



COMMONWEALTH of VIRGINIA

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MEMORANDUM

To: Ms. Kathleen R. Nosbisch
Executive Director
Board for Branch Pilots

From: Joshua N. Lief
Senior Assistant Attorney General

Date: August 22, 2011

Subject: Letter of Assurance for Proposed Changes to Regulations to Further Define the Requirements and Procedures for Chemical Testing and Related Matters

I have reviewed the Board for Branch Pilot's proposed changes to various regulations, particularly 18VAC45-20, that were posted on the Virginia Regulatory Town Hall on August 22, 2011. In my view, as counsel to the Board for Branch Pilots, these regulations may be promulgated pursuant to Title 54.1, Chapter 9 of the Code of Virginia. The regulations do not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with any federal or state law currently in effect.

This memorandum addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of the proposed regulations.