



COMMONWEALTH of VIRGINIA

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MEMORANDUM

TO: Colonel W. Steven Flaherty, Superintendent
Department of State Police

FROM: Shannon Y. Dion *S.Y.D.*
Assistant Attorney General

DATE: March 7, 2011

SUBJECT: Rules Relating to the Marking of Commercial Motor Vehicles
(19 VAC 30-20-115)

In response to a request from the Department of State Police, I have reviewed the proposed regulation, 19 VAC 30-20-115, relating to the Marking of Commercial Motor Vehicles. Section 52-8.4 of the *Code of Virginia* gives the Superintendent of the State Police the authority to promulgate regulations necessary for commercial motor vehicle safety pursuant to the United States Motor Carrier Act of 1984. Upon review of the aforesaid regulation, I find the proposed regulation to be constitutional, consistent with the statutory authority granted by § 52-8.4 of the *Code of Virginia*, and in conformity with existing statutory provisions.

Please note that this memorandum is intended to provide legal interpretations and legal advice, not policy advice. To the extent that this communication may advise you that certain action is lawful, the decision whether to take such action remains a policy decision within the discretion of your agency and this communication should not be construed as a comment for or against the merits of such action.