



COMMONWEALTH of VIRGINIA
Office of the Attorney General
Richmond 23219

Robert F. McDonnell
Attorney General

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

804-371-8947 TDD

MEMORANDUM

TO: Col. W.S. Flaherty, Superintendent
Department of State Police

FROM: Matthew A. Conrad
Assistant Attorney General

DATE: August 20, 2007

SUBJECT: Regulations Relating to the Issuance of Nonresident Concealed Handgun Carry Permits – 19
VAC 30-190-10 *et seq.*

In response to a request from the Department of State Police, I have reviewed the proposed regulations, 19 VAC 30-190-10 *et seq.*, relating to the issuance of nonresident concealed handgun carry permits. Virginia Code § 18.2-308(P)(1) requires the Superintendent of the State Police to promulgate regulations, pursuant to the Administrative Process Act (§ 2.2-4000 *et seq.*), for the implementation of an application process for obtaining such permits. Upon review of the aforesaid regulations, I find the proposed regulations to be constitutional, consistent with the statutory authority granted by § 18.2-308 of the Code of Virginia, and in conformity with existing statutory provisions.

Please note that this memorandum is intended to provide legal interpretations and legal advice, not policy advice. To the extent that this communication may advise you that a certain action is lawful, the decision whether to take such action remains a policy decision within the discretion of your agency and this communication should not be construed as a comment for or against the merits of such action.