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Exempt Action: Final Regulation Agency Background Document

Agency name	Virginia Alcoholic Beverage Control Authority
Virginia Administrative Code (VAC) Chapter citation(s)	3VAC5-70-10
VAC Chapter title(s)	Other Provisions
Action title	Amendment to Transportation Limits
Final agency action date	09/08/2022
Date this document prepared	August 18, 2022

This information is required for executive branch review pursuant to Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19. In addition, this information is required by the Virginia Registrar of Regulations pursuant to the Virginia Register Act (§ 2.2-4100 et seq. of the Code of Virginia). Regulations must conform to the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), 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.

Senate Bill 325 of the 2022 General Assembly Session increased from one gallon to three gallons the amount of alcoholic beverages that a person may transport into the Commonwealth. 3VAC5-70-10 will need to be revised so that it comports with the new transportation limits.

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). For purposes of executive branch review, "mandate" has the same meaning as defined in the ORM procedures, "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the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

§2.2-4006 of the Administrative Process Act provides that agency actions that are necessary to conform to changes in the Virginia statutory law shall be exempt.

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.

- 1) 09/08/2022
- 2) Virginia Alcoholic Beverage Control Authority
- 3) Transportation of alcoholic beverages; noncommercial permits; commercial carrier permits; refusal, suspension, or revocation of permits; exceptions; out-of-state limitation not affected.