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CUMULATIVE TABLE OF VIRGINIA ADMINISTRATIVE CODE SECTIONS ADOPTED, AMENDED, OR REPEALED

The table printed below lists regulation sections, by Virginia Administrative Code (VAC) title, that have been amended, added or repealed in the *Virginia Register* since the regulations were originally published or last supplemented in VAC (the Spring 2003 VAC Supplement includes final regulations published through *Virginia Register* Volume 19, Issue 11, dated February 10, 2003). Emergency regulations, if any, are listed, followed by the designation "emer," and errata pertaining to final regulations are listed. Proposed regulations are not listed here. The table lists the sections in numerical order and shows action taken, the volume, issue and page number where the section appeared, and the effective date of the section.

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
Title 1. Administration			
1 VAC 55-20-320 emer	Amended	19:25 VA.R. 3829	10/1/03-9/30/04
Title 2. Agriculture			
2 VAC 20-30	Erratum	20:1 VA.R 39	--
Title 3. Alcoholic Beverages			
3 VAC 5-40-20 emer	Amended	19:24 VA.R. 3586	7/10/03-7/9/04
3 VAC 5-40-50 emer	Amended	19:24 VA.R. 3587	7/10/03-7/9/04
3 VAC 5-70-220 emer	Added	19:24 VA.R. 3587	7/10/03-7/9/04
Title 4. Conservation and Natural Resources			
4 VAC 5-10-10	Amended	19:24 VA.R. 3507	9/10/03
4 VAC 5-10-20	Amended	19:24 VA.R. 3507	9/10/03
4 VAC 5-10-30	Amended	19:24 VA.R. 3508	9/10/03
4 VAC 5-10-40	Repealed	19:24 VA.R. 3510	9/10/03
4 VAC 5-36-50	Amended	19:16 VA.R. 2370	5/21/03
4 VAC 5-36-60	Amended	19:16 VA.R. 2373	5/21/03
4 VAC 5-36-70	Amended	19:16 VA.R. 2375	5/21/03
4 VAC 5-36-90	Amended	19:12 VA.R. 1881	3/27/03
4 VAC 5-36-100	Amended	19:12 VA.R. 1883	3/27/03
4 VAC 5-36-110 through 4 VAC 5-36-140	Amended	19:16 VA.R. 2376-2379	5/21/03
4 VAC 5-36-170 through 4 VAC 5-36-210	Amended	19:16 VA.R. 2379-2392	5/21/03
4 VAC 15-30-40	Amended	19:25 VA.R. 3780	7/30/03
4 VAC 15-30-50	Amended	19:19 VA.R. 2818	7/1/03
4 VAC 15-40-230	Amended	19:19 VA.R. 2818	7/1/03
4 VAC 15-40-282	Added	19:19 VA.R. 2818	7/1/03
4 VAC 15-40-283	Added	19:19 VA.R. 2818	7/1/03
4 VAC 15-40-284	Added	19:19 VA.R. 2819	7/1/03
4 VAC 15-50-10	Amended	19:19 VA.R. 2819	7/1/03
4 VAC 15-50-20	Amended	19:19 VA.R. 2819	7/1/03
4 VAC 15-50-25	Amended	19:19 VA.R. 2819	7/1/03
4 VAC 15-50-30	Repealed	19:19 VA.R. 2819	7/1/03
4 VAC 15-50-70	Amended	19:19 VA.R. 2819	7/1/03
4 VAC 15-50-71	Added	19:19 VA.R. 2820	7/1/03
4 VAC 15-50-80	Amended	19:19 VA.R. 2820	7/1/03
4 VAC 15-50-81	Added	19:19 VA.R. 2820	7/1/03
4 VAC 15-50-90	Amended	19:19 VA.R. 2820	7/1/03
4 VAC 15-50-91	Added	19:19 VA.R. 2820	7/1/03
4 VAC 15-50-110	Amended	19:19 VA.R. 2820	7/1/03
4 VAC 15-50-120	Amended	19:19 VA.R. 2820	7/1/03
4 VAC 15-60-20	Amended	19:19 VA.R. 2820	7/1/03
4 VAC 15-90-10	Amended	19:19 VA.R. 2821	7/1/03
4 VAC 15-90-20	Amended	19:19 VA.R. 2821	7/1/03
4 VAC 15-90-21	Amended	19:19 VA.R. 2821	7/1/03
4 VAC 15-90-70	Amended	19:19 VA.R. 2821	7/1/03
4 VAC 15-90-80	Amended	19:19 VA.R. 2822	7/1/03

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
4 VAC 15-90-90	Amended	19:19 VA.R. 2822	7/1/03
4 VAC 15-90-100	Amended	19:19 VA.R. 2822	7/1/03
4 VAC 15-90-110	Amended	19:19 VA.R. 2822	7/1/03
4 VAC 15-90-120	Amended	19:19 VA.R. 2822	7/1/03
4 VAC 15-90-121	Added	19:19 VA.R. 2822	7/1/03
4 VAC 15-90-141	Amended	19:19 VA.R. 2822	7/1/03
4 VAC 15-90-160	Amended	19:19 VA.R. 2822	7/1/03
4 VAC 15-90-170	Amended	19:19 VA.R. 2822	7/1/03
4 VAC 15-90-190	Amended	19:19 VA.R. 2822	7/1/03
4 VAC 15-90-195	Amended	19:19 VA.R. 2823	7/1/03
4 VAC 15-90-200	Amended	19:19 VA.R. 2823	7/1/03
4 VAC 15-90-210	Amended	19:19 VA.R. 2823	7/1/03
4 VAC 15-90-220	Amended	19:19 VA.R. 2823	7/1/03
4 VAC 15-90-230	Amended	19:19 VA.R. 2823	7/1/03
4 VAC 15-90-231	Added	19:19 VA.R. 2823	7/1/03
4 VAC 15-90-240	Amended	19:19 VA.R. 2823	7/1/03
4 VAC 15-90-241	Added	19:19 VA.R. 2823	7/1/03
4 VAC 15-140-20	Amended	19:19 VA.R. 2823	7/1/03
4 VAC 15-140-40	Repealed	19:19 VA.R. 2823	7/1/03
4 VAC 15-160-10	Amended	19:19 VA.R. 2824	7/1/03
4 VAC 15-160-20	Repealed	19:19 VA.R. 2824	7/1/03
4 VAC 15-160-31	Amended	19:19 VA.R. 2824	7/1/03
4 VAC 15-200-10	Amended	19:19 VA.R. 2824	7/1/03
4 VAC 15-210-30	Amended	19:19 VA.R. 2824	7/1/03
4 VAC 15-210-40	Repealed	19:19 VA.R. 2824	7/1/03
4 VAC 15-210-51	Amended	19:19 VA.R. 2824	7/1/03
4 VAC 15-230-20	Amended	19:19 VA.R. 2824	7/1/03
4 VAC 15-230-30	Repealed	19:19 VA.R. 2824	7/1/03
4 VAC 15-230-60	Amended	19:19 VA.R. 2824	7/1/03
4 VAC 15-230-70	Repealed	19:19 VA.R. 2824	7/1/03
4 VAC 15-240	Erratum	19:23 VA.R. 3412	--
4 VAC 15-240-31	Amended	19:19 VA.R. 2825	7/1/03
4 VAC 15-240-40	Amended	19:19 VA.R. 2825	7/1/03
4 VAC 15-240-50	Amended	19:19 VA.R. 2825	7/1/03
4 VAC 15-240-80	Amended	19:19 VA.R. 2825	7/1/03
4 VAC 15-240-81	Added	19:19 VA.R. 2825	7/1/03
4 VAC 15-240-90	Amended	19:19 VA.R. 2825	7/1/03
4 VAC 15-240-91	Added	19:19 VA.R. 2825	7/1/03
4 VAC 15-260-120	Amended	19:19 VA.R. 2826	7/1/03
4 VAC 15-290-115	Amended	19:19 VA.R. 2826	7/1/03
4 VAC 15-430-40	Erratum	19:14 VA.R. 2176	--
4 VAC 15-430-210	Erratum	19:14 VA.R. 2177	--
4 VAC 20-252-130 emer	Amended	19:12 VA.R. 1905	1/31/03-2/28/03
4 VAC 20-252-130	Amended	19:14 VA.R. 2086	3/1/03
4 VAC 20-252-150 emer	Amended	19:12 VA.R. 1906	1/31/03-2/28/03
4 VAC 20-252-150	Amended	19:14 VA.R. 2087	3/1/03
4 VAC 20-380-10	Amended	19:14 VA.R. 2087	3/1/03
4 VAC 20-380-30	Amended	19:14 VA.R. 2087	3/1/03
4 VAC 20-380-50	Amended	19:14 VA.R. 2087	3/1/03
4 VAC 20-380-60	Amended	19:14 VA.R. 2088	3/1/03
4 VAC 20-490-40	Amended	19:23 VA.R. 3320	7/1/03
4 VAC 20-490-60	Amended	19:23 VA.R. 3320	7/1/03
4 VAC 20-563-10 through 4 VAC 20-563-50 emer	Added	19:16 VA.R. 2417	3/26/03-4/24/03
4 VAC 20-620-50	Amended	19:14 VA.R. 2088	3/1/03
4 VAC 20-620-70	Amended	19:14 VA.R. 2089	3/1/03
4 VAC 20-720-20 emer	Amended	19:12 VA.R. 1906	2/1/03-3/3/03

