



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

W. Sheppard Miller, III
Chairperson

1221 East Broad Street
Richmond, Virginia 23219

(804) 482-5818

Agenda item # 13

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

January 6, 2026

MOTION

Made By: Ms. Dunlop, **Seconded By:** Mr. Good

Action: Motion Carried, Unanimously

Title: Regulatory Reduction Program and Final Regulatory Amendments: Rules and Regulations for the Administration of Waysides and Rest Areas (24VAC30-50) and Rules and Regulations for the Administration of Parking Lots and Environs (24VAC30-100)

WHEREAS, pursuant to the resolution titled *Regulatory Reduction Program and Proposed Regulatory Amendments: Rules and Regulations for the Administration of Waysides and Rest Areas (24VAC30-50) and Rules and Regulations for the Administration of Parking Lots and Environs (24VAC30-100)* approved at the Commonwealth Transportation Board's (CTB) December 4, 2024, action meeting, the Virginia Department of Transportation (VDOT) filed the approved proposed amendments to consolidate the Rules and Regulations for the Administration of Waysides and Rest Areas (24VAC30-50) and Rules and Regulations for the Administration of Parking Lots and Environs (24VAC30-100) and the associated Agency Background Document for the Proposed stage regulatory action on the Virginia Regulatory Town Hall (Town Hall) website; and

WHEREAS, prior to approval of the December 4, 2024, resolution, the CTB requested that this regulatory action be brought back to the Board prior to final action; and

WHEREAS, no concerns were raised or adverse impacts noted by the Office of the Attorney General and the Department of Planning and Budget during their review of the proposed amendments; and

WHEREAS, no public comments were received during the 60-day public comment period held in conjunction with publication of the Proposed stage in the *Virginia Register of Regulations*; and

Resolution of the Board

Regulatory Reduction Program and Final Regulatory Amendments: Rules and Regulations for the Administration of Waysides and Rest Areas (24VAC30-50) and Rules and Regulations for the Administration of Parking Lots and Environs (24VAC30-100)

January 6, 2026

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WHEREAS, no changes are proposed to the amendments (Attachment A) as previously approved by the CTB; and

WHEREAS, pursuant to the Administrative Process Act, the final amendments to the regulations must now be posted on Town Hall in conjunction with the final stage of the regulatory process and published in the *Virginia Register of Regulations* for a public comment period of 30 days before the amendments become effective; and

WHEREAS, VDOT has completed an Agency Background Document (TH-03) to be filed on Town Hall in conjunction with the final stage for these regulations (Attachment B); and

WHEREAS, the CTB originally adopted 24VAC30-50 and 24VAC30-100 pursuant to the authority set forth in §§ 33.2-118, 33.2-210, and 33.2-246 of the *Code of Virginia*, 23 USC § 111, and 23 CFR § 752.5, and is authorized to take action to amend, repeal or retain said regulations.

NOW, THEREFORE, BE IT RESOLVED, that the Commonwealth Transportation Board hereby approves the consolidation of and amendments to the Rules and Regulations for the Administration of Waysides and Rest Areas (24VAC30-50) and Rules and Regulations for the Administration of Parking Lots and Environs (24VAC30-100), attached hereto (Attachment A).

BE IT FURTHER RESOLVED, that the Commonwealth Transportation Board directs the Commissioner of Highways or his designees to take all necessary actions to promulgate the consolidated, amended regulations, filing the necessary forms, including the Final Regulation Agency Background Document (Attachment B), as may be required by the Virginia Administrative Process Act.

BE IT FURTHER RESOLVED, that CTB approval of this item replaces and supersedes the February 19, 1987, resolution titled *Rules and Regulations for the Administration of Waysides and Rest Areas*, provided however that nothing herein is intended to invalidate any actions previously taken pursuant to that resolution.

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Commonwealth Transportation Board (CTB) Decision Brief

Regulatory Reduction Program and Final Regulatory Amendments: Rules and Regulations for the Administration of Waysides and Rest Areas (24VAC30-50) and Rules and Regulations for the Administration of Parking Lots and Environs (24VAC30-100)

Issue: The Virginia Department of Transportation (VDOT) is requesting approval from the Commonwealth Transportation Board (CTB) to move forward with the final stage amendments to consolidate and amend the Rules and Regulations for the Administration of Waysides and Rest Areas (24VAC30-50) and Rules and Regulations for the Administration of Parking Lots and Environs (24VAC30-100). VDOT received no public comments during the proposed stage public comment period, and as such, recommends no changes to the amendments as previously approved by the CTB.

Facts: Pursuant to the resolution titled *Regulatory Reduction Program and Proposed Regulatory Amendments: Rules and Regulations for the Administration of Waysides and Rest Areas (24VAC30-50) and Rules and Regulations for the Administration of Parking Lots and Environs (24VAC30-100)* approved at the December 4, 2024, action meeting, the CTB approved the proposed amendments to consolidate the Rules and Regulations for the Administration of Waysides and Rest Areas (24VAC30-50) and Rules and Regulations for the Administration of Parking Lots and Environs (24VAC30-100) and the associated Agency Background Document for the proposed stage regulatory action on the Virginia Regulatory Town Hall (Town Hall) website. Prior to approval of the December 4, 2024, resolution, the CTB requested that this regulatory action be brought back to the Board prior to final action.

VDOT filed the proposed stage regulatory action on Town Hall in January 2025. As part of the Executive Branch review of this action, no concerns were raised or adverse impacts noted by the Office of the Attorney General and the Department of Planning and Budget during their review of the proposed amendments. No public comments were received during the 60-day public comment period held in conjunction with publication of the proposed stage in the *Virginia Register of Regulations*.

