## Unified Regulatory Plan of the Department of Transportation for State Fiscal Year 2024

Revised July 19, 2023

Original Prepared on June 9, 2023

## **Description of Agency or Boards**

The Virginia Department of Transportation (VDOT) is an executive branch agency under the supervision and management of the Commissioner of Highways and responsible to the Secretary of Transportation, who serves as Chairman of the Commonwealth Transportation Board (CTB). The *Code of Virginia* authorizes the CTB, VDOT, or the Commissioner to promulgate regulations, establish guidelines, administer programs, or take other actions related to transportation. Title 33.2, Subtitle I, Chapter 2 of the *Code of Virginia* outlines the general powers and duties of the CTB and charges VDOT with implementing and enforcing the policies and regulations of the CTB. Further, title 33.2, Subtitle I, Chapter 3 of the *Code of Virginia* provides that except such powers as are conferred by law upon the Board and the Office of Intermodal Planning and Investment of the Secretary of Transportation, the Commissioner of Highways shall have the power to do all acts necessary or convenient for constructing, improving, maintaining, and preserving the efficient operation of the highways embraced in the systems of state highways and to further the interests of the Commonwealth in the areas of public transportation, railways, seaports, and airports.

Table for Individual Regulatory Activities

Action/Stage or Guidance Document Forum ID (if available)		
Not available.		
Title of Proposed R	egulatory Action or Guidance Document	
Administrative Serv	ices Division Procurement Procedures Ma	inual removal by VDOT
<b>Brief Overview</b>		
Upon detailed revie	w of this document, and discussion with t	the Office of the Attorney General, VDOT
has determined tha	t this document is erroneously listed as a	guidance document, because it does not
meet the definition	of a guidance document. VDOT will remo	ove the Manual from its guidance
document list.		
Regulatory Stage	□ NOIRA	☐ Emergency or Emergency/NOIRA
(check one box)	☐ Proposed	☐ Revised Proposed
	☐ Final	☐ Fast-Track
Additional	☐ Expedited Review Requested	X Guidance Document
Description	☐ Exempt Action	
Legal Authority	☐ Action required by federal statute	X Discretionary action
	☐ Action required by state statute	
Deregulatory	The ASD Procurement Procedures Manua	al includes only internal agency procedures
Component	and imposes no requirements on any regulants. Removing the document from the	
-	agency's guidance document list will not	affect the number of the agency's
	discretionary regulatory requirements imp	posed on the public. It will reduce the
	agency's guidance document aggregate w	ord count by approximately 62,000 words.
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Not available.		
	egulatory Action or Guidance Document	
·		
24VAC30-200 Vege	tation Control Regulations on State Right	s-of-Way NOIRA by the CTB
<b>Brief Overview</b>		
	_	endments to the regulation are warranted.
-	ected to be filed to initiate a comprehens	
	•	nalf of the CTB, applies in granting permits
_	· · · · · · · · · · · · · · · · · · ·	structures on state highway rights of way
controlled by the C		
Regulatory Stage	X NOIRA	☐ Emergency or Emergency/NOIRA
(check one box)	☐ Proposed	☐ Revised Proposed
	☐ Final	☐ Fast-Track
Additional	☐ Expedited Review Requested	☐ Guidance Document
Description	☐ Exempt Action	
Legal Authority	☐ Action required by federal statute	X Discretionary action
	☐ Action required by state statute	
Deregulatory	This action is expected to reduce regulatory requirements, but the specific	
Component	reductions are not yet known.	
Expected Date	July or August 2023.	
Action/Stage or Gu	idance Document Forum ID (if available)	
Not available.		
Title of Proposed R	egulatory Action or Guidance Document	
		_
	Use Permit Regulations NOIRA by the CT	В
Brief Overview		
	_	endments to the regulation are warranted.
•	pected to be filed to initiate a comprehens	
•	•	permits on behalf of the CTB to allow work
•	other non-transportation activities to occ X NOIRA	
Regulatory Stage (check one box)		☐ Emergency or Emergency/NOIRA
(check one box)	Proposed	☐ Revised Proposed
	☐ Final	☐ Fast-Track
Additional	☐ Expedited Review Requested	☐ Guidance Document
Description	☐ Exempt Action	
Legal Authority	☐ Action required by federal statute	X Discretionary action
	☐ Action required by state statute	
Deregulatory	This action is expected to reduce regulato	ry requirements, but the specific
Component	reductions are not yet known.	
Expected Date	July or August 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Not available.		
	egulatory Action or Guidance Documer	ıt .
indic of the possess in	Salutory resion of Carachic Documen	•
24VAC30-73 Access	s Management Regulations NOIRA by VI	ООТ
Brief Overview		
A preliminary review	w of the regulation has indicated that ar	nendments to the regulation are warranted.
		sive review of the regulation, which was
	dance with a legislative mandate directi	σ,
	nsive highway access management regul	ations and standards.
Regulatory Stage	X NOIRA	☐ Emergency or Emergency/NOIRA
(check one box)	☐ Proposed	☐ Revised Proposed
	☐ Final	☐ Fast-Track
Additional	☐ Expedited Review Requested	☐ Guidance Document
Description	☐ Exempt Action	
Legal Authority	☐ Action required by federal statute	X Discretionary action
	☐ Action required by state statute	
Deregulatory		
Component	reductions are not yet known.	
Expected Date	July or August 2023	
Action/Stage or Gu	idance Document Forum ID (if available	e)
Not available.		
_ ·	egulatory Action or Guidance Documer	
24VAC30-121 Com	prehensive Roadside Management Prog	ram Regulations NOIRA by VDOT
<b>Brief Overview</b>		
1 .	_	nendments to the regulation are warranted.
-		sive review of the regulation, which enables
	The state of the s	duals, and local governments an opportunity
		ned right-of-way or real property, herein
	-of-way, by participating in the project d	•
maintenance of landscaping activities within the state-maintained right-of-way. This chapter sets forth		
	ures governing the program.	
Regulatory Stage	X NOIRA	☐ Emergency or Emergency/NOIRA
(check one box)	☐ Proposed	☐ Revised Proposed
	☐ Final	☐ Fast-Track
Additional	☐ Expedited Review Requested	☐ Guidance Document
Description	☐ Exempt Action	
Legal Authority	☐ Action required by federal statute	X Discretionary action
	☐ Action required by state statute	
Deregulatory	This action is expected to reduce regula	tory requirements, but the specific
Component	reductions are not yet known.	
Expected Date	July or August 2023	