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
4 VAC 20-720-40 emer	Amended	19:12 VA.R. 1907	2/1/03-3/3/03
4 VAC 20-720-50 emer	Amended	19:12 VA.R. 1907	2/1/03-3/3/03
4 VAC 20-720-70 emer	Amended	19:12 VA.R. 1908	2/1/03-3/3/03
4 VAC 20-720-80	Erratum	19:12 VA.R. 1915	--
4 VAC 20-720-80 emer	Amended	19:12 VA.R. 1909	2/1/03-3/3/03
4 VAC 20-752-20 emer	Amended	19:23 VA.R. 3385	6/26/03-7/24/03
4 VAC 20-752-20	Amended	19:25 VA.R. 3780	7/23/03
4 VAC 20-910-45 emer	Amended	19:12 VA.R. 1911	1/31/03-2/28/03
4 VAC 20-910-45	Amended	19:14 VA.R. 2089	3/1/03
4 VAC 20-910-45	Amended	19:23 VA.R. 3320	7/1/03
4 VAC 20-950-30	Amended	19:14 VA.R. 2090	3/1/03
4 VAC 20-950-45	Amended	19:14 VA.R. 2090	3/1/03
4 VAC 20-950-47	Amended	19:23 VA.R. 3321	7/1/03
4 VAC 20-1050-10	Added	19:16 VA.R. 2392	3/26/03
4 VAC 20-1050-20	Added	19:16 VA.R. 2392	3/26/03
4 VAC 20-1050-30	Added	19:16 VA.R. 2392	3/26/03
4 VAC 20-1060-10 emer	Amended	19:23 VA.R. 3385	6/25/03-7/24/03
4 VAC 20-1060-10	Added	19:16 VA.R. 2393	3/26/03
4 VAC 20-1060-20 emer	Amended	19:23 VA.R. 3385	6/25/03-7/24/03
4 VAC 20-1060-20	Added	19:16 VA.R. 2393	3/26/03
4 VAC 20-1060-30	Added	19:16 VA.R. 2393	3/26/03
4 VAC 20-1070-10 through 4 VAC 20-1070-50	Added	19:25 VA.R. 3781	8/1/03
4 VAC 25-30	Repealed	19:24 VA.R. 3510	9/11/03
4 VAC 25-31 (Forms)	Amended	20:2 VA.R. 135	--
4 VAC 25-31-10 through 4 VAC 25-31-570	Added	19:24 VA.R. 3510-3518	9/11/03
4 VAC 25-40 (Forms)	Amended	19:17 VA.R. 2589	--
4 VAC 25-130 (Forms)	Amended	20:1 VA.R. 33	--
4 VAC 25-150-120	Amended	19:18 VA.R. 2663	7/1/03
4 VAC 25-160-30	Amended	19:18 VA.R. 2664	7/1/03
4 VAC 50-10-10	Amended	19:24 VA.R. 3518	9/10/03
4 VAC 50-10-20	Amended	19:24 VA.R. 3519	9/10/03
4 VAC 50-10-30	Amended	19:24 VA.R. 3519	9/10/03
4 VAC 50-10-40	Repealed	19:24 VA.R. 3521	9/10/03
4 VAC 50-10-40	Repealed	19:24 VA.R. 3521	9/10/03
Title 6. Criminal Justice and Corrections			
6 VAC 20-210-10 through 6 VAC 20-210-110 emer	Added	19:10 VA.R. 1511-1512	1/7/03-1/6/04
6 VAC 35-20-10	Amended	19:23 VA.R. 3322	9/1/03
6 VAC 35-20-20	Repealed	19:23 VA.R. 3324	9/1/03
6 VAC 35-20-30	Amended	19:23 VA.R. 3324	9/1/03
6 VAC 35-20-35	Added	19:23 VA.R. 3324	9/1/03
6 VAC 35-20-37	Added	19:23 VA.R. 3324	9/1/03
6 VAC 35-20-40	Repealed	19:23 VA.R. 3324	9/1/03
6 VAC 35-20-50	Amended	19:23 VA.R. 3324	9/1/03
6 VAC 35-20-60	Amended	19:23 VA.R. 3325	9/1/03
6 VAC 35-20-63	Added	19:23 VA.R. 3325	9/1/03
6 VAC 35-20-65	Added	19:23 VA.R. 3325	9/1/03
6 VAC 35-20-67	Added	19:23 VA.R. 3325	9/1/03
6 VAC 35-20-69	Added	19:23 VA.R. 3325	9/1/03
6 VAC 35-20-70	Repealed	19:23 VA.R. 3326	9/1/03
6 VAC 35-20-75	Added	19:23 VA.R. 3326	9/1/03
6 VAC 35-20-80	Amended	19:23 VA.R. 3326	9/1/03
6 VAC 35-20-90	Amended	19:23 VA.R. 3326	9/1/03
6 VAC 35-20-92	Added	19:23 VA.R. 3328	9/1/03
6 VAC 35-20-93	Added	19:23 VA.R. 3328	9/1/03
6 VAC 35-20-94	Added	19:23 VA.R. 3328	9/1/03
6 VAC 35-20-100	Amended	19:23 VA.R. 3328	9/1/03

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
6 VAC 35-20-110	Amended	19:23 VA.R. 3330	9/1/03
6 VAC 35-20-120	Amended	19:23 VA.R. 3330	9/1/03
6 VAC 35-20-130	Repealed	19:23 VA.R. 3330	9/1/03
6 VAC 35-20-140	Repealed	19:23 VA.R. 3330	9/1/03
6 VAC 35-20-150	Added	19:23 VA.R. 3330	9/1/03
Title 8. Education			
8 VAC 20-440-10	Amended	19:12 VA.R. 1886	3/28/03
8 VAC 20-440-90	Amended	19:12 VA.R. 1886	3/28/03
8 VAC 20-440-110	Amended	19:12 VA.R. 1886	3/28/03
8 VAC 20-440-120	Amended	19:12 VA.R. 1886	3/28/03
8 VAC 20-440-140	Amended	19:12 VA.R. 1886	3/28/03
8 VAC 20-440-150	Amended	19:12 VA.R. 1886	3/28/03
8 VAC 20-440-160	Amended	19:12 VA.R. 1886	3/28/03
8 VAC 20-440 Appendix A	Amended	19:12 VA.R. 1887	3/28/03
8 VAC 20-440 Appendix B	Amended	19:12 VA.R. 1890	3/28/03
8 VAC 40-30-10 through 8 VAC 40-30-470 emer	Repealed	19:24 VA.R. 3589	7/16/03-7/15/04
8 VAC 40-31-10 through 8 VAC 40-31-280 emer	Added	19:24 VA.R. 3589-3600	7/16/03-7/15/04
Title 9. Environment			
9 VAC 5-20-204	Amended	19:17 VA.R. 2486	6/4/03
9 VAC 5-20-310	Amended	19:17 VA.R. 2486	6/4/03
9 VAC 5-40	Erratum	19:25 VA.R. 3844	--
9 VAC 5-40-6000 through 9 VAC 5-40-6150	Amended	19:17 VA.R. 2487-2494	7/1/03
9 VAC 5-40-6250 through 9 VAC 5-40-6510	Added	19:24 VA.R. 3521-3535	9/10/03
9 VAC 5-40-6550 through 9 VAC 5-40-6810	Added	19:24 VA.R. 3536-3556	9/10/03
9 VAC 5-40-6180	Amended	19:17 VA.R. 2494	7/1/03
9 VAC 5-40-6190	Amended	19:17 VA.R. 2499	7/1/03
9 VAC 5-40-6220	Amended	19:17 VA.R. 2500	7/1/03
9 VAC 5-40-7950	Amended	19:17 VA.R. 2501	7/1/03
9 VAC 5-40-7960	Amended	19:17 VA.R. 2502	7/1/03
9 VAC 5-40-8090	Amended	19:17 VA.R. 2505	7/1/03
9 VAC 5-40-8100	Amended	19:17 VA.R. 2505	7/1/03
9 VAC 5-40-8110 through 9 VAC 5-40-8160	Amended	19:17 VA.R. 2507-2519	7/1/03
9 VAC 5-40-8180	Amended	19:17 VA.R. 2519	7/1/03
9 VAC 20-60-17	Amended	19:18 VA.R. 2665	7/1/03
9 VAC 20-60-18	Amended	19:12 VA.R. 1891	3/26/03
9 VAC 20-60-18	Amended	20:2 VA.R. 128	11/5/03
9 VAC 20-60-40	Amended	19:18 VA.R. 2665	7/1/03
9 VAC 20-60-70	Amended	19:18 VA.R. 2665	7/1/03
9 VAC 20-60-124	Amended	19:18 VA.R. 2665	7/1/03
9 VAC 20-60-261	Amended	19:18 VA.R. 2665	7/1/03
9 VAC 20-60-262	Amended	19:18 VA.R. 2665	7/1/03
9 VAC 20-60-264	Amended	19:18 VA.R. 2665	7/1/03
9 VAC 20-60-265	Amended	19:18 VA.R. 2668	7/1/03
9 VAC 20-60-270	Amended	19:18 VA.R. 2670	7/1/03
9 VAC 20-60-305	Amended	19:18 VA.R. 2670	7/1/03
9 VAC 20-60-315	Amended	19:18 VA.R. 2670	7/1/03
9 VAC 20-60-328	Amended	19:18 VA.R. 2670	7/1/03
9 VAC 20-60-420	Amended	19:18 VA.R. 2670	7/1/03
9 VAC 20-60-440	Amended	19:18 VA.R. 2670	7/1/03
9 VAC 20-60-450	Amended	19:18 VA.R. 2670	7/1/03
9 VAC 20-60-490	Amended	19:18 VA.R. 2670	7/1/03
9 VAC 20-60-1260	Amended	19:18 VA.R. 2670	7/1/03
9 VAC 20-60-1280	Amended	19:18 VA.R. 2670	7/1/03
9 VAC 20-60-1285	Amended	19:18 VA.R. 2670	7/1/03
9 VAC 20-60-1370	Amended	19:18 VA.R. 2672	7/1/03
9 VAC 20-60-1380	Amended	19:18 VA.R. 2672	7/1/03

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
9 VAC 20-60-1390	Amended	19:18 VA.R. 2672	7/1/03
9 VAC 20-60-1420	Amended	19:18 VA.R. 2672	7/1/03
9 VAC 20-80	Erratum	19:26 VA.R. 3926	--
9 VAC 20-80-10	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-60	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-80	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-90	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-100	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-105	Added	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-110	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-113	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-115	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-120	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-140	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-150	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-160	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-170	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-180	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-190	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-205	Added	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-210	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-240	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-250	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-260	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-270	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-280	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-300	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-310	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-330	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-340	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-360	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-370	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-460	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-485	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-500	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-510	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-520	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-530	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-550	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-570	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-580	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-600	Repealed	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-620	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-640	Added	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-650	Added	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-670	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-730	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-740	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-760	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-770	Repealed	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-780	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-80-790	Amended	19:25 VA.R. 3782	9/24/03
9 VAC 20-90-10	Amended	19:18 VA.R. 2672	7/1/03
9 VAC 20-90-20	Repealed	19:18 VA.R. 2672	7/1/03
9 VAC 20-90-30 through 9 VAC 20-90-100	Amended	19:18 VA.R. 2672-2675	7/1/03
9 VAC 20-90-110	Added	19:18 VA.R. 2675	7/1/03

