



Notice of Intended Regulatory Action (NOIRA) Agency Background Document

Agency name	DPOR/Auctioneers Board
Virginia Administrative Code (VAC) citation	18 VAC 25-21
Regulation title	Rules and Regulations of the Virginia Auctioneers Board
Action title	General review to amend existing regulations.
Document preparation date	September 20, 2005

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 21 (2002) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Purpose

Please describe the subject matter and intent of the planned regulatory action. Also include a brief explanation of the need for and the goals of the new or amended regulation.

The purpose is to amend the Board's regulations to allow changes for clearer and effective regulations administered by the Board.

Other changes which may be necessary may also be considered.

Legal basis

Please identify the state and/or federal legal authority to promulgate this proposed regulation, including (1) the most relevant law and/or regulation, including Code of Virginia citation and General Assembly chapter number(s), if applicable, and (2) promulgating entity, i.e., agency, board, or person. Describe the legal authority and the extent to which the authority is mandatory or discretionary.

§ 54.1-602 of the Code of Virginia provides the Board with its broad authority to establish regulations in order to obtain and retain licenses.

Substance

Please detail any changes that will be proposed. For new regulations, include a summary of the proposed regulatory action. Where provisions of an existing regulation are being amended, explain how the existing regulation will be changed. Include the specific reasons why the agency has determined that the proposed regulatory action is essential to protect the health, safety, or welfare of citizens. Delineate any potential issues that may need to be addressed as the regulation is developed.

The Board is proposing to perform a general review of the existing regulations to clarify the basic qualifications for license by examination and license by reciprocity, modify the examination application procedures, and to establish and modify the standards of practice and standards of conduct to identify requirements that affect the administration of, and compliance with, the Board’s regulations.

The proposed changes will improve clarity which will enhance compliance by the Board’s licensees and thereby better protect the citizens of the Commonwealth of Virginia.

Other changes which may be necessary may also be considered.

Alternatives

Please describe all viable alternatives to the proposed regulatory action that have been or will be considered to meet the essential purpose of the action.

The Board will consider any and all comments received during the comment periods as to any proposed alternatives.

Family impact

Assess the potential impact of the proposed regulatory action on the institution of the family and family stability.

The contemplated changes are not anticipated to have any significant impact on Virginia's families.