



# COMMONWEALTH of VIRGINIA

## *Commonwealth Transportation Board*

Pierce R. Homer  
Chairman

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*Agenda item # 3*

### **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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