



townhall.virginia.gov

Exempt Action Final Regulation Agency Background Document

| | |
|---|--|
| Agency name | Department of State Police |
| Virginia Administrative Code (VAC) citation(s) | 19 VAC 30-20-20, 19 VAC 30-20-30, 19 VAC 30-20-40, 19 VAC 30-20-70, 19 VAC 30-20-80, 19 VAC 30-20-110, 19 VAC 30-20-130, 19 VAC 30-20-140, 19 VAC 30-20-150, 19 VAC 30-20-160, 19 VAC 30-20-210, 19 VAC 30-20-220, 19 VAC 30-20-230, 19 VAC 30-20-240, 19 VAC 30-20-250, and 19 VAC 30-20-300. |
| Regulation title(s) | Motor Carrier Safety Regulations |
| Action title | Motor Carrier Safety Regulations – Winter 2020 Amendments - FINAL |
| Final agency action date | January 31, 2020 |
| Date this document prepared | February 18, 2020 |

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA) or an agency's basic statute, the agency is not required, however, is encouraged to provide information to the public on the Regulatory Town Hall using this form. Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, Executive Orders 17 (2014) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Brief summary

Please provide a brief summary of the proposed new regulation, proposed amendments to the existing regulation, or the regulation proposed to be repealed. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

These amendments were made to update the regulations relating to Motor Carrier Safety as a result of the 2019 Agency review of the applicable Federal Motor Carrier regulations. Technical and grammatical changes were made to ensure the Virginia and Federal Motor Carrier regulations are consistent. In particular the following actions were taken:

19 VAC 30-20-20 corrected a typographical error, the improper capitalization of the word "powers".

19 VAC 30-20-30 was amended to reflect that the regulations apply to both motor carriers and their drivers.

19 VAC 30-20-40 was amended to clarify that both Subpart E and F of 49 CFR 380 are incorporated into state law.

19 VAC 30-20-70 was corrected to capitalize the word "Federal".

19 VAC 30-20-80 was updated to reflect an effective date to ensure inclusion of any new updates to the Federal Motor Carrier Safety Regulations promulgated by the United States Department of Transportation, Federal Motor Carrier Safety Administration that are incorporated for compliance and enforcement purposes and to clarify that Subpart E and F of 49 CFR 380 are incorporated into state law.

19 VAC 30-2-110 made a capitalization correction.

19 VAC 30-20-130 made cross reference corrections and a grammatical correction.

19 VAC 30-20-140 made a capitalization correction.

19 VAC 30-20-150 was amended to clarify restrictions on certain Commercial Driving Licenses (CDL).

19 VAC 30-20-160 was amended to make a capitalization correction.

19 VAC 30-20-210 was amended to make a capitalization correction.

19 VAC 30-20-220 was amended to conform language used in Federal and State Regulations and to authorize submission of required forms electronically.

19 VAC 30-20-230 through 250 were amended to include intermodal equipment in addition to vehicles.

19 VAC 30-20-300 was amended to correct an internal cross reference to the CFR.

Statement of final agency action

Please provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.

On January 31, 2020, the Virginia State Police adopted final regulations, in the nature of amendments, for 19 VAC 30-20, Motor Carrier Safety Regulations, as part of an internal Agency review of that regulation.

Family impact

Please assess the impact of this regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

The amendment to the regulations will not 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of

responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income. They implement a statutory mandate found in §52-8.4 of the Code which allows certified state and local law enforcement officers to enforce these vital safety regulations that impact the motor carrier industry.