

# VIRGINIA ACTS OF ASSEMBLY -- 2011 RECONVENED SESSION

## CHAPTER 870

*An Act to amend and reenact the second enactment of Chapter 527 of the Acts of Assembly of 2006, the second enactment of Chapter 563 of the Acts of Assembly of 2006, the second and third enactments of Chapter 382 of the Acts of Assembly of 2007, and the second, third, and fourth enactments of Chapters 863 and 928 of the Acts of Assembly of 2007, as amended by Chapter 274 of the Acts of Assembly of 2008, relating to coordination of state and local transportation planning.*

[S 1462]

Approved April 6, 2011

Be it enacted by the General Assembly of Virginia:

1. That the second enactment of Chapter 527 of the Acts of Assembly of 2006 is amended and reenacted as follows:
  2. That *prior to November 30, 2011*, the Department of Transportation shall ~~promulgate review and adopt any appropriate revisions to the regulations by adopted prior to December 31, 2006, or amendments thereto~~, to carry out the provisions of this act. Such *revised* regulations shall become effective ~~on July 1, 2007~~, and shall include reasonable exemptions from the requirements of subsections A, B, and C of ~~§ 15.2-2222.1 no later than January 1, 2012~~.
2. That the second enactment of Chapter 563 of the Acts of Assembly of 2006 is amended and reenacted as follows:
  2. That *prior to November 30, 2011*, the Department of Transportation shall ~~promulgate review and adopt any appropriate revisions to the regulations by adopted prior to December 31, 2006, or amendments thereto~~, to carry out the provisions of this act. Such *revised* regulations shall become effective ~~on July 1, 2007~~, and shall include reasonable exemptions from the requirements of subsections A, B, and C of ~~§ 15.2-2222.1 no later than January 1, 2012~~.
3. That the second and third enactments of Chapter 382 of the Acts of Assembly of 2007 are amended and reenacted as follows:
  2. ~~The~~ That the provisions of the Administrative Process Act (§ 2.2-4000 et seq.) of the Code of Virginia, shall not apply to initial regulations or any revisions recommended by the Department of Transportation and promulgated or adopted by the Board pursuant to this section prior to November 30, 2011, but such exemption shall not apply to subsequent regulations or amendments thereto promulgated by the Board.
  3. That the Board shall solicit and consider public comment in the development of the revisions to the regulations required by this act, and that such revisions shall become effective no later than January 1, 2012.
4. That the second, third, and fourth enactments of Chapter 928 of the Acts of Assembly of 2007, as amended by Chapter 274 of the Acts of Assembly of 2008, are amended and reenacted as follows:
  2. That the provisions of the first enactment of this act shall be done in phases and that *prior to November 11, 2011*, the Commissioner shall solicit and consider public comment in the development of standards required by this act and publish such standards no later than December 31, 2007. Such standards shall become effective on July 1, 2008, and for minor arterial roads and collector roads shall become effective on October 1, 2009 *review and adopt revisions to the regulations adopted prior to October 2, 2009, to carry out the provisions of this act with regards to the application of such provisions to entrances to family subdivisions*.
  3. That the full provisions of the first enactment of this act shall become effective on July 1, 2008. However, the standards required by this act for minor arterial roads and collector roads shall become effective on October 1, 2009 no later than January 1, 2012.
  4. That, until July 1, 2008, the Commissioner shall not be subject to the requirements of the Administrative Process Act (§ 2.2-4000 et seq.) of the Code of Virginia as may be necessary to carry out the provisions of this act as they relate to principal arterial roads, which shall become effective on that date, and that additional phases of the provisions of the first enactment of this act as they relate to minor arterial roads and collector roads, which shall become effective on October 1, 2009, shall be subject to the requirements of the Administrative Process Act (§ 2.2-4000 et seq.) of the Code of Virginia prior to November 30, 2011.
5. That the second, third, and fourth enactments of Chapter 863 of the Acts of Assembly of 2007, as amended by Chapter 274 of the Acts of Assembly of 2008, are amended and reenacted as follows:
  2. That the provisions of the first enactment of this act shall be done in phases and that *prior to November 11, 2011*, the Commissioner shall solicit and consider public comment in the

development of standards required by this act and publish such standards not later than December 31, 2007. Such standards as they relate to principal arterial roads shall become effective on July 1, 2008, and for minor arterial roads and collector roads shall become effective on October 1, 2009 *review and adopt revisions to the regulations adopted prior to October 2, 2009, to carry out the provisions of this act with regards to the application of such provisions to entrances to family subdivisions.*

3. That the full provisions of the first enactment of this act shall become effective July 1, 2008. However, the standards required by this act for minor arterial roads and collector roads shall become effective on October 1, 2009 *no later than January 1, 2012.*

4. That, until July 1, 2008, the Commissioner shall not be subject to the requirements of the Administrative Process Act (§ 2.2-4000 et seq.) of the Code of Virginia as may be necessary to carry out the provisions of this act as they relate to principal arterial roads, which shall become effective on that date, and that additional phases of the provisions of the first enactment of this act as they relate to minor arterial roads and collector roads, which shall become effective on October 1, 2009, shall be subject to the requirements of the Administrative Process Act (§ 2.2-4000 et seq.) of the Code of Virginia *prior to November 30, 2011.*