As such, VDOT recommends no changes to the amendments (Attachment A) as previously approved by the CTB. Pursuant to the Administrative Process Act, the final amendments to the regulations must now be posted on Town Hall in conjunction with the final stage of the regulatory process and published in the *Virginia Register of Regulations* for a public comment period of 30 days before the amendments become effective. VDOT has completed an Agency Background Document (TH-03) to be filed on Town Hall in conjunction with the final stage for these regulations (Attachment B).

VDOT is now seeking approval to move forward with the final stage of the regulatory process for the consolidation of and amendments to 24VAC30-50 and 24VAC30-100. This will entail posting the regulatory amendments (Attachment A) and necessary forms, including the Final Regulation Agency Background Document (Attachment B), to Town Hall and publication of the final stage in the *Virginia Register of Regulations*, upon which the 30-day public comment period will commence.

Brief summaries of the regulations and the proposed amendments are provided below.

The CTB has the authority to promulgate these regulations pursuant to its general authority to make regulations “for the protection of and covering traffic on and for the use of systems of state highways” in § 33.2-210 of the *Code of Virginia*. Further, 23 USC § 111 and 23 CFR § 752.5 govern agreements between states and the federal government for the construction of projects on the Interstate System and grant states the ability to acquire, construct, operate, and maintain rest areas along Interstate highways and place restrictions and limitations on the use of the areas. The CTB is authorized to "establish regulations for the use of recreational waysides, including regulations relating to (i) the time, place, and manner of parking of vehicles; (ii) activities that may be conducted within such waysides; (iii) solicitation and selling within the waysides; and (iv) such other matters as may be necessary or expedient in the interest of the motoring public" pursuant to subsection E of § 33.2-246 of the *Code of Virginia*. Additionally, § 33.2-118 of the *Code of Virginia* provides authority for the regulation of mobile food vending in commuter parking lots in Planning District 8.

The Rules and Regulations for the Administration of Waysides and Rest Areas, 24VAC30-50, establishes overall policies, procedures, and conditions under which waysides and rest areas under the control of the CTB may be used. The Rules and Regulations for the Administration of Parking Lots and Environs, 24VAC30-100, establishes the rules and conditions governing the use of, and activities that may be conducted in, parking lots and related environs under the control of the CTB.

The proposed amendments will combine Chapters 50 and 100 into a new Chapter 51 as there is considerable overlap between the two existing regulations. Text that is outdated and no longer reflects agency practice is proposed for removal. A proposed addition will allow for state government entities to request permission for activities at and uses and occupation of rest areas not otherwise prohibited by state or federal law. This will ensure the restrictions on uses of rest areas do not prohibit the distribution by state government entities of relevant safety information to travelers. Additional changes allow for permitting of events in parking lots on weekends, which will provide for use of the parking lot

facilities when they are typically not otherwise being used by parked vehicles, and expand mobile food vending to parking lots outside of Planning District 8.

Recommendations: VDOT recommends the CTB authorize VDOT to file the final regulatory stage, including the proposed consolidation and amendments and associated Agency Background Document, for 24VAC30-50 and 24VAC30-100.

Action Required by CTB: The CTB will be presented with a resolution and the corresponding proposed regulatory amendments and Agency Background Document for a formal vote.

Result, if Approved: VDOT will advance the final consolidation of and amendments to 24VAC30-50 and 24VAC30-100 through the regulatory process by filing the final stage.

Options: Approve, Deny, or Defer

Public Comments/ Reaction: No comments were received during the 60-day public comment period held in conjunction with publication of the Proposed stage in the *Virginia Register of Regulations*.

Project 8000 - Proposed**Department of Transportation****Review of Rules for the Administration of Waysides, Rest Areas, Parking Lots and Environs**

Chapter 50

Rules and Regulations for the Administration of Waysides and Rest Areas (REPEALED)**24VAC30-50-10. Waysides and rest areas. (Repealed.)**

~~A. Waysides identified by name and without lights shall be open from 8 a.m. to one hour after sunset. Areas having security lighting will be open at all times.~~

~~B. When an area is posted for limited parking, the operator of each vehicle may be required to sign a register setting forth the time of arrival.~~

~~C. When posted, parking shall be limited to the period specified.~~

~~D. No overnight parking will be permitted.~~

~~E. Camping is not permitted at any time.~~

~~F. Sleeping in any section of the rest area building is not permitted at any time.~~

~~G. No vehicle shall be parked in such manner as to occupy more than one marked parking space.~~

~~H. No domestic animals shall be permitted to go at large. Dogs must be kept on leash and shall not be taken into any shelter or other building; guide, hearing, or service dogs as defined by the Code of Virginia are an exception to this rule.~~

~~I. No person shall pick any flowers, foliage, or fruit, or cut, break, dig up, or in any way mutilate or injure any tree, shrub, plant, grass, turf, railing, seat, fence, structure, or anything within this area; or cut, carve, paint, mark or paste on any tree, stone, fence, wall, building, monument or other object therein, any bill, advertisement, or inscription whatsoever.~~

~~J. No person shall disturb or injure any bird, birds' nests or eggs, or any squirrel or other animal within this area.~~

~~K. No person shall dig up or remove any dirt, stones, rock or other thing, make any excavation, quarry any stone or lay or set off any blast, or cause or assist in doing any of said things within this area without~~

~~the special order or license of the commissioner.~~

~~L. No threatening, abusive, boisterous, insulting or indecent language or gesture shall be used within this area. Nor shall any oration, or other public demonstration be made, unless by special authority of the commissioner.~~

~~M. No person shall offer any article or thing for sale within this area except by permission of the Commonwealth Transportation Board.~~

