

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 Regulatory Action or Guidance Document		
Administrative Services Division Procurement Procedures Manual removal by VDOT		
Brief Overview		
Upon detailed review of this document, and discussion with the Office of the Attorney General, VDOT has determined that this document is erroneously listed as a guidance document, because it does not meet the definition of a guidance document. VDOT will remove the Manual from its guidance document list.		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed <input type="checkbox"/> Final	<input type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action	X Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	X Discretionary action
Deregulatory Component	The ASD Procurement Procedures Manual includes only internal agency procedures 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 imposed on the public. It will reduce the agency's guidance document aggregate word count by approximately 62,000 words.	
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Not available.		
Title of Proposed Regulatory Action or Guidance Document		
24VAC30-200 Vegetation Control Regulations on State Rights-of-Way NOIRA by the CTB		
Brief Overview		
A preliminary review of the regulation has indicated that amendments to the regulation are warranted. Thus a NOIRA is expected to be filed to initiate a comprehensive review of the regulation, which sets forth the policies, criteria, and procedures that VDOT, on behalf of the CTB, applies in granting permits to allow vegetation to be removed from the vicinity of signs/structures on state highway rights of way controlled by the CTB/VDOT.		
Regulatory Stage (check one box)	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed <input type="checkbox"/> Final	<input type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	<input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	This action is expected to reduce regulatory requirements, but the specific reductions are not yet known.	
Expected Date	July or August 2023.	

Action/Stage or Guidance Document Forum ID (if available)		
Not available.		
Title of Proposed Regulatory Action or Guidance Document		
24VAC30-151 Land Use Permit Regulations NOIRA by the CTB		
Brief Overview		
A preliminary review of the regulation has indicated that amendments to the regulation are warranted. Thus a NOIRA is expected to be filed to initiate a comprehensive review of the regulation, which 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 (check one box)	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed <input type="checkbox"/> Final	<input type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	<input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	This action is expected to reduce regulatory requirements, but the specific reductions are not yet known.	
Expected Date	July or August 2023	

Action/Stage or Guidance Document Forum ID (if available)	
Not available.	
Title of Proposed Regulatory Action or Guidance Document	
24VAC30-73 Access Management Regulations NOIRA by VDOT	
Brief Overview	
A preliminary review of the regulation has indicated that amendments to the regulation are warranted. Thus a NOIRA is expected to be filed to begin a comprehensive review of the regulation, which was developed in accordance with a legislative mandate directing the Commissioner of Highways to develop comprehensive highway access management regulations and standards.	
Regulatory Stage (check one box)	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed <input type="checkbox"/> Final <input type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action <input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	This action is expected to reduce regulatory requirements, but the specific reductions are not yet known.
Expected Date	July or August 2023

Action/Stage or Guidance Document Forum ID (if available)	
Not available.	
Title of Proposed Regulatory Action or Guidance Document	
24VAC30-121 Comprehensive Roadside Management Program Regulations NOIRA by VDOT	
Brief Overview	
A preliminary review of the regulation has indicated that amendments to the regulation are warranted. Thus a NOIRA is expected to be filed to begin a comprehensive review of the regulation, which enables private businesses, civic organizations, communities, individuals, and local governments an opportunity to improve the appearance and safety of the state-maintained right-of-way or real property, herein referred to as right-of-way, by participating in the project development, establishment, and maintenance of landscaping activities within the state-maintained right-of-way. This chapter sets forth policies and procedures governing the program.	
Regulatory Stage (check one box)	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed <input type="checkbox"/> Final <input type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action <input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	This action is expected to reduce regulatory requirements, but the specific reductions are not yet known.
Expected Date	July or August 2023

Action/Stage or Guidance Document Forum ID (if available)		
Not available.		
Title of Proposed Regulatory Action or Guidance Document		
24VAC30-92 Secondary Street Acceptance Requirements NOIRA by the CTB		
Brief Overview		
The Secondary Street Acceptance Requirements establish the conditions and standards that must be met before secondary streets constructed by developers, localities and entities other than VDOT will be accepted into the state secondary system for maintenance by VDOT. Chapter 425 of the 2022 Acts of Assembly amended the connectivity requirements in 33.2-334 for new additions to the secondary system by specifying that flexibility be included in the regulations for connectivity requirements as deemed appropriate and required that VDOT convene a stakeholder advisory group to recommend amendments to the regulation.		
Regulatory Stage (check one box)	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed <input type="checkbox"/> Final	<input type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute	<input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	The amendments expected to be proposed will allow flexible options for meeting or waiving existing requirements for the number and location of connections to existing highways that must be made from a new addition to the secondary system.	
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Not available.		
Title of Proposed Regulatory Action or Guidance Document		
Manual for the Procurement and Management of Professional Services updates by VDOT		
Brief Overview		
The Manual will be updated to reflect current procurement practices consistent with best practice. The updates will streamline the guidance document into procurement 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 (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed <input type="checkbox"/> Final	<input type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action	<input checked="" type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	<input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	The amendments are expected to reduce the length of the guidance document.	
Expected Date	July-September 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Not available.		
Title of Proposed Regulatory Action or Guidance Document		
Revenue Sharing Program Guidelines updates by the CTB		
Brief Overview		
The guidelines are expected to be updated in connection with expected revisions to the CTB Policy on Revenue Sharing.		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed <input type="checkbox"/> Final	<input type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action	X Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	X Discretionary action
Deregulatory Component	Specific reductions cannot be identified at this time.	
Expected Date	August-October 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Not available.		
Title of Proposed Regulatory Action or Guidance Document		
Transportation Alternatives Program Guide updates by the CTB		
Brief Overview		
The guide is expected to be updated to address: changes to the local government allocation process; changes associated with federal law; content to reflect current federal guidance; and incorporation of any new policies set by the CTB.		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed <input type="checkbox"/> Final	<input type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action	X Guidance Document
Legal Authority	<input checked="" type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	X Discretionary action
Deregulatory Component	Specific reductions cannot be identified at this time, however, the document is expected to be streamlined to remove duplicated information.	
Expected Date	August-October 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Not available.		
Title of Proposed Regulatory Action or Guidance Document		
Guide to Highway System Changes updates by VDOT		
Brief Overview		
A review of the Guide is expected to be conducted and targeted revisions are expected to be made due to changes in practice.		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed <input type="checkbox"/> Final	<input type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action	X Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	X Discretionary action
Deregulatory Component	Specific reductions cannot be identified at this time.	
Expected Date	September-November 2023	