Action/Stage or Guidance Document Forum ID (if available)  Not available.		
	egulatory Action or Guidance Documen	t
· •	dary Street Acceptance Requirements N	
Brief Overview		
The Secondary Stre	et Acceptance Requirements establish th	ne conditions and standards that must be
· · · · · · · · · · · · · · · · · · ·		calities and entities other than VDOT will
be accepted into th	e state secondary system for maintenan	ce by VDOT. Chapter 425 of the 2022 Acts
of Assembly amend	ed the connectivity requirements in 33.2	2-334 for new additions to the secondary
system by specifyin	g that flexibility be included in the regula	ations for connectivity requirements as
deemed appropriat	e and required that VDOT convene a sta	keholder advisory group to recommend
amendments to the	regulation.	
Regulatory Stage	X NOIRA	☐ Emergency or Emergency/NOIRA
(check one box)	☐ Proposed	☐ Revised Proposed
	☐ Final	☐ Fast-Track
Additional	☐ Expedited Review Requested	☐ Guidance Document
Description	☐ Exempt Action	
Legal Authority	☐ Action required by federal statute	X Discretionary action
	X Action required by state statute	
Deregulatory	The amendments expected to be propose	ed will allow flexible options for meeting or
Component	waiving existing requirements for the nu	
		m a new addition to the secondary system.
<b>Expected Date</b>	July 2023	
	idance Document Forum ID (if available	)
Not available.		
· •	egulatory Action or Guidance Documen	
Manual for the Prod	curement and Management of Profession	nal Services updates by VDOT
Brief Overview		
The Manual will be	updated to reflect current procurement	practices consistent with best practice. The
		ement phases. Changes include updates
and clarifications to the solicitation and award process for professional services, and updated		
responsibilities associated with the successful administration of professional services contracts.		
Regulatory Stage	□ NOIRA	☐ Emergency or Emergency/NOIRA
(check one box)	☐ Proposed	☐ Revised Proposed
	☐ Final	☐ Fast-Track
Additional	☐ Expedited Review Requested	X Guidance Document
Description	☐ Exempt Action	
Legal Authority	☐ Action required by federal statute	X Discretionary action
-	☐ Action required by state statute	•
Deregulatory	The amendments are expected to reduce	the length of the guidance document.
Component		
Expected Date	July-September 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Not available.		
	egulatory Action or Guidance Document	t
	,	
	ogram Guidelines updates by the CTB	
Brief Overview		
_	expected to be updated in connection wi	th expected revisions to the CTB Policy on
Revenue Sharing.		
Bar later Class	I —	
Regulatory Stage	□ NOIRA	☐ Emergency or Emergency/NOIRA
(check one box)	☐ Proposed	☐ Revised Proposed
	☐ Final	☐ Fast-Track
Additional	☐ Expedited Review Requested	X Guidance Document
Description	Exempt Action	
Legal Authority	☐ Action required by federal statute	X Discretionary action
	Action required by state statute	
Deregulatory	Specific reductions cannot be identified a	at this time.
Expected Date	Component August-October 2023	
Expected Date	August-October 2023	
Action/Stage or Gu	idance Document Forum ID (if available	)
Not available.		
Title of Proposed R	egulatory Action or Guidance Document	i e
Transportation Alternatives Program Guide updates by the CTB		
Brief Overview		the level covers out allegation are con-
	•	the local government allocation process;
any new policies se		ent federal guidance; and incorporation of
	· T	
Regulatory Stage	☐ NOIRA	☐ Emergency or Emergency/NOIRA
(check one box)	☐ Proposed	☐ Revised Proposed
	☐ Final	☐ Fast-Track
Additional	☐ Expedited Review Requested	X Guidance Document
Description	☐ Exempt Action	
Legal Authority	X Action required by federal statute	X Discretionary action
	☐ Action required by state statute	
Deregulatory		
Component		
Expected Date	August-October 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Not available.		
Title of Proposed Regulatory Action or Guidance Document		
	-G,	
Guide to Highway S	ystem Changes updates by VDOT	
<b>Brief Overview</b>		
		ted revisions are expected to be made due
to changes in pract	ice.	
Regulatory Stage	□ NOIRA	☐ Emergency or Emergency/NOIRA
(check one box)	☐ Proposed	☐ Revised Proposed
	☐ Final	☐ Fast-Track
Additional	☐ Expedited Review Requested	X Guidance Document
Description	☐ Exempt Action	
Legal Authority	☐ Action required by federal statute	X Discretionary action
	☐ Action required by state statute	
Deregulatory	Specific reductions cannot be identified at this time.	
Component Expected Date	C	
Expected Date	September-November 2023	
Action/Stage or Gu	idance Document Forum ID (if available)	
Action/Stage of Ga	indunce bocament Fordin 15 (ii available)	
Not available.		
Title of Proposed Regulatory Action or Guidance Document		
Locally Administered Projects Manual updates by VDOT		
Brief Overview		
Regular updates to	the Manual are made twice per year and	are based on issues identified in practice.
	T	
Regulatory Stage	□ NOIRA	☐ Emergency or Emergency/NOIRA
(check one box)	☐ Proposed	☐ Revised Proposed
	☐ Final	☐ Fast-Track
Additional	☐ Expedited Review Requested	X Guidance Document
Description	☐ Exempt Action	
Legal Authority	☐ Action required by federal statute	X Discretionary action
	Action required by state statute	
Deregulatory	· · · · · · · · · · · · · · · · · · ·	
Component Expected Date	Octobor 2022	
Expected Date	October 2023	

