



COMMONWEALTH of VIRGINIA
Office of the Attorney General

Jay Jones
Attorney General

202 North 9th Street
Richmond, Virginia 23219
804-786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120

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Angela Coleman
Executive Director, Commission on VASAP
1111 East Main St., Suite 801
Richmond, VA 23219

Re: Promulgation of new regulations governing the statewide Virginia Alcohol Safety Action Program system (24VAC 35-80)

Dear Ms. Coleman:

At your request, I have reviewed the Commission on Virginia Alcohol Safety Action Programs' (VASAP) posting for the Promulgation of new regulations governing the statewide Virginia Alcohol Safety Action Program system (24VAC 35-80). This memorandum addresses legal matters only and is not intended as a comment for or against the merits of the proposed regulations.

With regard to VASAP's promulgation of 24 VAC 35-80, it is my legal opinion that VASAP has both the statutory authority and implied authority to promulgate these new regulations. 2026 Virginia Acts of Assembly chapter 686, enactment clause 2, specifically provides the authority to promulgate regulations to implement the provisions of the statutes that govern the statewide VASAP system. The authority to enact such regulations would necessarily include and imply the authority to amend and repeal said regulations.

This letter confirms that I have reviewed the promulgation of these regulations and that I believe that the Commission on VASAP has statutory authority pursuant to Virginia Code to promulgate the regulations as proposed.

Sincerely,

Janet W. Baugh

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Senior Assistant Attorney General