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
9 VAC 20-90-120	Added	19:18 VA.R. 2675	7/1/03
9 VAC 20-110-10 through 9 VAC 20-110-40	Amended	19:19 VA.R. 2826-2827	7/2/03
9 VAC 20-110-90	Amended	19:19 VA.R. 2827	7/2/03
9 VAC 20-110-100	Amended	19:19 VA.R. 2828	7/2/03
9 VAC 20-110-110	Amended	19:19 VA.R. 2828	7/2/03
9 VAC 20-110-115	Repealed	19:19 VA.R. 2828	7/2/03
9 VAC 20-110-121	Amended	19:19 VA.R. 2828	7/2/03
9 VAC 20-110-122	Amended	19:19 VA.R. 2828	7/2/03
9 VAC 20-130 (Forms)	Amended	19:12 VA.R. 1912	--
9 VAC 20-170-10 through 9 VAC 20-170-60	Added	19:19 VA.R. 2829-2833	7/2/03
9 VAC 20-170-70	Added	19:18 VA.R. 2678	1
9 VAC 20-170-70	Erratum	19:23 VA.R. 3412	--
9 VAC 20-170-80 through 9 VAC 20-170-190	Added	19:19 VA.R. 2833-2839	7/2/03
9 VAC 20-170-195	Added	19:18 VA.R. 2679	1
9 VAC 20-170-270 through 9 VAC 20-170-420	Added	19:19 VA.R. 2842-2862	7/2/03
9 VAC 25-20-10	Amended	19:18 VA.R. 2680	7/1/03
9 VAC 25-20-110	Amended	19:18 VA.R. 2681	7/1/03
9 VAC 25-20-120	Amended	19:18 VA.R. 2681	7/1/03
9 VAC 25-20-130	Amended	19:18 VA.R. 2681	7/1/03
9 VAC 25-70	Repealed	19:14 VA.R. 2090	4/23/03
9 VAC 25-71-10 through 9 VAC 25-71-70	Added	19:14 VA.R. 2090	4/23/03
9 VAC 25-120 (Forms)	Amended	19:18 VA.R. 2739	--
9 VAC 25-140-155	Amended	19:23 VA.R. 3348	8/27/03
9 VAC 25-193-10	Amended	19:23 VA.R. 3332	10/1/03
9 VAC 25-193-30 through 9 VAC 25-193-70	Amended	19:23 VA.R. 3332-3348	10/1/03
9 VAC 25-193-80	Repealed	19:23 VA.R. 3348	10/1/03
9 VAC 25-210 (Forms)	Amended	19:12 VA.R. 1912	--
9 VAC 25-210 (Forms)	Added	19:16 VA.R. 2418	--
9 VAC 25-260	Erratum	19:26 VA.R. 3926	--
9 VAC 25-260-5 through 9 VAC 25-260-30	Amended	19:25 VA.R. 3785	2
9 VAC 25-260-50	Amended	19:25 VA.R. 3785	2
9 VAC 25-260-140	Amended	18:24 VA.R. 3289	8/27/03 ³
9 VAC 25-260-140	Amended	19:25 VA.R. 3785	8/27/03 ³
9 VAC 25-260-150	Repealed	19:25 VA.R. 3785	8/27/03 ³
9 VAC 25-260-155	Amended	18:24 VA.R. 3289	8/27/03 ³
9 VAC 25-260-170	Amended	19:25 VA.R. 3785	8/27/03 ³
9 VAC 25-260-190 through 9 VAC 25-260-240	Repealed	19:25 VA.R. 3785	8/27/03 ³
9 VAC 25-260-300	Amended	19:25 VA.R. 3785	8/27/03 ³
9 VAC 25-260-310	Amended	18:20 VA.R. 2659	8/27/03 ³
9 VAC 25-260-310	Amended	19:25 VA.R. 3785	8/27/03 ³
9 VAC 25-260-320	Amended	19:25 VA.R. 3785	8/27/03 ³
9 VAC 25-260-340	Repealed	19:25 VA.R. 3785	8/27/03 ³
9 VAC 25-260-380 through 9 VAC 25-260-450	Amended	19:25 VA.R. 3785	8/27/03 ³
9 VAC 25-260-390	Amended	18:20 VA.R. 2661	8/27/03 ³
9 VAC 25-260-415	Added	19:25 VA.R. 3785	8/27/03 ³
9 VAC 25-260-470 through 9 VAC 25-260-540	Amended	19:25 VA.R. 3785	8/27/03 ³
9 VAC 25-280-10 through 9 VAC 25-280-90	Added	19:25 VA.R. 3785	8/27/03 ³
9 VAC 25-420	Repealed	19:14 VA.R. 2091	4/24/03
9 VAC 25-430	Repealed	19:14 VA.R. 2091	4/24/03
9 VAC 25-440	Repealed	19:14 VA.R. 2091	4/24/03
9 VAC 25-450	Repealed	19:14 VA.R. 2091	4/24/03
9 VAC 25-452	Repealed	19:14 VA.R. 2091	4/24/03

¹ Section suspended in 19:18 VA.R. 2680.

² 30 days after notice of approval published in the Virginia Register of Regulations.

³ Notice of effective date published in 19:23 VA. R. 3348.

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
9 VAC 25-460	Repealed	19:14 VA.R. 2091	4/24/03
9 VAC 25-470	Repealed	19:14 VA.R. 2091	4/24/03
9 VAC 25-480	Repealed	19:14 VA.R. 2091	4/24/03
9 VAC 25-490	Repealed	19:14 VA.R. 2091	4/24/03
9 VAC 25-500	Repealed	19:14 VA.R. 2091	4/24/03
9 VAC 25-510	Repealed	19:14 VA.R. 2091	4/24/03
9 VAC 25-520	Repealed	19:14 VA.R. 2091	4/24/03
9 VAC 25-530	Repealed	19:14 VA.R. 2091	4/24/03
9 VAC 25-540	Repealed	19:14 VA.R. 2091	4/24/03
9 VAC 25-550	Repealed	19:14 VA.R. 2091	4/24/03
9 VAC 25-560	Repealed	19:14 VA.R. 2091	4/24/03
9 VAC 25-570	Repealed	19:14 VA.R. 2091	4/24/03
9 VAC 25-572	Repealed	19:14 VA.R. 2091	4/24/03
9 VAC 25-660 (Forms)	Amended	19:12 VA.R. 1912	--
9 VAC 25-660 (Forms)	Added	19:16 VA.R. 2418	--
9 VAC 25-670 (Forms)	Amended	19:12 VA.R. 1912	--
9 VAC 25-680 (Forms)	Amended	19:12 VA.R. 1912	--
9 VAC 25-680 (Forms)	Added	19:16 VA.R. 2418	--
9 VAC 25-690 (Forms)	Amended	19:12 VA.R. 1912	--
9 VAC 25-690 (Forms)	Added	19:16 VA.R. 2418	--
9 VAC 25-720	Erratum	19:20 VA.R. 2999	--
9 VAC 25-720-10 through 9 VAC 25-720-140	Added	19:14 VA.R. 2091-2138	4/24/03
9 VAC 25-720-50	Erratum	19:18 VA.R. 2746-2747	--
9 VAC 25-720-80	Erratum	19:18 VA.R. 2747	--
9 VAC 25-720-120	Erratum	19:18 VA.R. 2747	--
9 VAC 25-720-130	Erratum	19:18 VA.R. 2747	--
9 VAC 25-730	Repealed	19:14 VA.R. 2090	4/23/03
Title 10. Finance and Financial Institutions			
10 VAC 5-200-90	Added	20:2 VA.R. 128	9/11/03
Title 11. Gaming			
11 VAC 5-10-10 through 11 VAC 5-10-70	Amended	19:15 VA.R. 2264	5/7/03
11 VAC 5-10-80	Added	19:15 VA.R. 2264	5/7/03
11 VAC 5-20-10	Amended	19:15 VA.R. 2265	5/7/03
11 VAC 5-20-60	Amended	19:15 VA.R. 2265	5/7/03
11 VAC 5-20-70	Amended	19:15 VA.R. 2265	5/7/03
11 VAC 5-20-80	Amended	19:15 VA.R. 2265	5/7/03
11 VAC 5-20-90	Repealed	19:15 VA.R. 2265	5/7/03
11 VAC 5-20-100	Repealed	19:15 VA.R. 2265	5/7/03
11 VAC 5-20-110	Repealed	19:15 VA.R. 2265	5/7/03
11 VAC 5-20-120 through 11 VAC 5-20-180	Amended	19:15 VA.R. 2265	5/7/03
11 VAC 5-20-420	Amended	19:15 VA.R. 2265	5/7/03
11 VAC 5-30	Repealed	19:15 VA.R. 2265	5/7/03
11 VAC 5-31-10 through 11 VAC 5-31-200	Added	19:15 VA.R. 2266	5/7/03
11 VAC 5-40	Repealed	19:15 VA.R. 2266	5/7/03
11 VAC 5-41-10 through 11 VAC 5-41-340	Added	19:15 VA.R. 2266-2269	5/7/03
11 VAC 10-20-410 through 11 VAC 10-20-417 emer	Added	19:26 VA.R. 3913-3919	8/13/03-8/12/04
Title 12. Health			
12 VAC 5-31-610	Added	19:3 VA.R. 493	⁴
12 VAC 5-31-620	Added	19:3 VA.R. 494	⁴
12 VAC 5-31-730	Added	19:3 VA.R. 516	⁴
12 VAC 5-31-940	Added	19:3 VA.R. 503	⁴
12 VAC 5-31-1030	Added	19:3 VA.R. 504	5/6/03 ⁵

⁴ Section withdrawn in 19:16 VA.R. 2393.

⁵ Section readopted in 19:16 VA.R. 2393.

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
12 VAC 5-31-1140	Added	19:3 VA.R. 505	5/6/03 ⁹
12 VAC 5-90-80 emer	Amended	19:22 VA.R. 3220	6/24/03-6/23/04
12 VAC 5-90-80 emer	Amended	19:13 VA.R. 1971	2/11/03-2/10/04
12 VAC 5-90-80 emer	Amended	19:18 VA.R. 2737	4/24/03-4/23/04
12 VAC 5-120-50	Amended	19:22 VA.R. 3215	8/13/03
12 VAC 5-200-10	Amended	19:22 VA.R. 3215	8/13/03
12 VAC 5-218-10 through 12 VAC 5-218-60	Added	19:26 VA.R. 3911	10/8/03
12 VAC 5-220-200	Amended	20:2 VA.R. 129	11/5/03
12 VAC 5-407-10 through 12 VAC 5-407-120	Added	19:26 VA.R. 3911	10/8/03
12 VAC 5-550-5	Added	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-10	Repealed	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-30	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-40	Repealed	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-70	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-90 through 12 VAC 5-550-120	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-125	Added	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-130	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-140	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-150	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-190	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-200	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-210	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-230 through 12 VAC 5-550-260	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-280 through 12 VAC 5-550-330	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-350 through 12 VAC 5-550-410	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-430 through 12 VAC 5-550-470	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-510	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-550-520	Amended	19:26 VA.R. 3912	10/8/03
12 VAC 5-585-10	Amended	19:14 VA.R. 2138	4/23/03
12 VAC 5-585-40	Amended	19:14 VA.R. 2140	4/23/03
12 VAC 5-585-50	Amended	19:14 VA.R. 2141	4/23/03
12 VAC 5-585-270	Amended	19:14 VA.R. 2141	4/23/03
12 VAC 5-585-660 through 12 VAC 5-585-750	Added	19:14 VA.R. 2141-2145	4/23/03
12 VAC 5-590-10	Amended	19:17 VA.R. 2520	6/4/03
12 VAC 5-590-140	Amended	19:24 VA.R. 3557	9/10/03
12 VAC 5-590-150	Amended	19:24 VA.R. 3557	9/10/03
12 VAC 5-590-370	Amended	19:17 VA.R. 2526	6/4/03
12 VAC 5-590-370	Amended	19:24 VA.R. 3557	9/10/03
12 VAC 5-590-380	Amended	19:24 VA.R. 3557	9/10/03
12 VAC 5-590-400	Amended	19:24 VA.R. 3557	9/10/03
12 VAC 5-590-410	Amended	19:24 VA.R. 3557	9/10/03
12 VAC 5-590-420	Amended	19:17 VA.R. 2549	6/4/03
12 VAC 5-590-420	Amended	19:20 VA.R. 2982	7/16/03
12 VAC 5-590-440	Amended	19:17 VA.R. 2565	6/4/03
12 VAC 5-590-440	Amended	19:24 VA.R. 3557	9/10/03
12 VAC 5-590-530	Amended	19:17 VA.R. 2568	6/4/03
12 VAC 5-590-530	Amended	19:20 VA.R. 2982	7/16/03
12 VAC 5-590-530	Amended	19:24 VA.R. 3557	9/10/03
12 VAC 5-590-540	Amended	19:24 VA.R. 3557	9/10/03
12 VAC 5-590-550	Amended	19:20 VA.R. 2982	7/16/03
12 VAC 5-590-990, Appendix F and Appendix G	Amended	19:20 VA.R. 2983-2984	7/16/03
12 VAC 5-590 Appendix M	Amended	19:17 VA.R. 2575	6/4/03
12 VAC 5-590 Appendix B	Amended	19:24 VA.R. 3557	9/10/03
12 VAC 5-590 Appendix O	Amended	19:24 VA.R. 3557	9/10/03
12 VAC 5-590 Appendix P	Added	19:24 VA.R. 3557	9/10/03
12 VAC 5-590 Appendix F	Repealed	19:24 VA.R. 3557	9/10/03

