



# **COMMONWEALTH of VIRGINIA**

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**To:** Mr. Eric L. Olson, Executive Director  
Polygraph Examiners Board  
Virginia Department of Professional and Occupational Regulation  
9960 Mayland Drive, Suite 400  
Richmond, Virginia 23233

**From:** Elizabeth B. Peay  
Senior Assistant Attorney General

**Date:** February 16, 2022

**Subject:** Letter of Assurance for 18 VAC 120-30-100  
Exempt Action

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I have reviewed the Polygraph Examiners Board's amendments to their Regulations. In my view, as counsel to the Department of Professional and Occupational Regulation, the Director of the Department may promulgate these regulations pursuant to §54.1-1802.1 of the Code of Virginia. The action further is exempt from the Administrative Process Act pursuant to §2.2-4006.A.6. 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.

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