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Exempt Action Final Regulation Agency Background Document

Agency name	Virginia Department of Transportation
Virginia Administrative Code (VAC) citation(s)	24VAC30-100-10, 24 VAC30-151-670 and 24VAC30-151-710
Regulation title(s)	Rules and Regulations for the Administration of Parking Lots and Environs & Land Use Permit Regulations
Action title	Implementation of Chapter 765 (2016 Acts of Assembly) regarding mobile food vending in VDOT commuter lots
Final agency action date	June 20, 2018
Date this document prepared	June 25, 2018

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA) or an agency's basic statute, the agency is not required, however, is encouraged to provide information to the public on the Regulatory Town Hall using this form. Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, Executive Orders 17 (2014) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Brief summary

Please provide a brief summary of the proposed new regulation, proposed amendments to the existing regulation, or the regulation proposed to be repealed. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

Chapter 765 of the 2016 Acts of Assembly directed the Virginia Department of Transportation (VDOT) to develop guidelines, consistent with the Commonwealth Transportation Board's (CTB's) regulations and policies, to allow mobile food vending in Planning District 8 (Northern Virginia) Commuter Lots. Chapter 756 exempts from the Administrative Process Act any regulatory action that is necessary to implement Chapter 765.

VDOT proposed necessary amendments to the Land Use Permit Regulations (24VAC30-151) and the Rules and Regulations for the Administration of Parking Lots and Environs (24VAC30-100) to implement the provisions of Chapter 765.

The proposed regulatory changes include the following provisions:

- Set the fee for a two-month permit at \$250 and a weekend-only vending fee of \$110
- Require vendors to have
 - Local vending permits, which include background checks
 - Department of Health approval
 - Insurance
- Prohibit vendors from interfering with safety and operation of the commuter lots
- Prohibit vending in lots (or portions thereof) that are considered Interstate right-of-way
- Require cleanup of vending site and removal of litter
- Require vendors to provide a surety to ensure cleanup and restoration of any damage to site

Statement of final agency action

Please provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.

VDOT proposed amendments to the Land Use Permit Regulations (24VAC30-151) and the Rules and Regulations for the Administration of Parking Lots and Environs (24VAC30-100) concerning mobile food vending in VDOT-owned commuter parking lots in Planning District 8 to the CTB, which considered and approved the proposed changes at the CTB's meeting on June 20, 2018.

Family impact

Please assess the impact of this regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

This action will have no impact on the factors listed above.