

NOTICE OF PUBLIC HEARING

Considered Amendments to 6VAC40-30

Regulations for the Approval of Field Tests for Detection of Drugs

The Forensic Science Board is giving notice of a public hearing to consider amendments to 6VAC40-30, Regulations for the Approval of Field Tests for Detection of Drugs. The public hearing will be conducted at 9:30 a.m. on August 22, 2018 at the Department of Forensic Science's Central Laboratory, 700 N. 5th Street, Richmond, Virginia 23219. Public comment may also be submitted electronically or in writing prior to August 25, 2018 to Amy M. Curtis, Counsel for the Department of Forensic Science, at amy.curtis@dfs.virginia.gov.

The purpose of the proposed action is to broaden the regulations by amending the definitions of "field test" and "field test kit" to include presumptive mobile instruments, which are instruments that can test through clear plastic and packaging so that officers could field test potentially lethal compounds without having to handle them directly, reducing the risk of exposure. Proposed amendments are being considered to establish a separate evaluation process for presumptive mobile instruments, a separate set of requirements for maintenance of approved status for presumptive mobile instruments, and a separate fee schedule for approval of presumptive mobile instruments.

Pursuant to Virginia Code § 2.2-4007.01(B), an additional public hearing will be held on the proposed amendments to the regulations after they are published in the Virginia Register of Regulations.