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Exempt Action: Final Regulation Agency Background Document

Agency name	DWR
Virginia Administrative Code (VAC) Chapter citation(s)	4VAC15-420-10
VAC Chapter title(s)	Chapter 420. Watercraft: Navigation Lights and Shapes
Action title	Aligning rules for navigation lights and shapes with CFR
Date this document prepared	October 28, 2024

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.

The amendment provides correct citation of the Inland Navigation Rules found in 33 CFR, Chapter 1, Subchapter E, Part 83 through 88 as established by the U.S. Coast Guard which is where our Virginia Administrative Code requirements are derived from.

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the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

This change avoids preemption of our regulations as the current regulation may be considered in conflict with the CFR.