

Unified Regulatory Plan of the Department of State Police for State Fiscal Year 2023

Prepared on September 30, 2022

Description of Agency or Boards

The Department of State Police is the state police force for the Commonwealth of Virginia.. Consisting of the Superintendent’s Office, Bureau of Field Operations, Bureau of Criminal Investigation, and the Bureau of Administrative and Support Service, the Department provides traffic and criminal enforcement services throughout the Commonwealth as well as providing communication, investigative, and technical support to local law enforcement agencies. The Department also manages the Virginia motor vehicle inspections program and commercial vehicle enforcement. The Department promulgates numerous, statutorily mandated, regulations governing its various programs and operations including commercial motor vehicle enforcement, standards and specifications for motor vehicle equipment, pawnbroker records keeping, the Sex Offender Registry, firearms transactions, reporting of found firearms, and methamphetamine precursor tracking . The Department operates under the supervision of the Secretary of Public Safety and Homeland Security.

The only projected regulatory action for 2023 is already in review and set forth below. Absent action during the 2023 Session of the General Assembly or material changes to the Federal Motor Carrier Safety regulations no other regulatory action is anticipated before July 1, 2023.

Title of Proposed Regulatory Action or Guidance Document	
Motor Carrier Safety Regulations - Summer 2022 Amendments – FINAL – 19VAC30-20	
Brief Overview	
This revision is pending DPB ORM review and publication by the Register of Regulations (Action 6020 /Stage 9727).	
Pursuant to section 52-8.4 the Superintendent of State Police, with the cooperation of such other agencies of the Commonwealth as may be necessary, shall promulgate regulations pertaining to commercial motor vehicle safety pursuant to the United States Motor Carrier Act of 1984. These regulations shall set forth criteria relating to driver, vehicle, and cargo safety inspections with which motor carriers and transport vehicles shall comply, and shall be no more restrictive than the applicable provisions of the Federal Motor Carrier Safety Regulations of the United States Department of Transportation.	
This revision is being made to grant qualified Virginia law enforcement officers the authority to enforce with the Federal Motor Carrier Safety Regulations promulgated by the U.S. Department of Transportation, Federal Motor Carrier Safety Administration, with amendments promulgated and in effect as of October 1, 2022, pursuant to the United States Motor Carrier Safety Act found in 49 CFR Part 385 and 49 CFR 395.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Rule <input checked="" type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document
Legal Authority	<input checked="" type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute <input type="checkbox"/> Discretionary action
Deregulatory Component	This action will ensure the Commonwealth remains in compliance with the FY 2023 Motor Carrier Safety Action Program (MCSAP) Grant funding received from the US DOT.
Expected Date	November 2022