



COMMONWEALTH of VIRGINIA
Office of the Attorney General

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By Electronic Mail
Virginia Town Hall

Re: Motor Vehicle Safety Inspection Rules and Regulations – 19VAC30-70

Dear All:

I have reviewed the regulations set forth in 19VAC30-70 relating to the authority of qualified Virginia Law Enforcement officers to enforce Federal Motor Carrier Regulations promulgated by the U.S. Department of Transportation, Federal Motor Carrier Safety Administration.

Regulations found in 19 VAC 30-70 are being updated to comply with Executive Order 19 and Executive Directive 1, which ordered that all Executive Branch Agencies review agency regulatory requirements to ensure that they meet the needs of the Commonwealth and impose the least cost and burden. The amendments proposed comply with those requirements and make technical changes to the Regulations.

Upon review of the aforesaid emergency exemption, I find the changes to be consistent with the statutory authority conferred by § 52-8.4 of the Code of Virginia, and in conformity with existing statutory provisions. The changes to the regulations are exempted from the Administrative Process Act pursuant to §§ 2.2-4002(B)(6) of the Code of Virginia.

The regulations do not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with any federal or state law currently in effect. This approval addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of the action.

Sincerely,

/s/ Erik R. Smith
Assistant Attorney General