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MEMORANDUM

TO: Joshua Heslinga
Director, Governance and Legislative Affairs Division

FROM: Christian A. Parrish
Senior Assistant Attorney General

DATE: May 6, 2026

SUBJECT: Proposed Amendment of Parking on Primary and Secondary Highways
Definitions, 24 VAC 30-640-10

In my capacity as legal counsel for the Virginia Department of Transportation (VDOT), it is my legal opinion that the proposed amendments to the Definitions regarding Parking on Primary and Secondary Highways does not appear, on its face, to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor does it appear to conflict with federal or state law currently in effect.

Furthermore, it is my legal opinion that VDOT has both the statutory authority and implied authority to enact, amend, revise, and review the existing regulations governing Parking on Primary and Secondary Highways. Virginia Code § 46.2-1223 provides that the Commissioner of Highways may, by regulation, regulate parking on any part of the primary and secondary system of highways.

This memorandum addresses legal matters only and is not intended as a comment for or against the merits of the proposed regulations.