~~N. No person shall bathe or fish in any waters within this area, except in such places and subject to such regulations as the commissioner may, from time to time, specially designate by a public notice set up for that purpose within the same.~~

~~O. No person shall light, kindle or use any fire within this area, except at fireplaces designed and built for such purposes and the person or persons building a fire therein will be responsible for having it completely extinguished before leaving it.~~

~~P. No person shall discharge or set off within this area, any firearms, firecrackers, torpedoes, rockets, or other fireworks, except by permit from the commissioner.~~

~~Q. No bottles, broken glass, ashes, waste paper, or other rubbish shall be left within this area, except at such places as may be provided for the same.~~

~~R. No automobile or other vehicle shall be taken into or driven upon this area, except upon such drives and subject to such regulations as the commissioner may, from time to time, designate by a public notice set up for that purpose within the same.~~

~~S. Any person violating any of the preceding rules and regulations shall be guilty of a misdemeanor and, upon conviction, be fined not less than five dollars nor more than \$100 for each offense.~~

Chapter 51

Rules for the Administration of Waysides, Rest Areas, and Parking Lots

24VAC30-51-10. Provisions concerning the use of waysides, rest areas, parking lots, and environs.

A. While in waysides, rest areas, parking lots and the environs of those spaces, all persons shall obey official posted signs and public notices.

B. No camping is permitted in waysides, rest areas, parking lots, or the environs of those spaces.

C. No person may park a vehicle in such a manner as to occupy more than one parking space in waysides, rest areas, or parking lots.

D. No person may paste, attach, or place bills, advertisements, or inscriptions on vehicles parked in waysides, rest areas, or parking lots.

E. No domestic animals may go at large in waysides, rest areas, parking lots, or the environs of those spaces.

F. While in waysides, rest areas, parking lots, and the environs of those spaces, no person may pick any flowers, foliage, or fruit; cut, break, dig up, mutilate, or injure trees, shrubs, plants, grass, turf, railings, seats, fences, structures, or other objects; or cut, carve, paint, mark, paste, or attach bills, advertisements, or inscriptions on trees, stones, fences, walls, buildings, monuments, or other objects.

G. No person may disturb or injure any bird, bird's nest or eggs, or other animal within waysides, rest areas, parking lots, or the environs of those spaces.

H. No person may dig up or remove any dirt, stones, rock, or other thing, make any excavation, quarry any stone, or lay or set off any blast or cause or assist in any of these activities within waysides, rest areas, parking lots, or the environs of those spaces, except by permit issued pursuant to the Land Use Permit Regulations (24VAC30-151).

I. No oration, demonstration, picketing, public display, assembly, dissemination, or similar activity may occur in waysides, rest areas, parking lots, or the environs of those spaces, except as may be allowed by 24VAC30-51-30 or 24VAC30-51-40. This prohibition does not apply to the Virginia Department of Transportation.

J. No person may offer any article or thing for sale within waysides, rest areas, parking lots, or the environs of those spaces, except pursuant to a vendor contract with the Virginia Department of Transportation by permit in accordance with the Land Use Permit Regulations, or as permitted by 24VAC30-51-40.

K. No person may discharge or set off within waysides, rest areas, parking lots, or the environs of those spaces firearms, fireworks as defined in § 27-95 of the Code of Virginia, or other incendiary device, except by permit issued pursuant to the Land Use Permit Regulations.

L. No bottles, broken glass, wastepaper, or other rubbish may be left within waysides, rest areas, parking lots, or the environs of those spaces, except in such receptacles as may be provided for those

materials.

M. Vehicles may only be taken into or driven upon designated locations within waysides, rest areas, parking lots, and the environs of those spaces. Drivers shall obey all traffic signs and markings posted in waysides, rest areas, and parking lots.

N. Any person found in violation of this chapter shall be guilty of a misdemeanor and, upon conviction, be fined not less than \$5.00 nor more than \$100 for each offense and shall be civilly liable to the Commonwealth for all actual damage caused by a violation of this chapter.

24VAC30-51-20. Provisions governing waysides.

A. Unless otherwise posted, waysides identified by name and without lights are open from 8 a.m. until one hour after sunset, and waysides having security lighting are open at all times.

B. When posted, parking in waysides shall be limited to the period specified.

C. No overnight parking in waysides is permitted.

D. Unless otherwise posted, no person may swim or fish in any waters within a wayside.

E. No person may light, kindle, or use a fire within a wayside or its environs, except at designated areas designed and built for such purposes, in which case the person building the fire is responsible for having it completely extinguished before leaving it. Ashes shall be removed from the designated areas and disposed of in such receptacles as may be provided for ash disposal.

24VAC30-51-30. Provisions governing rest areas.

A. No overnight parking is permitted in rest areas.

B. No sleeping in any section of the rest area building is permitted at any time.

C. No dogs may be taken into any rest area building; guide, hearing, or service dogs as defined by § 51.5-44 of the Code of Virginia are an exception to this rule.

D. No person may light, kindle, or use a fire within a rest area or its environs, except at designated areas designed and built for such purposes, in which case the person building the fire is responsible for having it completely extinguished before leaving it. Ashes shall be removed from the designated areas and disposed of in such receptacles as may be provided for ash disposal.

E. Notwithstanding the provisions of this chapter, state government entities may request permission for

activities at and uses and occupation of rest areas not otherwise prohibited by state or federal law, and the Virginia Department of Transportation may grant such requests at its discretion.

24VAC30-51-40. Provisions governing parking lots.

