



COMMONWEALTH of VIRGINIA
Office of the Attorney General
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MEMORANDUM

TO: Col. W.S. Flaherty, Superintendent
Department of State Police

FROM: Charles A. Quagliato
Assistant Attorney General

DATE: December 10, 2014

SUBJECT: Regulations Relating to the Issuance of Nonresident
Concealed Handgun Carry Permits – 19 VAC 30-
190-10 and 19 VAC 30-190-50

In response to a request from the Department of State Police, I have reviewed the regulations, 19 VAC 30-190-10 and 19 VAC 30-190-50, relating to the issuance of nonresident concealed handgun carry permits. Virginia Code § 18.2-308.06(E) requires the Superintendent of State Police to promulgate regulations, pursuant to the Administrative Process Act, for the implementation of an application process for obtaining a nonresident concealed handgun permit.

Upon review of the aforesaid regulations, I find the proposed regulations to be constitutional, consistent with the statutory authority granted by Virginia Code § 18.2-308.06(E) of the Code of Virginia, and in conformity with existing statutory provisions. I am of the opinion that the regulations are exempted from Administrative Process Act pursuant to Virginia Code § 2.2-4006(A)(3), as the regulations consist only of changes in style or form or corrections of technical errors

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 a 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.