



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Pierce R. Homer
Chairman

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Agenda item # 3

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

October 15, 2009

MOTION

**Made By: Mr. White Seconded By: Mrs. Carter
Action: Motion: Motion Carried, Unanimously**

Title: Repeal of *Minimum Standards of Entrances to State Highways (24 VAC 30-71)* and *General Rules and Regulations of the Commonwealth Transportation Board (24 VAC 30-20)* and Promulgation of Replacement *General Rules and Regulations of the Commonwealth Transportation Board (24 VAC 30-21)*

WHEREAS, Chapters 863 and 928 of the Acts of Assembly of 2007 amended §§ 33.1-13, 33.1-198, and 33.1-199 of the *Code of Virginia*, and added § 33.1-198.1 to the *Code of Virginia* to require the Commonwealth Transportation Commissioner (Commissioner) to develop comprehensive highway access management regulations and standards; and

WHEREAS, Chapters 274 and 454 of the Acts of Assembly of 2008 directed the Commissioner to promulgate these comprehensive access management regulations and standards in phases; and

WHEREAS, in accordance with these directives, the Commissioner promulgated the *Access Management Regulations: Principal Arterials (24 VAC 30-72)*, which went into effect July 1, 2008, and the *Access Management Regulations: Minor Arterials, Collectors, and Local Streets (24 VAC 30-73)*, which went into effect October 14, 2009; and

WHEREAS, these new regulations and design standards will replace and supersede the *Minimum Standards of Entrances to State Highways (24 VAC 30-71)*, originally adopted by the Commonwealth Transportation Board (CTB) on June 12, 1997; and

WHEREAS, the *General Rules and Regulations of the Commonwealth Transportation Board (24 VAC 30-20)*, adopted by the CTB on July 18, 1974, contains provisions that are

Resolution of the Board

Repeal of *Minimum Standards of Entrances to State Highways* (24 VAC 30-71) and *General Rules and Regulations of the Commonwealth Transportation Board* (24 VAC 30-20) and Promulgation of *General Rules and Regulations of the Commonwealth Transportation Board* (24 VAC 30-21)

October 15, 2009

Page Two

obsolete or superseded by statute or other regulation, making it necessary to repeal the existing regulation and promulgate a replacement regulation; and

WHEREAS, the repeal of the *Minimum Standards of Entrances to State Highways* and the *General Rules and Regulations of the Commonwealth Transportation Board*, and promulgation of a replacement *General Rules and Regulations of the Commonwealth Transportation Board* are subject to the requirements of the Administrative Process Act; and

NOW THEREFORE BE IT RESOLVED, that the Commonwealth Transportation Board hereby repeals the *Minimum Standards of Entrances to State Highways* (24 VAC 30-71), repeals the *General Rules and Regulations of the Commonwealth Transportation Board* (24 VAC 30-20) and adopts the replacement regulation *General Rules and Regulations of the Commonwealth Transportation Board* (24 VAC 30-21) as attached hereto; the effective date of the regulatory actions approved herein shall be as provided for by the regulatory submission requirements established by the *Code of Virginia*, Executive Order 36 (2006), and the State Registrar of Regulations, and the Virginia Department of Transportation shall process these actions as expeditiously as possible.

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