A. Overnight parking may be restricted in accordance with posted signs.

B. In accordance with a permit issued pursuant to the Land Use Permit Regulations (24VAC30-151), the Commonwealth Transportation Board may permit persons, organizations, or groups to use parking lots or parking lot environs for various purposes or events when the use will not interfere with or disrupt the normal and intended functions of the lots.

1. No activities will be permitted that would constitute a violation of, or that are inconsistent with, the provisions of this chapter, state or federal law, or local ordinances, including noise ordinances.

2. Events must provide reasonable safety for all participants, spectators, other parking lot users, and the public.

3. Events must preserve the aesthetic appearance of buildings and grounds and provide for the removal of waste that may be left by event participants or spectators.

4. Requests for permits generally will be considered on a first-come, first-served basis. Parking lots may only be available for permitted events on Saturdays and Sundays. No more than one event will be scheduled for the same time on the same day. This includes permitted setup and takedown time.

5. The Virginia Department of Transportation may require the cancellation of a permitted event and the immediate removal of all related equipment if the permittee violates the permit conditions, does not preserve public safety or order, or does not prevent damage to the parking lot and parking lot environs during the permitted event.

C. Except as authorized by the terms of a land use permit issued to a mobile food vendor, no person may light, kindle, or use any fire within parking lots or parking lot environs.

D. Mobile food vending.

1. Mobile food vending shall be allowed within commuter lots in Planning District 8, and may be allowed in other parking lots, except parking lots that meet at least one of the following conditions:

a. Parking lots or parking lot portions determined to be part of the Interstate system.

b. Parking lots that, as of the last Virginia Department of Transportation survey, had occupancy

rates of 98% or higher, except that mobile food vending may be permitted in such lots (i) if a paved area, the use of which does not include or block access to one or more parking spaces, is available within the lot; (ii) if the vending is from a non-motorized cart on sidewalks, provided that the vehicle that is used to transport the cart is not parked in the parking lot; or (iii) on weekends.

c. The locality in which the parking lot is located requested that the parking lot not be made available for mobile food vending.

2. Permission for mobile food vending shall be granted through a land use permit issued to the mobile food vendor in accordance with the Land Use Permit Regulations.

3. In order for a mobile food vendor to be granted or to retain a land use permit for mobile food vending at parking lots pursuant to this subsection, the vendor must comply with all of the following:

a. All relevant locality and Department of Health policies and requirements for mobile food vending.

b. All conditions and requirements set forth within or attached to the land use permit, which may include provisions relating to the location of the vending unit, the collection and disposal of litter, a limitation on vending times, a requirement for minimum insurance, and the provision of surety.

c. Posted signs or public notices setting out regulations or requirements for the use of the parking lot.

d. Ensuring that mobile food vending shall be conducted with pedestrians only and may not be conducted with occupants of vehicles.

e. Neither the mobile food vendor nor the vending operation may interfere with the intended operation of the parking lot and the safety of the lot's users. The determination of interference shall be solely within the discretion of the Virginia Department of Transportation.

f. The mobile food vendor may not post advertising within or upon the grounds of the parking lot or the parking lot environs. Advertising on the mobile food vending unit (e.g., vehicle, trailer, or pushcart) promoting the products or services offered by the mobile food vendor at that mobile food vending unit shall not be considered a violation of this subdivision.

4. Failure to comply with subdivision 3 of this subsection will result in the revocation of the land use

permit.

Chapter 100

Rules and Regulations for the Administration of Parking Lots and Environs (REPEALED)

24VAC30-100-10. Parking lots and environs. (Repealed.)

~~A. While in this area all persons shall be subject to such regulations as the commissioner may designate by posted signs or public notice posted within the area.~~

~~B. No vehicle shall be parked in such a manner as to occupy more than one parking space.~~

~~C. No person shall paste, attach or place on any vehicle parked in this lot any bill, advertisement or inscription whatsoever.~~

~~D. No bottles, broken glass, ashes, waste paper, or other rubbish shall be left within this area except in such receptacles as may be provided for the same.~~

~~E. No person shall pick any flowers, foliage, or fruit; or cut, break, dig up or in any way mutilate or injure any tree, shrub, plant, grass, turf, fence, structure, or anything within this area; or cut, carve, paint, mark, paste, or in any way attach on any tree, stone fence, wall, building, or other object therein, any bill, advertisement, or inscription whatsoever.~~

~~F. No person shall disturb or injure any bird, birds' nest or eggs, or any squirrel or other animal within this area.~~

~~G. No threatening, abusive, boisterous, insulting or indecent language, or gesture shall be used within this area; furthermore, no oration or other public demonstration be made, except by permit from the commissioner.~~

~~H. No person shall offer any article or thing for sale within this area except by permission of the commissioner.~~

~~I. Mobile food vending.~~

~~1. Mobile food vending shall be allowed within commuter lots in Planning District 8 except lots that meet at least one of the following conditions:~~

~~a. Commuter lots or the portions thereof determined to be part of the interstate system.~~

~~b. Commuter lots that, as of last Virginia Department of Transportation (VDOT) survey, had~~

~~occupancy rates of 98% or higher, except that mobile food vending may be permitted in such lots (i) if a paved area, the use of which does not include one or more parking spaces or block one or more parking spaces, is available within the lot; (ii) if vending is from a nonmotorized cart on sidewalks, provided that the vehicle used to transport the cart is not parked within the commuter lot; or (iii) on weekends.~~

~~c. Commuter lots that have been requested by the locality to not be made available for mobile food vending.~~

~~2. Permission for mobile food vending shall be granted through a land use permit issued to the mobile food vendor in accordance with the Land Use Permit Regulations (24VAC30-151).~~

~~3. In order for a mobile food vendor to be granted or to retain a land use permit for mobile food vending at commuter lots pursuant to this subsection, the vendor must comply with all of the following:~~

