



## **Economic Impact Analysis Virginia Department of Planning and Budget**

---

### **2 VAC 5-420 –Regulations for the Enforcement of the Virginia Gasoline and Motor Fuel Law**

**Department of Agriculture and Consumer Services**

May 19, 2010

---

### **Summary of the Proposed Amendments to Regulation**

The Virginia Department of Agriculture and Consumer Services proposes to repeal these regulations.

### **Result of Analysis**

The benefits likely exceed the costs for all proposed changes.

### **Estimated Economic Impact**

The regulations prescribe certain requirements for the enforcement of the Virginia Motor Fuels and Lubricating Oils Law, Title 59.1, Chapter 12 of the Code of Virginia, including specifications for the inspection and testing of motor fuels. HB 2446 of the 2009 session of the Virginia General Assembly amended the Motor Fuels and Lubricating Oils Law by incorporating by reference certain national inspection and testing specifications for motor fuels. Given that the essential elements of the regulations have now been incorporated by reference into the Virginia Motor Fuels and Lubricating Oils Law, the proposed repeal will have no impact beyond perhaps reducing a small amount of potential confusion.

### **Businesses and Entities Affected**

The regulations affect motor fuel retailers and refineries. The repeal of the regulations will not significantly affect these firms since the essential elements of the regulations have now been incorporated by reference into the Virginia Motor Fuels and Lubricating Oils Law.

### **Localities Particularly Affected**

The proposed amendments do not disproportionately affect particular localities.

## **Projected Impact on Employment**

The proposal amendments are unlikely to significantly affect employment.

## **Effects on the Use and Value of Private Property**

The proposed amendments are unlikely to significantly affect the use and value of private property.

## **Small Businesses: Costs and Other Effects**

The proposed amendments are unlikely to significantly affect small businesses.

## **Small Businesses: Alternative Method that Minimizes Adverse Impact**

The proposed amendments are unlikely to significantly affect small businesses.

## **Real Estate Development Costs**

The proposed amendments are unlikely to significantly affect real estate development costs.

## **Legal Mandate**

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.04 of the Administrative Process Act and Executive Order Number 107 (09). Section 2.2-4007.04 requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. Further, if the proposed regulation has adverse effect on small businesses, Section 2.2-4007.04 requires that such economic impact analyses include (i) an identification and estimate of the number of small businesses subject to the regulation; (ii) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the regulation, including the type of professional skills necessary for preparing required reports and other documents; (iii) a statement of the probable effect of the regulation on affected small businesses; and (iv) a description of any less intrusive or less costly alternative methods of achieving the purpose of the

regulation. The analysis presented above represents DPB's best estimate of these economic impacts.