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12 VAC 5-590 Appendix H	Repealed	19:24 VA.R. 3557	9/10/03
12 VAC 30-20-80	Amended	19:18 VA.R. 2682	7/1/03
12 VAC 30-20-150	Amended	19:18 VA.R. 2682	7/1/03
12 VAC 30-20-160	Amended	19:18 VA.R. 2683	7/1/03
12 VAC 30-40-220 emer	Amended	19:22 VA.R. 3222	7/1/03-6/30/04
12 VAC 30-40-235 emer	Added	19:21 VA.R. 3076	8/1/03-7/31/04
12 VAC 30-40-345 emer	Amended	19:22 VA.R. 3224	7/1/03-6/30/04
12 VAC 30-50-10 emer	Amended	19:21 VA.R. 3078	7/1/03-6/30/04
12 VAC 30-50-10	Amended	20:1 VA.R. 25	10/22/03
12 VAC 30-50-20 emer	Amended	19:21 VA.R. 3078	7/1/03-6/30/04
12 VAC 30-50-20	Amended	20:1 VA.R. 26	10/22/03
12 VAC 30-50-50 emer	Amended	19:21 VA.R. 3079	7/1/03-6/30/04
12 VAC 30-50-50	Amended	20:1 VA.R. 26	10/22/03
12 VAC 30-50-60 emer	Amended	19:21 VA.R. 3079	7/1/03-6/30/04
12 VAC 30-50-60	Amended	20:1 VA.R. 27	10/22/03
12 VAC 30-50-120 emer	Amended	19:21 VA.R. 3080	7/1/03-6/30/04
12 VAC 30-50-120	Amended	20:1 VA.R. 27	10/22/03
12 VAC 30-50-140	Amended	19:18 VA.R. 2684	7/1/03
12 VAC 30-50-140 emer	Amended	19:21 VA.R. 3080	7/1/03-6/30/04
12 VAC 30-50-140	Amended	20:1 VA.R. 27	10/22/03
12 VAC 30-50-140	Amended	20:1 VA.R. 29	10/22/03
12 VAC 30-50-150	Amended	19:18 VA.R. 2685	7/1/03
12 VAC 30-50-150	Amended	20:1 VA.R. 30	10/22/03
12 VAC 30-50-160	Amended	19:18 VA.R. 2686	7/1/03
12 VAC 30-50-229.1 emer	Amended	19:23 VA.R. 3387	7/1/03-6/30/04
12 VAC 30-50-460	Repealed	19:18 VA.R. 2686	7/1/03
12 VAC 30-50-530 emer	Amended	19:21 VA.R. 3081	7/1/03-6/30/04
12 VAC 30-50-530	Amended	20:1 VA.R. 28	10/22/03
12 VAC 30-60-40 emer	Amended	19:23 VA.R. 3391	7/1/03-6/30/04
12 VAC 30-60-70	Amended	19:18 VA.R. 2687	7/1/03
12 VAC 30-60-320 emer	Amended	19:23 VA.R. 3392	7/1/03-6/30/04
12 VAC 30-70-201	Amended	19:21 VA.R. 3058	8/1/03
12 VAC 30-70-221	Amended	19:18 VA.R. 2699	7/1/03
12 VAC 30-70-271 emer	Amended	19:22 VA.R. 3225	7/1/03-6/30/04
12 VAC 30-70-281	Amended	19:18 VA.R. 2699	7/1/03
12 VAC 30-70-291 emer	Amended	19:26 VA.R. 3920	8/13/03-8/12/04
12 VAC 30-70-301 emer	Amended	19:26 VA.R. 3921	8/13/03-8/12/04
12 VAC 30-70-331 emer	Amended	19:26 VA.R. 3922	8/13/03-8/12/04
12 VAC 30-70-351	Amended	19:18 VA.R. 2699	7/1/03
12 VAC 30-70-351 emer	Amended	19:21 VA.R. 3082	7/1/03-6/30/04
12 VAC 30-70-391 emer	Amended	19:22 VA.R. 3226	7/1/03-6/30/04
12 VAC 30-80-20	Amended	19:18 VA.R. 2699	7/1/03
12 VAC 30-80-40	Amended	19:18 VA.R. 2701	7/1/03
12 VAC 30-80-40	Amended	20:2 VA.R. 132	11/6/03
12 VAC 30-80-75 emer	Added	19:23 VA.R. 3391	7/1/03-6/30/04
12 VAC 30-90-264 emer	Amended	19:23 VA.R. 3393	7/1/03-6/30/04
12 VAC 30-80-200 emer	Added	19:21 VA.R. 3085	7/1/03-6/30/04
12 VAC 30-90-41	Amended	19:18 VA.R. 2702	7/1/03
12 VAC 30-90-41.2 emer	Added	19:22 VA.R. 3226	7/1/03-6/30/04
12 VAC 30-90-257	Added	19:18 VA.R. 2702	7/1/03
12 VAC 30-110-1210	Repealed	19:18 VA.R. 2689	7/1/03
12 VAC 30-110-1350 through 12 VAC 30-110-1410	Added	19:18 VA.R. 2703	6/19/03
12 VAC 30-120-50	Amended	19:18 VA.R. 2690	7/1/03
12 VAC 30-120-140 emer	Amended	19:15 VA.R. 2270	3/17/03-3/16/04
12 VAC 30-120-150 emer	Amended	19:15 VA.R. 2273	3/17/03-3/16/04
12 VAC 30-120-160 emer	Amended	19:15 VA.R. 2274	3/17/03-3/16/04

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
12 VAC 30-120-165 emer	Added	19:15 VA.R. 2276	3/17/03-3/16/04
12 VAC 30-120-170 emer	Amended	19:15 VA.R. 2281	3/17/03-3/16/04
12 VAC 30-120-180 emer	Amended	19:15 VA.R. 2282	3/17/03-3/16/04
12 VAC 30-120-190 emer	Amended	19:15 VA.R. 2284	3/17/03-3/16/04
12 VAC 30-120-260	Amended	19:23 VA.R. 3349	8/27/03
12 VAC 30-120-280	Amended	19:23 VA.R. 3350	8/27/03
12 VAC 30-120-300	Amended	19:23 VA.R. 3351	8/27/03
12 VAC 30-120-360 through 12 VAC 30-120-420	Amended	19:23 VA.R. 3352-3358	8/27/03
12 VAC 30-120-490	Amended	19:18 VA.R. 2692	7/1/03
12 VAC 30-120-500	Amended	19:18 VA.R. 2693	7/1/03
12 VAC 30-120-520 through 12 VAC 30-120-550	Amended	19:18 VA.R. 2694-2699	7/1/03
12 VAC 30-120-700	Amended	19:25 VA.R. 3786	10/1/03
12 VAC 30-120-710	Amended	19:25 VA.R. 3789	10/1/03
12 VAC 30-120-720	Amended	19:25 VA.R. 3789	10/1/03
12 VAC 30-130-50	Amended	19:18 VA.R. 2699	7/1/03
12 VAC 30-130-620 emer	Amended	19:21 VA.R. 3077	8/1/03-7/31/04
12 VAC 30-135-10 through 12 VAC 30-135-90	Added	19:25 VA.R. 3789-3791	10/1/03
12 VAC 30-140-10 through 12 VAC 30-140-570	Repealed	19:24 VA.R. 3557	9/11/03
12 VAC 30-141-10 through 12 VAC 30-141-660	Added	19:21 VA.R. 3058-3071	8/1/03
12 VAC 35-11-10 through 12 VAC 35-11-90	Amended	19:19 VA.R. 2864-2865	7/2/03
12 VAC 35-11-15	Added	19:19 VA.R. 2864	7/2/03
12 VAC 35-11-100	Repealed	19:19 VA.R. 2864	7/2/03
12 VAC 35-11-110	Added	19:19 VA.R. 2865	7/2/03
12 VAC 35-40-10 through 12 VAC 35-40-340	Repealed	19:19 VA.R. 2865	8/1/03
12 VAC 35-45-10 through 12 VAC 35-45-200	Added	19:19 VA.R. 2865-2866	8/1/03
12 VAC 35-105	Erratum	19:25 VA. R. 3844	--
12 VAC 35-105-20	Amended	19:24 VA.R. 3558	9/18/03
12 VAC 35-105-30	Amended	19:24 VA.R. 3564	9/18/03
12 VAC 35-105-280	Amended	19:24 VA.R. 3564	9/18/03
12 VAC 35-105-590	Amended	19:24 VA.R. 3564	9/18/03
12 VAC 35-105-660	Amended	19:24 VA.R. 3565	9/18/03
12 VAC 35-105-800	Amended	19:24 VA.R. 3565	9/18/03
Title 13. Housing			
13 VAC 5-21-10	Amended	19:25 VA.R. 3791	10/1/03
13 VAC 5-21-20	Amended	19:25 VA.R. 3792	10/1/03
13 VAC 5-21-31	Amended	19:25 VA.R. 3792	10/1/03
13 VAC 5-21-41	Amended	19:25 VA.R. 3793	10/1/03
13 VAC 5-21-51	Amended	19:25 VA.R. 3795	10/1/03
13 VAC 5-21-61	Amended	19:25 VA.R. 3795	10/1/03
13 VAC 5-21-70	Amended	19:25 VA.R. 3796	10/1/03
13 VAC 5-31-10	Amended	19:25 VA.R. 3796	10/1/03
13 VAC 5-31-40	Amended	19:25 VA.R. 3796	10/1/03
13 VAC 5-31-50	Amended	19:25 VA.R. 3796	10/1/03
13 VAC 5-31-60	Amended	19:25 VA.R. 3796	10/1/03
13 VAC 5-31-90	Amended	19:25 VA.R. 3796	10/1/03
13 VAC 5-31-110	Amended	19:25 VA.R. 3797	10/1/03
13 VAC 5-31-180	Amended	19:25 VA.R. 3797	10/1/03
13 VAC 5-31-190	Added	19:25 VA.R. 3797	10/1/03
13 VAC 5-51	Erratum	20:1 VA.R 39	--
13 VAC 5-51-11	Amended	19:25 VA.R. 3798	10/1/03
13 VAC 5-51-21	Amended	19:25 VA.R. 3798	10/1/03
13 VAC 5-51-31	Amended	19:25 VA.R. 3799	10/1/03
13 VAC 5-51-41	Amended	19:25 VA.R. 3799	10/1/03
13 VAC 5-51-51	Amended	19:25 VA.R. 3800	10/1/03
13 VAC 5-51-61	Amended	19:25 VA.R. 3801	10/1/03
13 VAC 5-51-71	Repealed	19:25 VA.R. 3801	10/1/03