~~a. All relevant locality and Department of Health policies and requirements for mobile food vending.~~

~~b. All land use permit conditions and requirements set forth within or attached to the land use permit, which may include provisions relating to the location of the vending unit, the collection and disposal of litter, a limitation on vending times, a requirement for minimum insurance, and the provision of surety.~~

~~c. Posted signs or public notices setting out regulations or requirements for the use of commuter lots.~~

~~d. Mobile food vending shall be conducted with pedestrians only and shall not be conducted with occupants of vehicles.~~

~~e. Neither the mobile food vendor nor the vendor's operation shall interfere with the operation of the commuter lot and the safety of the lot's users, and the determination of whether the mobile food vendor or the vendor's operation is interfering with the operation of the commuter lot or the safety of the lot's users shall be solely within the discretion of VDOT.~~

~~f. The mobile food vendor shall post no advertising within or upon the grounds of the commuter lot. Advertising on the mobile food vending unit (vehicle, trailer, or pushcart), promoting the products or services offered by the mobile food vendor at that mobile food vending unit, is not~~

~~considered a violation of this section.~~

~~Failure to comply with this subdivision 3 will result in the revocation of the permit.~~

~~J. Except as authorized by the terms of a land use permit issued to a mobile food vendor, no person shall light, kindle, or use any fire within this area.~~

~~K. No person shall discharge or set off within this area, any firearms or fireworks, except by permit from the commissioner.~~

~~L. Any person violating any of the preceding rules and regulations shall be guilty of a misdemeanor and, upon conviction, be fined not less than five dollars nor more than \$100 for each offense.~~



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Final Regulation Agency Background Document

Agency name	Commonwealth Transportation Board
Virginia Administrative Code (VAC) Chapter citation(s)	24VAC30-50 and 24VAC30-100
VAC Chapter title(s)	Review of Rules for the Administration of Waysides, Rest Areas, Parking Lots and Environs
Action title	Chapters 50 and 100 Regulatory Reform and Periodic Review
Date this document prepared	____, 2026

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19, the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

The Rules and Regulations for the Administration of Waysides and Rest Areas, 24VAC30-50, establishes overall policies, procedures, and conditions under which waysides and rest areas under the control of the CTB may be used. Currently, Chapter 50 addresses subjects such as operating hours and prohibited and restricted activities. The Rules and Regulations for the Administration of Parking Lots and Environs, 24VAC30-100, establishes the rules and conditions governing the use of, and activities that may be conducted in, parking lots and related environs under the control of the CTB. Currently, Chapter 100 addresses subjects such as restrictions on parking, prohibited activities, and activities that may be performed under a permit.

The CTB has undertaken a comprehensive review of 24VAC30-50 and 24VAC30-100. The intent of this action is to achieve regulatory reduction and streamlining and to remove redundant or obsolete language in accordance with Governor Youngkin's Executive Order 19 (EO 19). The two regulatory chapters are

proposed to be combined into a new Chapter 51 to remove the overlapping requirements currently duplicated in both regulations. The requirements common to both current chapters will be consolidated into one section within the new regulatory text. The unique provisions of each current chapter will be retained as new standalone sections to ensure the public can easily find and understand the applicable requirements.

Other proposed new additions include the allowance for state government entities to request and be granted permission for activities at and uses and occupation of rest areas not otherwise prohibited by state or federal law, allowance for permitting of events in parking lots on weekends, and expansion of the allowance for mobile food vending to parking lots outside of Planning District 8.

Acronyms and Definitions

Define all acronyms used in this form, and any technical terms that are not also defined in the "Definitions" section of the regulation.

"Agency" or "VDOT" means the Virginia Department of Transportation.

"CTB" means the Commonwealth Transportation Board.

Statement of Final Agency Action

Provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) that the agency has "adopted final amendments" to the regulation; 3) the name of the agency taking the action; and 4) the title of the regulation. A suggested statement is, "On [insert date] the Board/Department of [insert name] adopted final amendments to the [title of regulation(s)]."

On [redacted], 2026, the CTB adopted final amendments to 24VAC30-50, Rules and Regulations for the Administration of Waysides and Rest Areas, and 24VAC30-100, Rules and Regulations for the Administration of Parking Lots and Environs.

Mandate and Impetus

List all changes to the information reported on the Agency Background Document submitted for the previous stage regarding the mandate for this regulatory change, and any other impetus that specifically prompted its initiation. If there are no changes to previously reported information, include a specific statement to that effect.

There are no changes to previously reported information.

Legal Basis

Identify (1) the promulgating agency, and (2) the state and/or federal legal authority for the regulatory change, including the most relevant citations to the Code of Virginia and Acts of Assembly chapter number(s), if applicable. Your citation must include a specific provision, if any, authorizing the promulgating agency to regulate this specific subject or program, as well as a reference to the agency's overall regulatory authority.

Authority for these chapters comes from § 33.2-210 of the Code of Virginia and 23 USC § 111 and related federal regulations. The Commonwealth Transportation Board has general authority to adopt regulations “for the protection of and covering traffic on and for the use of systems of state highways” and has “the authority to add to, amend, or repeal such regulations” pursuant to § 33.2-210 of the Code of Virginia. 23 USC § 111 and 23 CFR § 752.5 govern agreements between states and the federal government for the construction of projects on the Interstate System and grant states the ability to acquire, construct, operate, and maintain rest areas along Interstate highways and place restrictions and limitations on the use of the areas.

