



# **COMMONWEALTH of VIRGINIA**

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May 10, 2007

The Honorable D. B. Smit, Commissioner  
Virginia Department of Motor Vehicles  
2300 West Broad Street  
Post Office Box 27412  
Richmond, Virginia 23269

Re: Authority to Repeal Existing Regulations and Adopt New Regulations to Replace the Repealed  
Regulations Relating to Driver Training Schools (24 VAC 20-120 and 24 VAC 20-121)

Dear Commissioner Smit:

I have reviewed the above-referenced repeal and adoption of new regulations relating to driver training schools. (The existing regulations presently appear at 24 VAC 20-120.)

In my view, as counsel to your agency, the Commissioner of the Department of Motor Vehicles possesses the statutory authority to repeal and to promulgate regulations relating to driver training schools pursuant to Virginia Code §§ 46.2-1703 and 46.2-203.

If I may be of any further assistance to you relating to this matter, please do not hesitate to contact me.

Sincerely,

Jeffrey A. Spencer  
Senior Assistant Attorney General

:

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