RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD

September 20, 2007

MOTION
Made By: Mr. Keen  Seconded By: Dr. Davis  Action: Motion Carried, Unanimously

TITLE: Amendments to the
Vegetation Control Regulation
24 VAC 30-200

WHEREAS, the 2006 session of the Virginia General Assembly amended § 33.1-371.1 of the Code of Virginia to expand the authority of the Commonwealth Transportation Commissioner for vegetation control on public rights-of-way in municipalities; and

WHEREAS, the 2006 session of the Virginia General Assembly granted the Commonwealth Transportation Commissioner authority to delegate the issuance of vegetation control permits to local governments under § 33.1-371.1 (A)(4); and

WHEREAS, the 2006 session of the Virginia General Assembly established an appeals process with the Commonwealth Transportation Commissioner for either local government staff or vegetation control permittees aggrieved by landscaping requirements; and

WHEREAS, § 33.1-371.1 (A)(3) mandates the Commonwealth Transportation Commissioner promulgate regulations to implement this statute; and

WHEREAS, the Vegetation Control Regulation on the State Rights-Of-Way (24 VAC 30-200), which were last amended by the Commonwealth Transportation Board in 1998 require additional technical, non-substantive amendments.

NOW, THEREFORE, BE IT RESOLVED that the Commonwealth Transportation Board hereby approves the amendments to become effective as provided for by the rules established by for Administrative Process Act exempt actions by the Code of Virginia and the State Registrar of Regulations.

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