Action/Stage or Guidance Document Forum ID (if available)			
Not available.			
	egulatory Action or Guidance Documen	t	
-			
_	etation Control Regulations on State Righ	ts-of-Way amendments proposed by the	
СТВ			
Brief Overview			
· ·	· · · · · · · · · · · · · · · · · · ·	comprehensive review of the regulation	
	OIRA stage. The regulation sets forth the	·	
· ·	the CTB, applies in granting permits to a uctures on state highway rights of way co	_	
Regulatory Stage	□ NOIRA		
(check one box)	X Proposed	☐ Emergency or Emergency/NOIRA	
(check one box)	☐ Final	☐ Revised Proposed	
A -1-1:4:1		☐ Fast-Track	
Additional	☐ Expedited Review Requested	☐ Guidance Document	
Description	☐ Exempt Action	V Discosticularium	
Legal Authority	☐ Action required by federal statute	X Discretionary action	
	☐ Action required by state statute	and the second s	
Deregulatory Component	This action is expected to reduce regulatory requirements, but the specific reductions are not yet known.		
Expected Date	October-November 2023.		
Expected Date	October-November 2023.		
A	ideas Barras I Francis III (for all all a	`	
Action/Stage or Gu	idance Document Forum ID (if available	·)	
Not available.			
	egulatory Action or Guidance Documen		
Title of Froposed N	regulatory Action of Guidance Documen	•	
24VAC30-151 Land Use Permit Regulations amendments proposed by the CTB			
Brief Overview			
Proposed amendm	ents expected to be filed based upon the	comprehensive review of the regulation	
· ·	conducted at the NOIRA stage. The regulation sets forth the policies and procedures that VDOT utilizes		
to issue permits on behalf of the CTB to allow work to be performed or other non-transportation			
activities to occur on state highway right-of-way.			
Regulatory Stage	□ NOIRA	☐ Emergency or Emergency/NOIRA	
(check one box)	X Proposed	☐ Revised Proposed	
	☐ Final	□ Fast-Track	
Additional	☐ Expedited Review Requested	☐ Guidance Document	
Description	☐ Exempt Action		
Legal Authority	☐ Action required by federal statute	X Discretionary action	
	☐ Action required by state statute		
Deregulatory	This action is expected to reduce regulat	ory requirements, but the specific	
Component	reductions are not yet known.	-	
Expected Date	October-November 2023.		