Additional authority for Chapter 50 is provided under subsection E of § 33.2-246 of the Code of Virginia, which authorizes the CTB to “establish regulations for the use of recreational waysides, including regulations relating to (i) the time, place, and manner of parking of vehicles; (ii) activities that may be conducted within such waysides; (iii) solicitation and selling within the waysides; and (iv) such other matters as may be necessary or expedient in the interest of the motoring public.”

Additional authority for Chapter 100 comes from § 33.2-118 of the Code of Virginia, which provides authority for regulation of mobile food vending in commuter parking lots in Planning District 8.

Purpose

Explain the need for the regulatory change, including a description of: (1) the rationale or justification, (2) the specific reasons the regulatory change is essential to protect the health, safety, or welfare of citizens, and (3) the goals of the regulatory change and the problems it is intended to solve.

The CTB believes Chapters 50 and 100 are necessary for the protection of public health, safety, and welfare. The amendments will preserve the health, safety, and welfare of users and the integrity of the facilities through prohibiting potentially dangerous conduct and restricting other conduct which may negatively interfere with the intended uses of these areas. The combination of Chapters 50 and 100 into a new Chapter 51 will also protect citizens as there is considerable overlap between the two existing regulations, and this change will streamline the regulations and reduce confusion for users of these facilities. Text that is outdated and no longer reflects agency practice is proposed for removal. Many changes to the text of the regulation will be made in accordance with the Virginia Register of Regulation’s “Form, Style and Procedure Manual for Publication of Virginia Regulations” to ensure the regulation is easily readable and understandable.

A provision will be added to allow for state government entities to request permission for activities at and uses and occupation of rest areas not otherwise prohibited by state or federal law. This will ensure the restrictions on uses of rest areas do not prohibit the distribution of relevant safety information to travelers by state government entities. Additional changes allow for permitting of events in parking lots on weekends. This will provide for use of the parking lot facilities on weekends when they are typically not otherwise being used by parked vehicles. Another change is to expand mobile food vending to parking lots outside of Planning District 8. Other changes to the regulation are necessary to update language which is no longer relevant or which no longer reflects current practice.

Substance

Briefly identify and explain the new substantive provisions, the substantive changes to existing sections, or both. A more detailed discussion is provided in the “Detail of Changes” section below.

Substantive changes include combining the two regulatory chapters into a new Chapter 51 to remove the overlapping requirements currently duplicated in both regulations. The overlapping requirements will be

consolidated into one section within the new regulatory text and the unique provisions of each current chapter will be retained as new standalone sections to ensure the public can easily find and understand the applicable requirements.

Furthermore, new substantive additions include the allowance for state government entities to request permission for activities at and uses and occupation of rest areas not otherwise prohibited by state or federal law, the allowance for permitting events in parking lots on weekends, and expansion of the allowance for mobile food vending to parking lots outside of Planning District 8.

Other proposed amendments will achieve administrative updates, add clarifying language, and bring the text in line with current practice.

Issues

Identify the issues associated with the regulatory change, including: 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions; 2) the primary advantages and disadvantages to the agency or the Commonwealth; and 3) other pertinent matters of interest to the regulated community, government officials, and the public. If there are no disadvantages to the public or the Commonwealth, include a specific statement to that effect.

The primary benefit to the public of combining the two regulatory chapters into a new Chapter 51 is to ensure the regulatory requirements are easy to find and understand. Other proposed changes will benefit the public through removing outdated language and providing clarity as to current VDOT practice.

The allowance for state government entities to request permission for activities at and uses and occupation of rest areas not otherwise prohibited by state or federal law will benefit other state government entities as they will be able to request permission to set up tables or hand out educational materials to the public at Virginia’s rest areas. This will also benefit the traveling public as they will be better informed as a result of the information provided to them by government entities.

The allowance for permitting events in parking lots will benefit the public as there will be more opportunities for productive use of the parking lots on weekends. Example activities that could be permitted include farmers markets or car shows.

Expanding the opportunity for mobile food vending in parking lots outside of Planning District 8 will benefit mobile food vendors as they will be able to obtain permits for vending in more lots than allowed under the current regulation. The number and location of lots where new vending would be permitted has not yet been determined.

There are no anticipated disadvantages to the public or the Commonwealth from the proposed regulatory changes.

Requirements More Restrictive than Federal

List all changes to the information reported on the Agency Background Document submitted for the previous stage regarding any requirement of the regulatory change which is more restrictive than applicable federal requirements. If there are no changes to previously reported information, include a specific statement to that effect.

There are no changes to previously reported information.

Agencies, Localities, and Other Entities Particularly Affected

List all changes to the information reported on the Agency Background Document submitted for the previous stage regarding any other state agencies, localities, or other entities that are particularly affected by the regulatory change. If there are no changes to previously reported information, include a specific statement to that effect.

Other State Agencies Particularly Affected

There are no changes to previously reported information.

Localities Particularly Affected

There are no changes to previously reported information.

Other Entities Particularly Affected

There are no changes to previously reported information.

Public Comment

Summarize all comments received during the public comment period following the publication of the previous stage, and provide the agency’s response. Include all comments submitted: including those received on Town Hall, in a public hearing, or submitted directly to the agency. If no comment was received, enter a specific statement to that effect.

No public comments were received during the public comment period.

Detail of Changes Made Since the Previous Stage

*List all changes made to the text since the previous stage was published in the Virginia Register of Regulations and the rationale for the changes. For example, describe the intent of the language and the expected impact. Describe the difference between existing requirement(s) and/or agency practice(s) and what is being proposed in this regulatory change. Explain the new requirements and what they mean rather than merely quoting the text of the regulation. * Put an asterisk next to any substantive changes.*

A comma will be added after “Transportation” in the proposed 24VAC30-51-10(J). The subsection will read, “No person may offer any article or thing for sale within waysides, rest areas, parking lots and their environs except pursuant to a vendor contract with the Virginia Department of Transportation, by permit in accordance with the Land Use Permit Regulations (24VAC30-151), or as permitted by section 40 of this chapter.” This comma was inadvertently removed upon publication of the Proposed stage. The CTB proposes to add this comma back into the regulatory text to ensure the meaning of the subsection is as intended.

