



COMMONWEALTH *of* VIRGINIA

Office of the Attorney General

Richmond 23219

900 East Main Street
Richmond, Virginia 23219
804-786-2071

March 2, 2005

The Honorable Philip A. Shucet, Commissioner
Virginia Department of Transportation
1201 East Broad Street
Richmond, Virginia 23219

Re: Authority to Promulgate Land Use Permit Manual
Regulations - 24 VAC 30-151-10 *et seq.*

Dear Commissioner Shucet:

I have reviewed the above-referenced regulation. It is my opinion that the Commonwealth transportation Board has authority to promulgate the regulation under applicable law, including § 33.1-12 (3) of the Code of Virginia.

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

Very truly yours,

Todd E. LePage
Senior Assistant Attorney General