Action/Stage or Guidance Document Forum ID (if available) Not available.		
Title of Proposed Regulatory Action or Guidance Document		
	Management Regulations amendments	proposed by VDOT
Brief Overview		
· ·	ents expected to be filed based upon the	•
		I in accordance with a legislative mandate
regulations and star	issioner of Highways to develop compreh	ensive nighway access management
Regulatory Stage	□ NOIRA	☐ Emorgancy or Emorgancy/NOIPA
(check one box)	X Proposed	☐ Emergency or Emergency/NOIRA
(check one box)	☐ Final	☐ Revised Proposed
Additional		☐ Fast-Track
Description	☐ Expedited Review Requested	☐ Guidance Document
-	Exempt Action	V Discretionary action
Legal Authority	☐ Action required by federal statute	X Discretionary action
Davis and latera	☐ Action required by state statute	my magnimum anta but the amorific
Deregulatory Component	This action is expected to reduce regulato reductions are not yet known.	ry requirements, but the specific
· .	October-November 2023.	
Expected Bate	October-November 2023.	
Action/Stone on Co.	idanaa Daawaant Famuus ID /if ayailabla\	
	idance Document Forum ID (if available)	
Not available.		
	egulatory Action or Guidance Document	
	ehensive Roadside Management Program Reg	guiations amendments proposed by VDOI
Brief Overview		
Proposed amendments expected to be filed based upon the comprehensive review of the regulation		
conducted at the NOIRA stage. The regulation enables private businesses, civic organizations, communities, individuals, and local governments an opportunity to improve the appearance and safety		
		, , , , , , , , , , , , , , , , , , , ,
	ined right-of-way or real property, herein project development, establishment, and	
within the state-maintained right-of-way. This chapter sets forth policies and procedures governing the program.		
Regulatory Stage	□ NOIRA	☐ Emergency or Emergency/NOIRA
(check one box)	X Proposed	☐ Revised Proposed
,	☐ Final	☐ Fast-Track
Additional	☐ Expedited Review Requested	☐ Guidance Document
Description	☐ Expedited Review Requested	Guidance Document
Legal Authority	☐ Action required by federal statute	X Discretionary action
Legal Authority	☐ Action required by rederal statute	A Discretionary detroit
Deregulatory		ry requirements, but the specific
Expected Date	October-November 2023	
<u> </u>	2 112 21 113 12112 21 2020	