Detail of All Changes Proposed in this Regulatory Action

List all changes proposed in this action and the rationale for the changes. For example, describe the intent of the language and the expected impact. Describe the difference between existing requirement(s)

and/or agency practice(s) and what is being proposed in this regulatory change. Explain the new requirements and what they mean rather than merely quoting the text of the regulation. * Put an asterisk next to any substantive changes.

Current chapter-section number	New chapter-section number, if applicable	Current requirements in VAC	Change, intent, rationale, and likely impact of updated requirements
50-10(A)	51-20(A)	Sets the hours during which certain waysides will be open.	This language will be added to the new section pertaining to waysides. In the new regulatory text, "Unless otherwise posted," will be added to the beginning of this provision to allow flexibility for signage to be posted at specific waysides setting different opening hours.
50-10(B)		States that when an area is posted for limited parking, the operator of each vehicle may be required to sign a register setting forth the time of arrival.	This language is proposed to be removed as it is not current practice to require vehicle operators to sign a register setting forth the time of arrival.
50-10(C)	51-20(B)	States that when posted, parking shall be limited to the period specified.	This language will be added to the new section pertaining to waysides.
50-10(D)	51-20(C) and 51-30(A)	Prohibits overnight parking.	This language will be simplified and added to the new sections pertaining to waysides and rest areas.
50-10(E)	51-10(B)	States that camping is not permitted at any time.	The text of this requirement will be simplified. In the combined regulation, this will become a generally applicable requirement for waysides, rest areas, and parking lots and environs.
50-10(F)	51-30(B)	Prohibits sleeping in rest area buildings.	This language will be added to the new section pertaining to rest areas.
50-10(G) and 100-10(B)	51-10(C)	States that no vehicle shall be parked in such manner as to occupy more than one marked parking space. The word "marked" is not included in the very similar text from Chapter 100.	The text of this requirement will be simplified. In the combined regulation, this will become a generally applicable requirement for waysides, rest areas, and parking lots and environs.
50-10(H)	51-10(E) and 51-30(C)	Prohibits domestic animals from going at large; requires dogs to be kept on leash and prohibits them from being taken into any shelter or other building; and exempts guide, hearing, or service dogs as defined by the Code of Virginia.	The prohibition on domestic animals going at large will become a generally applicable requirement for waysides, rest areas, and parking lots and environs. The text will be simplified. Specific language regarding dogs entering buildings will be added to the new section pertaining to rest areas. The text will also be simplified.

50-10(I) and 100-10(E)	51-10(F)	Prohibit picking any flowers, foliage, or fruit; cutting, breaking, digging up or in any way mutilating or injuring any tree, shrub, plant, grass, turf, fence, structure, or anything within the area; or cutting, carving, painting, marking, pasting, or in any way attaching on any tree, stone, fence, wall, building, or other object therein, any bill, advertisement, or inscription whatsoever.	This language will become a generally applicable requirement for waysides, rest areas, and parking lots and environs. The text will be simplified.
50-10(J) and 100-10(F)	51-10(G)	State that no person shall disturb or injure any bird, birds' nest or eggs, or any squirrel or other animal within the area.	This language will become a generally applicable requirement for waysides, rest areas, and parking lots and environs. The text will be simplified.
50-10(K)	51-10(H)	Prohibits digging up or removing any dirt, stones, rock or other thing, making any excavation, quarrying any stone or laying or setting off any blast, or causing or assisting in doing any of said things without the special order or license of the commissioner.	This language will become a generally applicable requirement for waysides, rest areas, and parking lots and environs. The text will be simplified and modified to reflect the current agency practice of requiring a Land Use Permit in accordance with 24VAC30-151 for conduct of the noted activities.
50-10(L) and 100-10(G)	51-10(I)	Prohibit threatening, abusive, boisterous, insulting or indecent language or gestures within these areas and prohibits any oration, or other public demonstration, unless permitted by the commissioner.	This language will become a generally applicable requirement for waysides, rest areas, and parking lots and environs. The text will be rewritten and clarified to state, "No oration, demonstration, picketing, public display, assembly, dissemination, or similar activity may occur in waysides, rest areas, parking lots, or the environs of those spaces, except as may be allowed by 24VAC30-51-30 or 24VAC30-51-40. This prohibition does not apply to the Virginia Department of Transportation (VDOT)." These changes will reflect text proposed to be added to sections 30 and 40 of the new regulation.
50-10(M) and 100-10(H)	51-10(J)	Prohibit offering any article or thing for sale within these areas except by permission of the CTB for waysides and rest areas or the commissioner for parking lots and environs.	This language will become a generally applicable requirement for waysides, rest areas, and parking lots and environs. The text will be simplified and modified to reflect the current agency practice. A comma will be added after "Transportation" in the proposed 24VAC30-51-10(J). The subsection will read, "No person may offer any article or thing for sale within waysides, rest

