

Unified Regulatory Plan of the Department of State Police for State Fiscal Year 2024

Prepared on June 7, 2023

Description of Agency or Boards

The Department of State Police is the Commonwealth's only statewide full-service law enforcement agency. As the largest law-enforcement agency in Virginia, the Department provides high quality, statewide law enforcement services to the residents of the Commonwealth of Virginia and its visitors. The Department provides traffic and criminal enforcement services throughout the Commonwealth as well as providing communication, investigative, and technical support to local law enforcement agencies. The Department also manages the Virginia motor vehicle inspections program and commercial vehicle enforcement; conducts state and federally mandated background checks for the purchase of a firearm; and maintains the repository of criminal record information in Virginia, among many other functions.

The Department promulgates numerous, statutorily mandated, regulations governing its various programs and operations including commercial motor vehicle enforcement, standards and specifications for motor vehicle equipment, pawnbroker records keeping, the Sex Offender Registry, firearms transactions, reporting of found firearms, and methamphetamine precursor tracking. The Department operates under the supervision of the Secretary of Public Safety and Homeland Security.

The only confirmed projected regulatory action for FY2024 is set forth below. In addition to this known change the Department is actively reviewing 100% of its current regulations as part of the Administration's efforts to streamline regulations and reduce unnecessary regulatory burdens upon the Commonwealth, localities, Virginia citizens, and companies doing business in Virginia. It is anticipated that this review will be complete sometime in August 2023. Upon completion, the Department will begin a prioritized, staggered, introduction of regulatory actions to implement any reductions identified.

Title of Proposed Regulatory Action or Guidance Document Motor Carrier Safety Regulations - Summer 2023 Amendments – FINAL – 19VAC30-20		
Brief Overview Pursuant to section 52-8.4 the Superintendent of State Police, with the cooperation of such other agencies of the Commonwealth as may be necessary, shall promulgate regulations pertaining to commercial motor vehicle safety pursuant to the United States Motor Carrier Act of 1984. These regulations shall set forth criteria relating to driver, vehicle, and cargo safety inspections with which motor carriers and transport vehicles shall comply and shall be no more restrictive than the applicable provisions of the Federal Motor Carrier Safety Regulations of the United States Department of Transportation. The adoption of these regulations is required for the Commonwealth to remain eligible for federal grants which support the Commonwealth's commercial motor vehicle enforcement efforts. This revision is being made to grant qualified Virginia law enforcement officers the authority to enforce with the Federal Motor Carrier Safety Regulations promulgated by the U.S. Department of Transportation, Federal Motor Carrier Safety Administration, with amendments promulgated and in effect as of October 1, 2023, pursuant to the United States Motor Carrier Safety Act found in 49 CFR Part 385 and 49 CFR 395.		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule	<input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule
Additional	<input type="checkbox"/> Expedited Rule	<input type="checkbox"/> Guidance Document

Description	<input checked="" type="checkbox"/> Exempt Rule
Legal Authority	<input checked="" type="checkbox"/> Action required by federal statute <input type="checkbox"/> Discretionary action <input checked="" type="checkbox"/> Action required by state statute
Deregulatory Component	This action will ensure the Commonwealth remains in compliance with the FY 2023 Motor Carrier Safety Action Program (MCSAP) Grant funding received from the US DOT.
Expected Date	November 2023