



# COMMONWEALTH of VIRGINIA

Office of the Attorney General

## MEMORANDUM

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**TO:** Steven P. Jack  
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**FROM:** E. Scott Moore  
Assistant Attorney General

**DATE:** August 13, 2018

**SUBJECT:** Addition of the Regulations Governing Pedestrians with Disabilities Traffic Signs (24 VAC30-630-10, 24 VAC30-630-20) to comply with Virginia Code § 46.2-830.2, Chapter 432 of the 2018 Virginia Acts of Assembly

At your request, I have reviewed VDOT's suggested new Regulations Governing Pedestrians with Disabilities Traffic Signs (24 VAC30-630-10, 24 VAC30-630-20) to comply with Virginia Code § 46.2-830.2, and Chapter 432 of the 2018 Virginia Acts of Assembly. Your request for this legal review was received in this Office on August 8, 2018.

In my capacity as legal counsel for the Virginia Department of Transportation and the Commonwealth of Virginia Transportation Board, it is my legal opinion that the Commonwealth of Virginia Transportation Board Rules Governing Pedestrians with Disabilities Traffic Signs (24 VAC30-630-10, 24 VAC30-630-20) comply with Virginia Code § 46.2-830.2, and Chapter 432 of the 2018 Acts of Assembly. Virginia Code §33.2-210 provides that the Commonwealth of Virginia Transportation Board has the power and duty to make regulations (that are not in conflict with the laws of the Commonwealth) for the protection of, and covering traffic on, and for the use of systems of state highways; and shall have the authority to add to, amend, or repeal such regulations. The suggested addition of the Regulations Governing Pedestrians with Disabilities Traffic Signs (24 VAC30-630-10, 24 VAC30-630-20) complies with Virginia Code § 46.2-830.2, and Chapter 432 if the 2018 Acts of Assembly; and has been legally reviewed and appears appropriate with regard to the legislative directive.

Further, Virginia Code § 2.24002(B)(11) states that this regulatory action is exempt from the APA.

Please do not hesitate to contact me if there are questions.