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
13 VAC 5-51-81	Amended	19:25 VA.R. 3802	10/1/03
13 VAC 5-51-85	Added	19:25 VA.R. 3810	10/1/03
13 VAC 5-51-91	Amended	19:25 VA.R. 3812	10/1/03
13 VAC 5-51-101	Amended	19:25 VA.R. 3813	10/1/03
13 VAC 5-51-111	Amended	19:25 VA.R. 3814	10/1/03
13 VAC 5-51-121	Amended	19:25 VA.R. 3814	10/1/03
13 VAC 5-51-129	Added	19:25 VA.R. 3815	10/1/03
13 VAC 5-51-130	Amended	19:25 VA.R. 3815	10/1/03
13 VAC 5-51-131	Amended	19:25 VA.R. 3815	10/1/03
13 VAC 5-51-132	Added	19:25 VA.R. 3816	10/1/03
13 VAC 5-51-133	Amended	19:25 VA.R. 3816	10/1/03
13 VAC 5-51-135	Amended	19:25 VA.R. 3816	10/1/03
13 VAC 5-51-136	Amended	19:25 VA.R. 3817	10/1/03
13 VAC 5-51-140	Amended	19:25 VA.R. 3817	10/1/03
13 VAC 5-51-150	Amended	19:25 VA.R. 3818	10/1/03
13 VAC 5-51-155	Added	19:25 VA.R. 3822	10/1/03
13 VAC 5-51-160	Repealed	19:25 VA.R. 3822	10/1/03
13 VAC 5-51-170	Repealed	19:25 VA.R. 3822	10/1/03
13 VAC 5-51-180	Repealed	19:25 VA.R. 3823	10/1/03
13 VAC 5-51-181	Repealed	19:25 VA.R. 3823	10/1/03
13 VAC 5-51-182	Repealed	19:25 VA.R. 3824	10/1/03
13 VAC 5-51-190	Repealed	19:25 VA.R. 3824	10/1/03
13 VAC 5-51-200	Repealed	19:25 VA.R. 3824	10/1/03
13 VAC 5-61-11 through 13 VAC 5-61-460	Repealed	19:25 VA.R. 3824	10/1/03
13 VAC 5-62	Erratum	20:2 VA.R. 140	--
13 VAC 5-62-10 through 13 VAC 5-62-480	Added	19:25 VA.R. 3824	10/1/03
13 VAC 5-62-260 L	Suspended	20:2 VA.R. 133	*
13 VAC 5-62-260 M	Suspended	20:2 VA.R. 133	*
13 VAC 5-62-260 N	Suspended	20:2 VA.R. 133	*
13 VAC 5-80-10	Amended	19:25 VA.R. 3796	10/1/03
13 VAC 5-80-20	Repealed	19:25 VA.R. 3796	10/1/03
13 VAC 5-80-30	Repealed	19:25 VA.R. 3796	10/1/03
13 VAC 5-80-40 through 13 VAC 5-80-140	Amended	19:25 VA.R. 3796	10/1/03
13 VAC 5-80-150	Repealed	19:25 VA.R. 3796	10/1/03
13 VAC 5-91-10	Amended	19:25 VA.R. 3825	10/1/03
13 VAC 5-91-40	Amended	19:25 VA.R. 3825	10/1/03
13 VAC 5-91-50	Amended	19:25 VA.R. 3825	10/1/03
13 VAC 5-91-60	Amended	19:25 VA.R. 3825	10/1/03
13 VAC 5-91-100	Amended	19:25 VA.R. 3825	10/1/03
13 VAC 5-91-110	Amended	19:25 VA.R. 3825	10/1/03
13 VAC 5-91-120	Amended	19:25 VA.R. 3825	10/1/03
13 VAC 5-91-140	Amended	19:25 VA.R. 3825	10/1/03
13 VAC 5-91-160	Amended	19:25 VA.R. 3825	10/1/03
13 VAC 5-91-180	Amended	19:25 VA.R. 3826	10/1/03
13 VAC 5-91-200	Amended	19:25 VA.R. 3826	10/1/03
13 VAC 5-91-210	Amended	19:25 VA.R. 3826	10/1/03
13 VAC 5-91-230	Repealed	19:25 VA.R. 3826	10/1/03
13 VAC 5-91-245	Added	19:25 VA.R. 3826	10/1/03
13 VAC 5-91-250	Amended	19:25 VA.R. 3826	10/1/03
13 VAC 5-91-260	Amended	19:25 VA.R. 3826	10/1/03
13 VAC 5-91-270	Amended	19:25 VA.R. 3826	10/1/03
13 VAC 10-10-10	Amended	19:25 VA.R. 3826	8/1/03
13 VAC 10-10-20	Amended	19:25 VA.R. 3826	8/1/03

* Effective date suspended for further public comment.

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13 VAC 10-40-10	Amended	19:25 VA.R. 3827	8/1/03
13 VAC 10-40-30 through 13 VAC 10-40-70	Amended	19:25 VA.R. 3827	8/1/03
13 VAC 10-40-90	Amended	19:25 VA.R. 3827	8/1/03
13 VAC 10-40-100	Amended	19:25 VA.R. 3827	8/1/03
13 VAC 10-40-110	Amended	19:12 VA.R. 1892	1/24/03
13 VAC 10-40-120	Amended	19:25 VA.R. 3827	8/1/03
13 VAC 10-40-130	Amended	19:25 VA.R. 3827	8/1/03
13 VAC 10-40-140	Amended	19:25 VA.R. 3827	8/1/03
13 VAC 10-40-160	Amended	19:25 VA.R. 3827	8/1/03
13 VAC 10-40-170	Amended	19:25 VA.R. 3827	8/1/03
13 VAC 10-40-190 through 13 VAC 10-40-230	Amended	19:25 VA.R. 3827	8/1/03
13 VAC 10-40-220	Amended	19:12 VA.R. 1892	1/24/03
13 VAC 10-40-230	Amended	19:12 VA.R. 1892	1/24/03
13 VAC 10-180-10	Amended	19:16 VA.R. 2394	4/2/03
13 VAC 10-180-50	Amended	19:16 VA.R. 2394	4/2/03
13 VAC 10-180-60	Amended	19:16 VA.R. 2394	4/2/03
13 VAC 10-180-60	Amended	19:16 VA.R. 2404	1/1/04
Title 14. Insurance			
14 VAC 5-71 (Forms)	Amended	19:23 VA.R. 3409	--
14 VAC 5-71-70	Erratum	19:22 VA.R. 3230	--
14 VAC 5-71-80	Erratum	19:22 VA.R. 3231	--
14 VAC 5-71-90	Erratum	19:22 VA.R. 3231	--
14 VAC 5-71-91	Erratum	19:22 VA.R. 3232	--
14 VAC 5-71-92	Erratum	19:22 VA.R. 3233	--
14 VAC 5-200-20	Amended	19:12 VA.R. 1893	4/1/03
14 VAC 5-200-30	Amended	19:12 VA.R. 1893	4/1/03
14 VAC 5-200-40	Amended	19:12 VA.R. 1893	4/1/03
14 VAC 5-200-60	Amended	19:12 VA.R. 1893	4/1/03
14 VAC 5-200-75	Amended	19:12 VA.R. 1893	4/1/03
14 VAC 5-200-77	Added	19:12 VA.R. 1894	4/1/03
14 VAC 5-200-150	Amended	19:12 VA.R. 1894	4/1/03
14 VAC 5-200-153	Added	19:12 VA.R. 1894	4/1/03
14 VAC 5-200-200	Amended	19:12 VA.R. 1894	4/1/03
14 VAC 5-260 (Forms)	Amended	19:14 VA.R. 2169	--
14 VAC 5-270-40	Amended	19:21 VA.R. 3071	7/1/03
14 VAC 5-270-80	Amended	19:21 VA.R. 3071	7/1/03
Title 15. Judicial			
15 VAC 5-80-50	Amended	19:17 VA.R. 2579	4/11/03
Title 16. Labor and Employment			
16 VAC 15-10-10	Amended	19:19 VA.R. 2867	7/2/03
16 VAC 15-10-20	Amended	19:19 VA.R. 2867	7/2/03
16 VAC 15-10-40	Amended	19:19 VA.R. 2867	7/2/03
16 VAC 15-10-50	Amended	19:19 VA.R. 2867	7/2/03
16 VAC 15-10-80	Amended	19:19 VA.R. 2867	7/2/03
16 VAC 15-10-90	Amended	19:19 VA.R. 2867	7/2/03
16 VAC 15-10-100	Amended	19:19 VA.R. 2867	7/2/03
16 VAC 15-40-50	Amended	19:21 VA.R. 3072	8/1/03
16 VAC 25-50-20	Amended	19:19 VA.R. 2867	7/2/03
16 VAC 25-50-150	Amended	19:19 VA.R. 2867	7/2/03
16 VAC 25-50-340	Amended	19:19 VA.R. 2867	7/2/03
16 VAC 25-50-440	Amended	19:19 VA.R. 2868	7/2/03
16 VAC 25-50-445	Added	19:19 VA.R. 2868	7/2/03
16 VAC 25-85-1904.10	Amended	19:23 VA.R. 3359	1/1/04
16 VAC 25-85-1904.12	Amended	19:23 VA.R. 3359	1/1/04
16 VAC 25-85-1904.29	Amended	19:23 VA.R. 3359	1/1/04

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16 VAC 25-90-1910.178	Amended	19:23 VA.R. 3359	9/1/03
16 VAC 30-50-30	Amended	19:18 VA.R. 2703	7/1/03
Title 18. Professional and Occupational Licensing			
18 VAC 5-21-20	Amended	19:12 VA.R. 1895	3/26/03
18 VAC 15-30	Erratum	19:26 VA.R. 3926	--
18 VAC 15-30-10 through 18 VAC 15-30-50	Amended	19:24 VA.R. 3565	10/1/03
18 VAC 15-30-41	Added	19:24 VA.R. 3565	10/1/03
18 VAC 15-30-60 through 18 VAC 15-30-90	Repealed	19:24 VA.R. 3565	10/1/03
18 VAC 15-30-100 through 18 VAC 15-30-180	Amended	19:24 VA.R. 3565	10/1/03
18 VAC 15-30-190 through 18 VAC 15-30-240	Repealed	19:24 VA.R. 3565	10/1/03
18 VAC 15-30-205	Added	19:24 VA.R. 3565	10/1/03
18 VAC 15-30-245	Added	19:24 VA.R. 3565	10/1/03
18 VAC 15-30-250 through 18 VAC 15-30-300	Amended	19:24 VA.R. 3565	10/1/03
18 VAC 15-30-310	Repealed	19:24 VA.R. 3565	10/1/03
18 VAC 15-30-320	Repealed	19:24 VA.R. 3565	10/1/03
18 VAC 15-30-330 through 18 VAC 15-30-520	Amended	19:24 VA.R. 3565	10/1/03
18 VAC 15-30-530	Repealed	19:24 VA.R. 3565	10/1/03
18 VAC 15-30-540	Amended	19:24 VA.R. 3565	10/1/03
18 VAC 15-30-541	Added	19:24 VA.R. 3565	10/1/03
18 VAC 15-30-542	Added	19:24 VA.R. 3565	10/1/03
18 VAC 15-30-550	Amended	19:24 VA.R. 3565	10/1/03
18 VAC 15-30-560 through 18 VAC 15-30-600	Repealed	19:24 VA.R. 3565	10/1/03
18 VAC 15-30-610	Amended	19:24 VA.R. 3565	10/1/03
18 VAC 15-30-620	Amended	19:24 VA.R. 3565	10/1/03
18 VAC 15-30-630	Repealed	19:24 VA.R. 3565	10/1/03
18 VAC 15-30-640	Repealed	19:24 VA.R. 3565	10/1/03
18 VAC 15-30-650	Amended	19:24 VA.R. 3565	10/1/03
18 VAC 15-30-651	Added	19:24 VA.R. 3565	10/1/03
18 VAC 15-30-660 through 18 VAC 15-30-750	Repealed	19:24 VA.R. 3565	10/1/03
18 VAC 15-30-770 through 18 VAC 15-30-820	Amended	19:24 VA.R. 3565	10/1/03
18 VAC 15-30-830	Repealed	19:24 VA.R. 3565	10/1/03
18 VAC 15-30-840	Repealed	19:24 VA.R. 3565	10/1/03
18 VAC 15-40-10 through 18 VAC 15-40-190	Added	19:18 VA.R. 2706-2712	7/1/03
18 VAC 25-10-10 through 18 VAC 25-10-50	Amended	19:19 VA.R. 2868	7/3/03
18 VAC 25-10-90	Amended	19:19 VA.R. 2868	7/3/03
18 VAC 41-20-10 through 18 VAC 41-20-280	Added	19:18 VA.R. 2712-2714	7/1/03
18 VAC 41-40-10 through 18 VAC 41-40-260 emer	Added	19:23 VA.R. 3396-3403	7/1/03-6/30/04
18 VAC 60-20-10	Amended	19:20 VA.R. 2984	7/16/03
18 VAC 60-20-90	Amended	19:18 VA.R. 2714	6/18/03
18 VAC 60-20-106	Added	19:18 VA.R. 2714	6/18/03
18 VAC 60-20-200	Amended	19:20 VA.R. 2985	7/16/03
18 VAC 60-20-210	Amended	19:20 VA.R. 2985	7/16/03
18 VAC 60-20-220	Amended	19:20 VA.R. 2985	7/16/03
18 VAC 65-20-70	Amended	19:19 VA.R. 2869	7/2/03
18 VAC 65-20-130	Amended	19:19 VA.R. 2869	7/2/03
18 VAC 65-20-140	Amended	19:19 VA.R. 2869	7/2/03
18 VAC 65-20-150	Repealed	19:19 VA.R. 2869	7/2/03
18 VAC 65-20-151	Added	19:19 VA.R. 2869	7/2/03
18 VAC 65-20-152	Added	19:19 VA.R. 2869	7/2/03
18 VAC 65-20-153	Added	19:19 VA.R. 2869	7/2/03
18 VAC 65-20-154	Added	19:19 VA.R. 2869	7/2/03
18 VAC 65-20-500	Amended	19:19 VA.R. 2869	7/2/03
18 VAC 76-20-10 through 18 VAC 76-20-60	Added	19:24 VA.R. 3565	9/10/03
18 VAC 76-30-10 through 18 VAC 76-30-120	Added	19:19 VA.R. 2869-2870	7/2/03
18 VAC 76-40-10 emer	Added	19:25 VA.R. 3831	8/6/03-8/5/04
18 VAC 76-40-20 emer	Added	19:25 VA.R. 3831	8/6/03-8/5/04