			<p>areas, parking lots and their environs except pursuant to a vendor contract with the Virginia Department of Transportation, by permit in accordance with the Land Use Permit Regulations (24VAC30-151), or as permitted by section 40 of this chapter.” This comma was inadvertently removed upon publication of the Proposed stage. The CTB proposes to add this comma back into the regulatory text to ensure the meaning of the subsection is as intended.</p>
50-10(N)	51-20(D)	<p>Prohibits bathing or fishing in any waters within waysides or rest areas, except in such places and subject to such regulations as the commissioner may, from time to time, specially designate by a public notice set up for that purpose within the same.</p>	<p>This language will be simplified and added to the new section pertaining to waysides.</p>
50-10(O) and 100-10(J)	51-20(E), 51-30(D), and 51-40(C)	<p>Prohibit lighting, kindling, or using any fire within these areas. The current Chapter 50 text provides an exemption for fires at fireplaces designed and built for such purposes and requires the person or persons building a fire therein to be responsible for having it completely extinguished before leaving it. The current Chapter 100 text provides an exemption for fires authorized by the terms of a land use permit issued to a mobile food vendor.</p>	<p>The proposed fire-related text for the new sections on waysides and rest areas will make minor changes to the current Chapter 50 text, including replacing “fireplaces” with “designated areas.” An additional sentence will clarify that, “Ashes shall be removed from the designated areas and disposed of in such receptacles as may be provided for ash disposal.”</p> <p>The proposed text for the new section on parking lots and environs will make minor changes to the current Chapter 100 text.</p>
50-10(P) and 100-10(K)	51-10(K)	<p>Prohibit the discharge or setting off of any firearms, firecrackers, and other various incendiary devices except by permit from the commissioner.</p>	<p>This language will become a generally applicable requirement for waysides, rest areas, and parking lots and environs. The text will be simplified and modified to reflect the current agency practice of requiring a Land Use Permit in accordance with 24VAC30-151 for conduct of the noted activities.</p>
50-10(Q) and 100-10(D)	51-10(L)	<p>Prohibit bottles, broken glass, ashes, waste paper, or other rubbish from being left within these areas except in such receptacles as may be provided for the same.</p>	<p>This language will become a generally applicable requirement for waysides, rest areas, and parking lots and environs. The text will be simplified.</p>
50-10(R)	51-10(M)	<p>Prohibits automobiles or other vehicles from being taken into or driven upon these areas, except</p>	<p>This language will become a generally applicable requirement for waysides, rest areas, and parking lots and</p>

		upon such drives and subject to such regulations as the commissioner may, from time to time, designate by a public notice set up for that purpose within the same.	environs. The text will be simplified. A new sentence will also be added to state, "Drivers shall obey all traffic signs posted in waysides, rest areas, and parking lots."
50-10(S) and 100-10(L)	51-10(N)	State that, "Any person violating any of the preceding rules and regulations shall be guilty of a misdemeanor and, upon conviction, be fined not less than five dollars nor more than \$100 for each offense.	This language will become a generally applicable requirement for waysides, rest areas, and parking lots and environs. Edits regarding civil liability will be made to the text to conform to similar proposed amendments to the Land Use Permit Regulations.
100-10(A)	51-10(A)	Requires all persons within the regulated parking lots and associated environs to be subject to such regulations as the commissioner may designate by posted signs or public notice posted within the area.	This requirement will be simplified to state, "While in waysides, rest areas, and parking lots and the environs of those spaces, all persons shall obey official posted signs or public notices." In the combined regulation, this will be a generally applicable requirement for waysides, rest areas, and parking lots and environs.
100-10(C)	51-10(D)	Requires that no person paste, attach or place on any vehicle parked in parking lots any bill, advertisement or inscription whatsoever.	This language will become a generally applicable requirement for waysides, rest areas, and parking lots and environs. The text will be simplified.
100-10(I)	51-40(D)	Sets the requirements for mobile food vending within commuter lots in Planning District 8.	* This language will be added to the new section pertaining to parking lots and environs. The requirement that mobile food vending be allowed within commuter lots in Planning District 8 will be expanded to state, "...and may be allowed at other parking lots..." This change reflects interest from localities and mobile food vendors in having the option for mobile food vending available in parking lots not in Planning District 8. Additional changes will be made to simplify and clarify the text.
N/A	51-30(E)		* Adds the ability for state government entities to request permission for activities at and uses and occupation of rest areas not otherwise prohibited by state or federal law.
N/A	51-40(A)		A new subsection in the section pertaining to parking lots and environs will state, "Overnight parking may be restricted in accordance with posted signs." This is in accordance with § 46.2-1219.2 of the Code of Virginia which requires parking to be in conformance with posted signs and

		<p>pavement markings and which also requires in Planning District 8 that such signs clearly indicate that before 10:00 a.m. Monday through Friday except holidays parking is only for commuters using mass transit or who are car pool or bicycle riders.</p>
N/A	51-40(B)	<p>* A new subsection in the section pertaining to parking lots and environs will provide the ability for the CTB to permit persons, organizations, or groups to use the lots for various purposes and events when the use will not interfere with or disrupt the normal and intended function of the lots in accordance with 24VAC30-151. This addition is proposed to reflect requests from localities to allow for events to be held in these parking lots on weekends.</p> <p>Proposed restrictions will state that no activities will be permitted that violate or are inconsistent with the regulatory chapter, Virginia or federal law, or local ordinances, including noise ordinances; that events must provide reasonable safety for all participants, spectators, other parking lot users, and the public; and that events must preserve the aesthetic appearance of buildings and grounds and provide for the removal of waste that may be left by event participants.</p> <p>Additional proposed text will clarify that requests for permits generally will be considered on a first-come, first-served basis, that parking lots may only be available for permitted events on Saturdays and Sundays, and that no more than one event will be scheduled for the same time on the same day, including set up and break down. Text will also be added to state that VDOT may require the cancellation of a permitted event and the immediate removal of all related equipment if the permittee violates the permit conditions, to preserve public safety or order, or prevent damage to the lot and environs.</p>