Action/Stage or Guidance Document Forum ID (if 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.		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed <input type="checkbox"/> Final	<input type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action	X Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	X Discretionary action
Deregulatory Component	Specific reductions cannot be identified at this time.	
Expected Date	October 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Not available.		
Title of Proposed Regulatory Action or Guidance Document		
24VAC30-200 Vegetation Control Regulations on State Rights-of-Way amendments proposed by the CTB		
Brief Overview		
Proposed amendments expected to be filed based upon the comprehensive review of the regulation conducted at the NOIRA stage. The regulation sets forth the policies, criteria, and procedures that VDOT, on behalf of the CTB, applies in granting permits to allow vegetation to be removed from the vicinity of signs/structures on state highway rights of way controlled by the CTB/VDOT.		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Proposed <input type="checkbox"/> Final	<input type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	<input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	This action is expected to reduce regulatory requirements, but the specific 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		
24VAC30-151 Land Use Permit Regulations amendments proposed by the CTB		
Brief Overview		
Proposed amendments 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 (check one box)	<input type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Proposed <input type="checkbox"/> Final	<input type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	<input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	This action is expected to reduce regulatory requirements, but the specific 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 24VAC30-73 Access Management Regulations amendments proposed by VDOT		
Brief Overview Proposed amendments expected to be filed based upon the comprehensive review of the regulation conducted at the NOIRA stage. The regulation was developed in accordance with a legislative mandate directing the Commissioner of Highways to develop comprehensive highway access management regulations and standards.		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Proposed <input type="checkbox"/> Final	<input type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	<input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	This action is expected to reduce regulatory requirements, but the specific 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 24VAC30-121 Comprehensive Roadside Management Program Regulations amendments proposed by VDOT		
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 of the state-maintained right-of-way or real property, herein referred to as right-of-way, by participating in the project development, establishment, and maintenance of landscaping activities within the state-maintained right-of-way. This chapter sets forth policies and procedures governing the program.		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Proposed <input type="checkbox"/> Final	<input type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	<input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	This action is expected to reduce regulatory requirements, but the specific 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 24VAC30-92 Secondary Street Acceptance Requirements amendments proposed by the CTB	
Brief Overview The Secondary Street Acceptance Requirements establish the conditions and standards that must be met before secondary streets constructed by developers, localities and entities other than VDOT will be accepted into the state secondary system for maintenance by VDOT. Chapter 425 of the 2022 Acts of Assembly amended the connectivity requirements in 33.2-334 for new additions to the secondary system by specifying that flexibility be included in the regulations for connectivity requirements as deemed appropriate and required that VDOT convene a stakeholder advisory group to recommend amendments to the regulation.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Proposed <input type="checkbox"/> Final <input type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action <input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Discretionary action <input checked="" type="checkbox"/> Action required by state statute
Deregulatory Component	The amendments expected to be proposed will allow flexible options for meeting or waiving existing requirements for the number and location of connections to existing highways that must be made from a new addition to the secondary system.
Expected Date	October-November 2023

Action/Stage or Guidance Document Forum ID (if 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.	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed <input type="checkbox"/> Final <input type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action <input checked="" type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	Specific reductions cannot be identified at this time.
Expected Date	March 2024

Action/Stage or Guidance Document Forum ID (if available)		
Not available.		
Title of Proposed Regulatory Action or Guidance Document		
Manual for the Procurement and Management of Professional Services updates by VDOT		
Brief Overview		
The Manual may be updated with clarifications regarding process changes resulting from ongoing business process improvement efforts.		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed <input type="checkbox"/> Final	<input type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action	X Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	X Discretionary action
Deregulatory Component	Specific reductions cannot be identified at this time.	
Expected Date	March-May 2024	

Action/Stage or Guidance Document Forum ID (if available)		
Not available.		
Title of Proposed Regulatory Action or Guidance Document		
Traffic Impact Analysis Regulation Administrative Guidelines updates by VDOT		
Brief Overview		
A review of the Guidelines is expected to be conducted and targeted revisions are expected to be made due to changes in practice.		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed <input type="checkbox"/> Final	<input type="checkbox"/> Emergency or Emergency/NOIRA <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action	X Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	X Discretionary action
Deregulatory Component	Specific reductions cannot be identified at this time.	
Expected Date	March-May 2024	