Action/Stage or Guidance Document Forum ID (if available)		
Not available.	•	•
Title of Proposed R	egulatory Action or Guidance Document	1
•	dary Street Acceptance Requirements an	
Brief Overview		
	et Accentance Requirements establish th	e conditions and standards that must be
		calities and entities other than VDOT will
		ce by VDOT. Chapter 425 of the 2022 Acts
•	· ·	2-334 for new additions to the secondary
•	g that flexibility be included in the regula	•
	e and required that VDOT convene a stake	
amendments to the	·	terrolaer autisory group to recommend
Regulatory Stage	□ NOIRA	☐ Emergency or Emergency/NOIRA
(check one box)	X Proposed	☐ Revised Proposed
,	☐ Final	☐ Fast-Track
Additional	☐ Expedited Review Requested	☐ Guidance Document
Description		☐ Guidance Document
•	☐ Exempt Action	X Discretionary action
Legal Authority	☐ Action required by federal statute	A Discretionary action
D 1.1	X Action required by state statute	1
Deregulatory	1 1	d will allow flexible options for meeting or
Component	waiving existing requirements for the nu	m a new addition to the secondary system.
Expected Date	October-November 2023	in a new addition to the secondary system.
October November 2025		
Action/Stage or Cu	idanaa Daaumant Farum ID /if available	1
Action/Stage or Gu	idance Document Forum ID (if available	)
Niet eveilele		
Not available.  Title of Proposed Regulatory Action or Guidance Document		
little of Proposed Regulatory Action of Guidance Document		
Locally Administered Projects Manual updates by VDOT		
Brief Overview	a Frojects Maridar apadtes by VDOT	
	the Manual are made twice ner year and	are based on issues identified in practice.
Regular apaates to	the Managrane made twice per year and	rare based on issues identified in practice.
Dogulaton, Ctore	T	
Regulatory Stage	□ NOIRA	☐ Emergency or Emergency/NOIRA
(check one box)	☐ Proposed	☐ Revised Proposed
	☐ Final	☐ Fast-Track
Additional	☐ Expedited Review Requested	X Guidance Document
Description	☐ Exempt Action	
Legal Authority	☐ Action required by federal statute	X Discretionary action
	☐ Action required by state statute	
Deregulatory	Specific reductions cannot be identified a	at this time.
Component		
Expected Date	March 2024	

Action/Stage or Guidance Document Forum ID (if available)		
Not available.		
Title of Proposed Regulatory Action or Guidance Document		
	curement and Management of Profession	al Services updates by VDOT
Brief Overview	a undated with clarifications regarding pro	acces changes resulting from engoing
1	e updated with clarifications regarding pro oprovement efforts.	ocess changes resulting from ongoing
business process in	iprovement enorts.	
Regulatory Stage	□ NOIRA	☐ Emergency or Emergency/NOIRA
(check one box)	☐ Proposed	☐ Revised Proposed
,	☐ Froposed	☐ Fast-Track
Additional	☐ Expedited Review Requested	X Guidance Document
Description	☐ Exempt Action	,, Gaidanes 200annone
Legal Authority	☐ Action required by federal statute	X Discretionary action
	☐ Action required by state statute	·
Deregulatory	Specific reductions cannot be identified at this time.	
Component	t	
Expected Date	March-May 2024	
Action/Stage or Gu	idance Document Forum ID (if available)	1
Action/Stage of Go	manice bocament rolam ib (ii available)	
Not available.		
Title of Proposed R	egulatory Action or Guidance Document	
Traffic Impact Analysis Regulation Administrative Guidelines updates by VDOT		
Brief Overview		
	delines is expected to be conducted and t	targeted revisions are expected to be
made due to chang	es in practice.	
Bara Islam Class	T	
Regulatory Stage	□ NOIRA	☐ Emergency or Emergency/NOIRA
(check one box)	☐ Proposed	☐ Revised Proposed
A 1.1111 1	☐ Final	☐ Fast-Track
Additional Description	☐ Expedited Review Requested	X Guidance Document
-	☐ Exempt Action	V. Discretionary action
Legal Authority	☐ Action required by federal statute☐ Action required by state statute	X Discretionary action
Deregulatory	Specific reductions cannot be identified a	t this time
Component	• , ,	
Expected Date	March-May 2024	

Action/Stage or Guidance Document Forum ID (if available)		
Not available.		
Title of Proposed R	egulatory Action or Guidance Documen	t
Economic Developr	ment Access Program Guide updates by \	VDOT
Brief Overview		
Update expected to	improve the Guide's readability by reor	ganizing the document to mirror the steps
needed to receive B	EDA program funding. The update will co	nsolidate information listed in several
different sections within the document, and remove language associated with Locally and VDOT		
Administered projects already listed in VDOT's Locally Administered Projects Manual.		
Regulatory Stage	☐ NOIRA	☐ Emergency or Emergency/NOIRA
(check one box)	☐ Proposed	☐ Revised Proposed
	☐ Final	☐ Fast-Track
Additional	☐ Expedited Review Requested	X Guidance Document
Description	☐ Exempt Action	
Legal Authority	☐ Action required by federal statute	X Discretionary action
	☐ Action required by state statute	
Deregulatory	Specific reductions cannot be identified	at this time.
Component		
Expected Date	May 2024	