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18 VAC 76-40-30 emer	Added	19:25 VA.R. 3832	8/6/03-8/5/04
18 VAC 76-40-30 emer (Forms)	Added	19:25 VA.R. 3833	--
18 VAC 80-20-10	Amended	19:24 VA.R. 3567	10/1/03
18 VAC 80-20-30	Amended	19:24 VA.R. 3568	10/1/03
18 VAC 80-20-40	Amended	19:24 VA.R. 3569	10/1/03
18 VAC 80-20-50	Amended	19:24 VA.R. 3569	10/1/03
18 VAC 80-20-60	Repealed	19:24 VA.R. 3569	10/1/03
18 VAC 80-20-70	Amended	19:24 VA.R. 3569	10/1/03
18 VAC 80-20-70	Amended	19:25 VA.R. 3827	10/1/03
18 VAC 80-20-80	Amended	19:24 VA.R. 3569	10/1/03
18 VAC 80-20-120 through 18 VAC 80-20-160	Amended	19:24 VA.R. 3569-3570	10/1/03
18 VAC 80-20-170	Repealed	19:24 VA.R. 3570	10/1/03
18 VAC 80-20-180	Amended	19:24 VA.R. 3570	10/1/03
18 VAC 80-20-200 through 18 VAC 80-20-270	Amended	19:24 VA.R. 3570	10/1/03
18 VAC 85-20-22 emer	Amended	19:23 VA.R. 3404	7/15/03-7/14/04
18 VAC 85-20-122	Amended	19:21 VA.R. 3073	7/30/03
18 VAC 85-20-210	Amended	19:21 VA.R. 3074	7/30/03
18 VAC 85-20-225	Added	19:18 VA.R. 2715	6/18/03
18 VAC 85-20-280	Amended	19:19 VA.R. 2870	7/2/03
18 VAC 85-20-280	Amended	19:21 VA.R. 3074	7/30/03
18 VAC 85-20-285	Added	19:19 VA.R. 2871	7/2/03
18 VAC 85-20-290	Amended	19:19 VA.R. 2871	7/2/03
18 VAC 85-20-300	Amended	19:19 VA.R. 2871	7/2/03
18 VAC 85-20-310 through 18 VAC 85-20-390	Added	19:18 VA.R. 2719-2720	6/18/03
18 VAC 85-40-10	Amended	19:19 VA.R. 2873	7/2/03
18 VAC 85-40-35	Added	19:19 VA.R. 2873	7/2/03
18 VAC 85-40-40	Amended	19:19 VA.R. 2873	7/2/03
18 VAC 85-40-45	Amended	19:19 VA.R. 2873	7/2/03
18 VAC 85-40-50	Amended	19:19 VA.R. 2873	7/2/03
18 VAC 85-40-55	Added	19:18 VA.R. 2717	6/18/03
18 VAC 85-40-60	Amended	19:19 VA.R. 2873	7/2/03
18 VAC 85-40-61	Amended	19:19 VA.R. 2873	7/2/03
18 VAC 85-40-65	Amended	19:19 VA.R. 2873	7/2/03
18 VAC 85-40-66	Added	19:19 VA.R. 2873	7/2/03
18 VAC 85-40-80	Repealed	19:19 VA.R. 2873	7/2/03
18 VAC 85-50-10	Amended	19:18 VA.R. 2722	6/18/03
18 VAC 85-50-40	Amended	19:18 VA.R. 2722	6/18/03
18 VAC 85-50-59	Added	19:18 VA.R. 2722	6/18/03
18 VAC 85-50-101	Amended	19:18 VA.R. 2722	6/18/03
18 VAC 85-50-110	Amended	19:18 VA.R. 2722	6/18/03
18 VAC 85-50-115	Amended	19:18 VA.R. 2722	6/18/03
18 VAC 85-80-65	Added	19:18 VA.R. 2717	6/18/03
18 VAC 85-101-10	Amended	19:19 VA.R. 2873	7/2/03
18 VAC 85-101-25	Added	19:19 VA.R. 2873	7/2/03
18 VAC 85-101-30 through 18 VAC 85-101-60	Amended	19:19 VA.R. 2873	7/2/03
18 VAC 85-101-61	Added	19:19 VA.R. 2873	7/2/03
18 VAC 85-101-80	Repealed	19:19 VA.R. 2873	7/2/03
18 VAC 85-101-90	Repealed	19:19 VA.R. 2873	7/2/03
18 VAC 85-101-100	Amended	19:19 VA.R. 2873	7/2/03
18 VAC 85-101-130	Amended	19:19 VA.R. 2873	7/2/03
18 VAC 85-101-140	Amended	19:19 VA.R. 2873	7/2/03
18 VAC 85-101-150	Amended	19:19 VA.R. 2873	7/2/03
18 VAC 85-101-151	Amended	19:19 VA.R. 2873	7/2/03
18 VAC 85-101-160	Repealed	19:19 VA.R. 2873	7/2/03
18 VAC 85-101-145	Added	19:18 VA.R. 2717	6/18/03
18 VAC 85-110-145	Added	19:18 VA.R. 2718	6/18/03

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 85-120-85	Added	19:18 VA.R. 2718	6/18/03
18 VAC 90-20-30 emer	Amended	19:23 VA.R. 3406	7/15/03-7/14/04
18 VAC 90-20-271	Added	19:18 VA.R. 2722	6/18/03
18 VAC 90-20-360	Amended	19:13 VA.R. 1967	4/9/03
18 VAC 90-20-361	Added	19:13 VA.R. 1967	4/9/03
18 VAC 90-20-362	Added	19:13 VA.R. 1967	4/9/03
18 VAC 90-20-363	Added	19:13 VA.R. 1968	4/9/03
18 VAC 90-20-364	Added	19:13 VA.R. 1968	4/9/03
18 VAC 90-30-10	Amended	19:19 VA.R. 2874	7/2/03
18 VAC 90-30-70	Amended	19:19 VA.R. 2874	7/2/03
18 VAC 90-30-90	Amended	19:19 VA.R. 2874	7/2/03
18 VAC 95-20-10	Amended	19:19 VA.R. 2874	7/2/03
18 VAC 95-20-175	Amended	19:19 VA.R. 2875	7/2/03
18 VAC 95-20-200	Amended	19:19 VA.R. 2875	7/2/03
18 VAC 95-20-220	Amended	19:19 VA.R. 2876	7/2/03
18 VAC 95-20-230	Amended	19:19 VA.R. 2876	7/2/03
18 VAC 95-20-290	Repealed	19:19 VA.R. 2876	7/2/03
18 VAC 95-20-300	Amended	19:19 VA.R. 2876	7/2/03
18 VAC 95-20-310	Amended	19:19 VA.R. 2876	7/2/03
18 VAC 95-20-330	Amended	19:19 VA.R. 2877	7/2/03
18 VAC 95-20-340	Amended	19:19 VA.R. 2877	7/2/03
18 VAC 95-20-380	Amended	19:19 VA.R. 2877	7/2/03
18 VAC 95-20-390	Amended	19:19 VA.R. 2877	7/2/03
18 VAC 100-20-53 emer	Added	19:24 VA.R. 3601	7/17/03-7/16/04
18 VAC 105-20-75	Added	19:19 VA.R. 2877	7/2/03
18 VAC 110-20-75	Added	19:19 VA.R. 2878	7/2/03
18 VAC 110-20-170	Amended	19:19 VA.R. 2878	7/2/03
18 VAC 110-20-240	Amended	19:20 VA.R. 2986	7/16/03
18 VAC 110-20-255	Added	19:20 VA.R. 2986	7/16/03
18 VAC 110-20-275	Added	19:20 VA.R. 2986	7/16/03
18 VAC 110-20-320	Amended	19:20 VA.R. 2986	7/16/03
18 VAC 110-20-330	Amended	19:19 VA.R. 2878	7/2/03
18 VAC 110-20-400	Amended	19:20 VA.R. 2986	7/16/03
18 VAC 110-20-411	Amended	19:19 VA.R. 2878	7/2/03
18 VAC 110-20-430	Repealed	19:20 VA.R. 2986	7/16/03
18 VAC 110-20-530	Amended	19:20 VA.R. 2986	7/16/03
18 VAC 110-20-730	Added	19:20 VA.R. 2986	7/16/03
18 VAC 115-30-10	Amended	19:18 VA.R. 2724	6/18/03
18 VAC 115-30-30	Amended	19:18 VA.R. 2724	6/18/03
18 VAC 115-30-40	Amended	19:18 VA.R. 2724	6/18/03
18 VAC 115-30-45	Amended	19:18 VA.R. 2724	6/18/03
18 VAC 115-30-50	Amended	19:18 VA.R. 2724	6/18/03
18 VAC 115-30-60	Amended	19:18 VA.R. 2724	6/18/03
18 VAC 115-30-61	Added	19:18 VA.R. 2724	6/18/03
18 VAC 115-30-62	Added	19:18 VA.R. 2724	6/18/03
18 VAC 115-30-70	Repealed	19:18 VA.R. 2724	6/18/03
18 VAC 115-30-90	Amended	19:18 VA.R. 2724	6/18/03
18 VAC 115-30-110	Amended	19:18 VA.R. 2724	6/18/03
18 VAC 115-30-140	Amended	19:18 VA.R. 2724	6/18/03
18 VAC 120-40-10	Amended	19:23 VA.R. 3361	8/27/03
18 VAC 120-40-20	Amended	19:23 VA.R. 3361	8/27/03
18 VAC 120-40-30	Repealed	19:23 VA.R. 3362	8/27/03
18 VAC 120-40-40 through 18 VAC 120-40-140	Amended	19:23 VA.R. 3362-3363	8/27/03
18 VAC 120-40-170 through 18 VAC 120-40-260	Amended	19:23 VA.R. 3363-3365	8/27/03
18 VAC 120-40-290	Amended	19:23 VA.R. 3365	8/27/03
18 VAC 120-40-350	Amended	19:23 VA.R. 3365	8/27/03

