



COMMONWEALTH of VIRGINIA
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MEMORANDUM

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

FROM: Ann M. Reardon
Assistant Attorney General

DATE: November 26, 2014

SUBJECT: Regulation Relating to Motor Carrier Safety Regulations – 19 VAC30-165.

In response to a request from the Department of State Police, I have reviewed the existing regulations set forth in 19 VAC 30-165, which establishes the approval standards and specifications for purple lights used on vehicles to lead or provide escorts for funeral processions required by Section 46.2-1025 of the Code of Virginia. Virginia Code § 46.2-1005 requires the Superintendent to establish a procedure for the approval of equipment required to be approved by him. Virginia Code § 46.2-1025 mandates which vehicles may be equipped with flashing, blinking, or alternating amber warning lights. Upon review of the aforesaid amendments, I find it to be constitutional, consistent with the statutory authority conferred by § 46.2-1005 and § 46.2-1025 of the Code of Virginia, and in conformity with existing statutory provisions.

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.