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Exempt Action: Final Regulation Agency Background Document

Agency name	Virginia State Police
Virginia Administrative Code (VAC) Chapter citation(s)	19 VAC 30-20
VAC Chapter title(s)	19VAC30-20. Motor Carrier Safety Regulations
Action title	Motor Carrier Safety Regulations – Fall 2021 Amendments (FINAL)
Final agency action date	26 August 2021
Date this document prepared	7 September 2021

Although a regulatory action may be exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the *Code of Virginia*, the agency is still encouraged to provide information to the public on the Regulatory Town Hall using this form. However, the agency may still be required to comply with the Virginia Register Act, Executive Order 14 (as amended, July 16, 2018), the Regulations for Filing and Publishing Agency Regulations (1VAC7-10), 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.

Section 19VAC30-20-80 of the *Virginia Regulations* is being amended to bring Virginia into compliance with the *Federal Motor Carrier Safety Regulations* promulgated by the U.S. Department of Transportation, Federal Motor Carrier Safety Administration. 19VAC30-20-80 is being updated to incorporate changes to the Federal Motor Carrier Safety regulations in effect on and after November 1, 2021. This will ensure conformity with the United States Motor Carrier Safety Act found in 49 CFR Part 385 and 49 CFR 395 as amended.

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the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

These regulations are mandated by §52-8.4 and 49 CFR Part 390. The impetus for this regulation are to insure all amendments to 49 CFR Parts 385 and 395 of the Federal Motor Carrier Safety Regulations promulgated by the U.S. Department of Transportation, Federal Motor Carrier Safety Administration, and effective on November 1, 2021 are brought within scope of Virginia enforcement.

Statement of Final Agency Action

Provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.

On April 8, 2021, the Virginia State Police adopted final amended regulations for 19 VAC 30-20, the Motor Carrier Safety Regulations. The amendments alter section 19VAC30-20-80 as follows:

19VAC30-20-80 was updated to incorporate changes to the Federal Motor Carrier Safety regulations in effect on and after November 1, 2021.