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 120-40-380	Amended	19:23 VA.R. 3365	8/27/03
18 VAC 120-40-400	Amended	19:23 VA.R. 3366	8/27/03
18 VAC 120-40-430	Amended	19:23 VA.R. 3366	8/27/03
18 VAC 130-20-10	Amended	19:18 VA.R. 2724	7/1/03
18 VAC 130-20-30	Amended	19:18 VA.R. 2728	7/1/03
18 VAC 130-20-40	Amended	19:18 VA.R. 2729	7/1/03
18 VAC 130-20-50	Amended	19:18 VA.R. 2729	7/1/03
18 VAC 130-20-60	Amended	19:18 VA.R. 2730	7/1/03
18 VAC 130-20-70	Amended	19:18 VA.R. 2730	7/1/03
18 VAC 130-20-110	Amended	19:18 VA.R. 2730	7/1/03
18 VAC 130-20-170	Amended	19:18 VA.R. 2731	7/1/03
18 VAC 130-20-180	Amended	19:18 VA.R. 2731	7/1/03
18 VAC 130-20-200	Amended	19:18 VA.R. 2733	7/1/03
18 VAC 130-20-210	Amended	19:18 VA.R. 2733	7/1/03
18 VAC 130-20-220	Amended	19:18 VA.R. 2733	7/1/03
18 VAC 130-20-230	Amended	19:18 VA.R. 2734	7/1/03
18 VAC 135-20-10 through 18 VAC 135-20-80	Amended	19:12 VA.R. 1899-1901	4/1/03
18 VAC 135-20-30	Erratum	19:14 VA.R. 2177	--
18 VAC 135-20-60	Erratum	19:14 VA.R. 2177	--
18 VAC 135-20-100	Amended	19:12 VA.R. 1901	4/1/03
18 VAC 135-20-105	Added	19:12 VA.R. 1901	4/1/03
18 VAC 135-20-110 through 18 VAC 135-20-150	Amended	19:12 VA.R. 1901	4/1/03
18 VAC 135-20-155	Added	19:12 VA.R. 1901	4/1/03
18 VAC 135-20-160 through 18 VAC 135-20-180	Amended	19:12 VA.R. 1901	4/1/03
18 VAC 135-20-185	Added	19:12 VA.R. 1901	4/1/03
18 VAC 135-20-190	Amended	19:12 VA.R. 1901	4/1/03
18 VAC 135-20-200	Repealed	19:12 VA.R. 1903	4/1/03
18 VAC 135-20-220	Amended	19:12 VA.R. 1903	4/1/03
18 VAC 135-20-230	Repealed	19:12 VA.R. 1903	4/1/03
18 VAC 135-20-240 through 18 VAC 135-20-300	Amended	19:12 VA.R. 1903-1904	4/1/03
18 VAC 135-20-260	Erratum	19:14 VA.R. 2177	--
18 VAC 135-20-320	Repealed	19:12 VA.R. 1904	4/1/03
18 VAC 135-20-330	Amended	19:12 VA.R. 1904	4/1/03
18 VAC 135-20-340	Amended	19:12 VA.R. 1904	4/1/03
18 VAC 135-20-360	Amended	19:12 VA.R. 1904	4/1/03
18 VAC 135-20-370	Amended	19:12 VA.R. 1904	4/1/03
18 VAC 135-20-410	Amended	19:12 VA.R. 1904	4/1/03
18 VAC 135-40-10	Repealed	19:19 VA.R. 2880	7/2/03
18 VAC 135-40-20	Amended	19:19 VA.R. 2880	7/2/03
18 VAC 135-40-30	Repealed	19:19 VA.R. 2880	7/2/03
18 VAC 135-40-40	Repealed	19:19 VA.R. 2880	7/2/03
18 VAC 135-40-50	Amended	19:19 VA.R. 2880	7/2/03
18 VAC 135-40-60	Amended	19:19 VA.R. 2880	7/2/03
18 VAC 135-40-70	Repealed	19:19 VA.R. 2880	7/2/03
18 VAC 135-40-80	Amended	19:19 VA.R. 2880	7/2/03
18 VAC 135-40-90	Repealed	19:19 VA.R. 2880	7/2/03
18 VAC 135-40-110	Amended	19:19 VA.R. 2880	7/2/03
18 VAC 135-40-120	Repealed	19:19 VA.R. 2880	7/2/03
18 VAC 135-40-130	Repealed	19:19 VA.R. 2880	7/2/03
18 VAC 135-40-140	Amended	19:19 VA.R. 2880	7/2/03
18 VAC 135-40-150	Amended	19:19 VA.R. 2880	7/2/03
18 VAC 135-40-160	Amended	19:19 VA.R. 2881	7/2/03
18 VAC 135-40-170 through 18 VAC 135-40-410	Repealed	19:19 VA.R. 2881	7/2/03
18 VAC 135-40-420	Amended	19:19 VA.R. 2881	7/2/03
18 VAC 135-40-430	Amended	19:19 VA.R. 2881	7/2/03
18 VAC 135-40-440 through 18 VAC 135-40-530	Repealed	19:19 VA.R. 2882	7/2/03

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 135-50-10	Amended	19:24 VA.R. 3571	9/10/03
18 VAC 135-50-30	Amended	19:24 VA.R. 3571	9/10/03
18 VAC 135-50-40	Repealed	19:24 VA.R. 3571	9/10/03
18 VAC 135-50-50	Amended	19:24 VA.R. 3571	9/10/03
18 VAC 135-50-70 through 18 VAC 135-50-110	Amended	19:24 VA.R. 3571-3572	9/10/03
18 VAC 135-50-140	Amended	19:24 VA.R. 3573	9/10/03
18 VAC 135-50-150	Repealed	19:24 VA.R. 3574	9/10/03
18 VAC 135-50-190	Amended	19:24 VA.R. 3574	9/10/03
18 VAC 135-50-200	Amended	19:24 VA.R. 3574	9/10/03
18 VAC 135-50-210	Amended	19:24 VA.R. 3577	9/10/03
18 VAC 135-50-212	Added	19:24 VA.R. 3577	9/10/03
18 VAC 135-50-215	Added	19:24 VA.R. 3577	9/10/03
18 VAC 135-50-217	Added	19:24 VA.R. 3577	9/10/03
18 VAC 135-50-220	Amended	19:24 VA.R. 3577	9/10/03
18 VAC 135-50-230	Repealed	19:24 VA.R. 3577	9/10/03
18 VAC 135-50-240	Repealed	19:24 VA.R. 3577	9/10/03
18 VAC 135-50-250	Repealed	19:24 VA.R. 3577	9/10/03
18 VAC 135-50-270	Amended	19:24 VA.R. 3577	9/10/03
18 VAC 135-50-290	Amended	19:24 VA.R. 3577	9/10/03
18 VAC 135-50-300	Amended	19:24 VA.R. 3577	9/10/03
18 VAC 135-50-330	Amended	19:24 VA.R. 3577	9/10/03
18 VAC 135-50-350	Amended	19:24 VA.R. 3578	9/10/03
18 VAC 135-50-390	Amended	19:24 VA.R. 3578	9/10/03
18 VAC 135-50-400	Amended	19:24 VA.R. 3578	9/10/03
18 VAC 135-50-420	Amended	19:24 VA.R. 3578	9/10/03
18 VAC 135-50-440 through 18 VAC 135-50-470	Amended	19:24 VA.R. 3578	9/10/03
18 VAC 135-50-510	Amended	19:24 VA.R. 3578	9/10/03
18 VAC 135-50-530	Amended	19:24 VA.R. 3578	9/10/03
18 VAC 135-50-560 through 18 VAC 135-50-590	Repealed	19:24 VA.R. 3579	9/10/03
18 VAC 135-60-10 through 18 VAC 135-60-60	Added	19:24 VA.R. 3579	9/10/03
18 VAC 140-20-30	Amended	19:14 VA.R. 2145	4/23/03
18 VAC 150-20-135	Added	19:22 VA.R. 3217	8/13/03
Title 19. Public Safety			
19 VAC 30-80-20	Amended	20:2 VA.R. 134	11/5/03
19 VAC 30-80-40	Added	20:2 VA.R. 134	11/5/03
19 VAC 30-170-5	Repealed	19:23 VA.R. 3367	7/3/03
19 VAC 30-170-10	Repealed	19:23 VA.R. 3368	7/3/03
19 VAC 30-170-15	Added	19:23 VA.R. 3368	7/3/03
19 VAC 30-170-20	Repealed	19:23 VA.R. 3368	7/3/03
19 VAC 30-170-30	Amended	19:23 VA.R. 3369	7/3/03
19 VAC 30-170-40	Repealed	19:23 VA.R. 3370	7/3/03
19 VAC 30-170-50	Amended	19:23 VA.R. 3370	7/3/03
19 VAC 30-170-60	Repealed	19:23 VA.R. 3370	7/3/03
Title 20. Public Utilities and Telecommunications			
20 VAC 5-200	Erratum	19:20 VA.R. 2999	--
20 VAC 5-312-20	Amended	19:17 VA.R. 2579	4/10/03
20 VAC 5-312-120	Amended	19:24 VA.R. 3579	1/1/04
20 VAC 5-400-180	Repealed	19:17 VA.R. 2583	4/10/03
20 VAC 5-417	Erratum	19:20 VA.R. 2999	--
20 VAC 5-417-10 through 20 VAC 5-417-80	Added	19:17 VA.R. 2583-2587	4/10/03
20 VAC 5-429-10 through 20 VAC 5-429-60	Added	19:17 VA.R. 2587-2588	4/10/03
Title 21. Securities and Retail Franchising			
21 VAC 5-10-10	Amended	19:23 VA.R. 3373	7/1/03
21 VAC 5-20-70	Amended	19:23 VA.R. 3373	7/1/03
21 VAC 5-20-85	Amended	19:23 VA.R. 3373	7/1/03

