; (iii) a statement of the probable effect of the regulation on affected small businesses; and (iv) a description of any less intrusive or less costly alternative methods of achieving the purpose of the regulation. The analysis presented above represents DPB's best estimate of these economic impacts.