



Virginia
Regulatory
Town Hall
townhall.virginia.gov

Periodic Review Including Small Business Impact Findings Agency Background Document

Agency name	Board of Agriculture and Consumer Services
Virginia Administrative Code (VAC) citation	2 VAC 5-150
Regulation title	Rules and Regulations Governing the Transportation of Companion Animals
Document preparation date	September 24, 2014

This form is used when the agency has done a periodic review of a regulation and plans to retain the regulation without change. This information is required pursuant to Executive Orders 14 (2010) and 58 (1999).

Legal basis

Please identify the state and/or federal legal authority for the regulation, including (1) the most relevant law and/or regulation, and (2) promulgating entity, i.e., agency, board, or person.

Section 3.2-6501 of the Code of Virginia explicitly authorizes the Board of Agriculture and Consumer Services to adopt regulations concerning the transportation of animals.

Alternatives

Please describe all viable alternatives for achieving the purpose of the existing regulation that have been considered as part of the periodic review process. Include an explanation of why such alternatives were rejected and why this regulation is the least burdensome alternative available for achieving the purpose of the regulation.

There are no viable alternatives for achieving the purpose of this regulation. This regulation is necessary to ensuring the appropriate transportation of companion animals by commercial and public entities in the Commonwealth.

Public comment

Please summarize all comments received during the public comment period following the publication of the Notice of Periodic Review, and provide the agency response. Please indicate if an informal advisory group was formed for purposes of assisting in the periodic review.

No comments were received pursuant to this periodic review.

Effectiveness

Please indicate whether the regulation meets the criteria set out in Executive Order 14 (2010), e.g., is necessary for the protection of public health, safety, and welfare, and is clearly written and easily understandable.

Regulations concerning the appropriate transportation of companion animals by dealers, animal control officers, and other commercial or public entities are in the best interest of public health and safety. The agency has determined that this regulation is clearly written and easily understood by its regulants.

Result

Please state that the agency is recommending that the regulation should stay in effect without change.

The agency recommends that the regulation remain in effect without change.

Small business impact

In order to minimize the economic impact of regulations on small business, please include, pursuant to § 2.2-4007.1 E and F, a discussion of the agency's consideration of: (1) the continued need for the regulation; (2) the nature of complaints or comments received concerning the regulation from the public; (3) the complexity of the regulation; (4) the extent to which the regulation overlaps, duplicates, or conflicts with federal or state law or regulation; and (5) the length of time since the regulation has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the regulation. Also, include a discussion of the agency's determination whether the regulation should be amended or repealed, consistent with the stated objectives of applicable law, to minimize the economic impact of regulations on small businesses.

This regulation has minimal impact on small businesses. It establishes uniform and equitable requirements for the transportation of companion animals that do not place undue burdens on small versus large businesses. The agency has received no comments from small businesses that this regulation is burdensome. The regulation is not complex, and complements federal regulations enacted pursuant to the federal Animal Welfare Act. This regulation is not outdated; no significant technological or economic developments have impacted the transportation of companion animals since it was adopted.

Family impact

Please provide an analysis of the regulation's impact on the institution of the family and family stability.

This regulation has no impact on the institution of the family or family stability.