



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

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**19 VAC 30-200 – Approved Helmets for All-Terrain Vehicles and Mopeds**  
**Virginia State Police**  
January 9, 2009

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

Pursuant to §46.2-915.1 of the Code of Virginia, the Department of Virginia State Police proposes to promulgate a regulation that sets standards for helmets approved for operators of all-terrain vehicles and mopeds.

### **Result of Analysis**

The benefits likely exceed the costs for this proposed regulation.

### **Estimated Economic Impact**

Currently, the Code of Virginia requires that individuals operating all-terrain vehicles and mopeds wear protective helmets of a type approved by the Superintendent of the Virginia State Police. This proposed regulation will instantiate standards for this approval. The State Police propose to require that all helmets worn by operators of mopeds or all-terrain vehicles meet or exceed the standards set by 1) the Snell Foundation, 2) the American Standards Institute, Inc. or 3) the federal Department of Transportation. In general, these groups set performance based standards (the amount of impact energy a helmet must be able to absorb, that helmets must stay on in variety of crash conditions, etc.) which will allow wide producer participation in the helmet market.

Since there is a statutory requirement to buy and wear a helmet when operating a moped or all-terrain vehicle, the costs and benefits of that requirement can not fairly be attributed to this proposed regulation. Indeed, it is unlikely that any affected entities will incur costs on account of this proposed regulation. Affected entities will, however, benefit from the approval standards required in §46.2-915.1 being set out clearly in regulation. Affected entities will also benefit

from the fact that approval standards are performance based as this will allow all willing producers to participate in the market and will, consequently, tend to keep the price of helmets lower.

### **Businesses and Entities Affected**

This proposed regulation will affect all individuals who operate mopeds or all-terrain vehicles in the Commonwealth.

### **Localities Particularly Affected**

No locality will be particularly affected by this proposed regulatory action.

### **Projected Impact on Employment**

This regulatory action will likely have no impact on employment in the Commonwealth.

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

This regulatory action will likely have no effect on the use or value of private property in the Commonwealth.

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

Small businesses in the Commonwealth are unlikely to incur any costs on account of this regulatory action.

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

Small businesses in the Commonwealth are unlikely to incur any costs on account of this regulatory action.

### **Real Estate Development Costs**

This regulatory action will likely have no effect on real estate development costs in the Commonwealth.

### **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.H of the Administrative Process Act and Executive Order Number 36 (06). Section 2.2-4007.H 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.H 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.