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
21 VAC 5-20-155	Amended	19:23 VA.R. 3373	7/1/03
21 VAC 5-20-220	Amended	19:23 VA.R. 3373	7/1/03
21 VAC 5-20-225	Added	19:23 VA.R. 3373	7/1/03
21 VAC 5-20-240	Amended	19:23 VA.R. 3373	7/1/03
21 VAC 5-20-250	Repealed	19:23 VA.R. 3375	7/1/03
21 VAC 5-20-260	Amended	19:23 VA.R. 3375	7/1/03
21 VAC 5-20-270	Repealed	19:23 VA.R. 3375	7/1/03
21 VAC 5-20-280	Amended	19:23 VA.R. 3375	7/1/03
21 VAC 5-30-10	Amended	19:23 VA.R. 3379	7/1/03
21 VAC 5-30-40	Amended	19:23 VA.R. 3380	7/1/03
21 VAC 5-30-70	Repealed	19:23 VA.R. 3380	7/1/03
21 VAC 5-30-80	Amended	19:23 VA.R. 3380	7/1/03
21 VAC 5-30-90	Repealed	19:23 VA.R. 3380	7/1/03
21 VAC 5-40-30	Amended	19:23 VA.R. 3380	7/1/03
21 VAC 5-40-100	Amended	19:23 VA.R. 3381	7/1/03
21 VAC 5-40-120	Repealed	19:23 VA.R. 3381	7/1/03
21 VAC 5-40-140	Amended	19:23 VA.R. 3381	7/1/03
21 VAC 5-40-150	Amended	19:23 VA.R. 3381	7/1/03
21 VAC 5-40-160	Added	19:23 VA.R. 3381	7/1/03
21 VAC 5-45-10	Added	19:23 VA.R. 3381	7/1/03
21 VAC 5-45-20	Added	19:23 VA.R. 3381	7/1/03
21 VAC 5-80-40	Amended	19:23 VA.R. 3381	7/1/03
21 VAC 5-80-190	Amended	19:23 VA.R. 3382	7/1/03
21 VAC 5-80-200	Amended	19:23 VA.R. 3382	7/1/03
21 VAC 5-80-210	Amended	19:23 VA.R. 3384	7/1/03
21 VAC 5-100-10	Amended	19:23 VA.R. 3384	7/1/03
21 VAC 5-120-50	Erratum	19:22 VA.R. 3233	--
21 VAC 5-120-50	Amended	20:1 VA.R. 32	9/2/03
Title 22. Social Services			
22 VAC 30-20-10 through 22 VAC 30-20-40	Amended	19:14 VA.R. 2147-2154	4/24/03
22 VAC 30-20-60	Amended	19:14 VA.R. 2154	4/24/03
22 VAC 30-20-80	Amended	19:14 VA.R. 2154	4/24/03
22 VAC 30-20-90	Amended	19:14 VA.R. 2155	4/24/03
22 VAC 30-20-90	Amended	19:18 VA.R. 2736	6/18/03
22 VAC 30-20-95	Added	19:14 VA.R. 2155	4/24/03
22 VAC 30-20-100 through 22 VAC 30-20-130	Amended	19:14 VA.R. 2155-2164	4/24/03
22 VAC 30-20-150	Amended	19:14 VA.R. 2164	4/24/03
22 VAC 30-20-160	Amended	19:14 VA.R. 2164	4/24/03
22 VAC 30-20-170	Amended	19:14 VA.R. 2165	4/24/03
22 VAC 30-20-181	Amended	19:14 VA.R. 2166	4/24/03
22 VAC 30-20-200	Amended	19:14 VA.R. 2167	4/24/03
22 VAC 40-11-10	Amended	19:24 VA.R. 3581	9/10/03
22 VAC 40-11-30	Amended	19:24 VA.R. 3581	9/10/03
22 VAC 40-11-40	Amended	19:24 VA.R. 3581	9/10/03
22 VAC 40-11-50	Amended	19:24 VA.R. 3581	9/10/03
22 VAC 40-90-10	Amended	19:22 VA.R. 3218	9/19/03
22 VAC 40-220-10	Repealed	19:19 VA.R. 2882	7/2/03
22 VAC 40-220-20	Repealed	19:19 VA.R. 2882	7/2/03
22 VAC 40-293-10 emer	Added	19:19 VA.R. 2883	7/1/03-6/30/04
22 VAC 40-293-20 emer	Added	19:19 VA.R. 2883	7/1/03-6/30/04
22 VAC 40-375-10 through 22 VAC 40-375-60	Added	19:24 VA.R. 3582-3584	9/10/03
22 VAC 40-685-10	Added	19:24 VA.R. 3584	9/1/03
22 VAC 40-685-20	Added	19:24 VA.R. 3584	9/1/03
22 VAC 40-685-30	Added	19:24 VA.R. 3584	9/1/03
22 VAC 40-910-10 through 22 VAC 40-910-110	Added	19:24 VA.R. 3584-3585	9/1/03

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
Title 24. Transportation and Motor Vehicles			
24 VAC 30-280-20	Amended	19:16 VA.R. 2414	3/24/03
24 VAC 30-280-40	Amended	19:16 VA.R. 2415	3/24/03
24 VAC 30-280-50	Amended	19:16 VA.R. 2415	3/24/03
24 VAC 30-280-60	Amended	19:16 VA.R. 2416	3/24/03
24 VAC 30-480	Repealed	19:22 VA.R. 3219	8/13/03

PETITIONS FOR RULEMAKING

TITLE 2. AGRICULTURE

STATE BOARD OF AGRICULTURE AND CONSUMER SERVICES

Agency Decision

Title of Regulation: **N/A - There are no present regulations on this subject.**

Statutory Authority: § 3.1-296.14 of the Code of Virginia.

Name of Petitioner: Kyle Hegamyer in conjunction with the University of Richmond Environmental Studies Program.

Nature of Petitioner's Request: The petitioner requests that Hydrilla verticillata be declared a noxious weed and regulated as such under Chapter 17.2 (§ 3.1-296.11 et seq.) of Title 3.1 of the Code of Virginia (Noxious Weed Law).

Agency Decision: Request Denied.

Statement of Reasons for Decision: In § 3.1-296.12 of the Code of Virginia, the Noxious Weed Law, "Noxious Weed" is defined as "any living plant, not widely disseminated, or part thereof, declared by the board through rules and regulations under this chapter, to be detrimental to crops, surface waters, including lakes, or other desirable plants, livestock, land, or other property, or to be injurious to public health or the economy." The petition states that "According to the United States Geological Survey (USGS), as of October 2000, drainages in Virginia supporting hydrilla populations included, the Appomattox, Lower James, Lower Potomac, Lower Rappahannock, Middle James-Willis, Middle Potomac-Anacostia-Occoquan, Middle Roanoke, Pamunkey, and Roanoke Rapids. These drainages include important [sic] bodies of water such as Lake Anna and Lake Gaston, which provides Virginia Beach with much of its water supply." Since Hydrilla verticillata is documented as already being widely disseminated in Virginia, by definition, it does not qualify to be listed under Virginia's Noxious Weed Law. Also, since Hydrilla is not sold or distributed in commerce then there is no need for the Virginia Department of Agriculture and Consumer Services (VDACS) to take action to prevent Hydrilla from being sold or distributed in Virginia.

In addition, the 1996 Virginia General Assembly passed House Bill 804 directing VDACS in coordination with the Virginia Department of Game and Inland Fisheries to develop a plan for the identification and control of noxious weeds in surface waters and lakes of the Commonwealth. In response to this enactment, representatives of various organizations and groups impacted by noxious aquatic weeds participated in a meeting to assess the severity of their aquatic weed problems and provide recommendations for dealing with aquatic weeds, including estimates of costs and suggested sources of funding.

As a result of this meeting, a Noxious Aquatic Weed Control Program was developed. However, VDACS has no appropriated funding to undertake a Hydrilla control program. The consensus of impacted stakeholders was that since the Commonwealth's major lakes and waterways already have

local weed control committees established for dealing with aquatic weed problems, the most efficient and cost effective approach was for the Commonwealth to provide state general fund moneys, when needed and available, to supplement existing federal and local funding of hydrilla control strategies currently implemented by local weed control committees. Since 1997, the Virginia General Assembly has provided a total of \$300,000 in state funds for hydrilla control programs in Lake Anna, Lake Gaston and the Potomac River.

Agency Contact: Frank M. Fulgham, Program Manager, Department of Agriculture and Consumer Services, P.O. Box 1163, Room 703, Richmond, VA 23218, telephone (804) 786-3515, FAX (804) 371-7793, or e-mail ffulgham@vdacs.state.va.us.

VA.R. Doc. No. R03-180; Filed September 29, 2003, 2:55 p.m.

NOTICES OF INTENDED REGULATORY ACTION

Symbol Key

† Indicates entries since last publication of the *Virginia Register*

TITLE 8. EDUCATION

BOARD OF EDUCATION

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Education intends to consider promulgating regulations entitled **8 VAC 20-690, Regulations for Scoliosis Screening Program**. The purpose of the proposed action is to promulgate regulations for the implementation of scoliosis screenings for pupils in grades five through 10. The goals of the regulation will address (i) requirements and training for school personnel and volunteers who conduct the screenings, (ii) procedures for the notification of parents when evidence of scoliosis is detected, and (iii) other provisions as the board deems necessary.

The agency intends to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: § 22.1-273.1 of the Code of Virginia.

Public comments may be submitted until 5 p.m. on October 22, 2003.

Contact: Dr. Margaret N. Roberts, Office of Policy and Public Affairs, Department of Education, P.O. Box 2120, 101 N. 14th St., 25th Floor, Richmond, VA 23219, telephone (804) 225-2540, FAX (804) 225-2524 or e-mail mroberts@mail.vak12ed.edu.

VA.R. Doc. No. R04-5; Filed August 28, 2003, 12:31 p.m.

STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Council of Higher Education for Virginia intends to consider repealing regulations entitled **8 VAC 40-30, Regulations Governing the Approval of Certification of Certain Institutions to Confer Degree, Diplomas and Certificates**, and promulgate regulations entitled **8 VAC 40-31, Regulations Governing the Approval of Certification of Certain Institutions to Confer Degree, Diplomas and Certificates**. The purpose of the proposed action is to replace existing regulations with a new regulation that will provide institutions of higher education (IHE) with a set of specific and clearly defined criteria to confer degrees and degree credit in the Commonwealth. It will also make the certification process more efficient by eliminating the time and cost-consuming practice of individual program approval.

The agency does not intend to hold a public hearing on the proposed regulation after publication in the Virginia Register.

Statutory Authority: § 23-276.3 of the Code of Virginia.

Public comments may be submitted until 5 p.m. on October 22, 2003.

Contact: Rick Patterson, Coordinator, Private and Out-of-State Institutions, State Council of Higher Education for Virginia, 101 N. 14th St., 9th Floor, Richmond, VA 23219, telephone (804) 225-2609, FAX (804) 786-2027 or email rickpatterson@schev.edu.

VA.R. Doc. No. R04-6; Filed September 3, 2003, 11:51 a.m.

TITLE 9. ENVIRONMENT

VIRGINIA WASTE MANAGEMENT BOARD

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Virginia Waste Management Board intends to consider amending regulations entitled **9 VAC 20-80, Solid Waste Management Regulations**. The purpose of the proposed action is to (i) modify the regulation to accommodate a permit-by-rule for waste piles and (ii) review the applicable sections of the regulation to assure provisions to protect human health and the environment and eliminate any unnecessary provisions that do not accomplish this goal.

The agency intends to hold a public hearing on the proposed regulation after publication in the Virginia Register.

Statutory Authority: §§ 10.1-1402 and 10.1-1408.1 of the Code of Virginia; 42 USC § 6941 et seq. and 40 CFR Part 258.

Public comments may be submitted until November 21, 2003.

Contact: Michael Dieter, Department of Environment Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4146, FAX (804) 698-4327 or e-mail mjdieter@deq.state.va.us.

VA.R. Doc. No. R04-17; Filed September 30, 2003, 4:32 p.m.

TITLE 12. HEALTH

STATE BOARD OF HEALTH

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Health intends to consider amending regulations entitled **12 VAC 5-585,**

Notices of Intended Regulatory Action

Biosolids Use Regulations. The purpose of the proposed action is to provide standards by which biosolids may be stored, obviating the need for numerous administrative variances.

The agency does not intend to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: § 32.1-164 of the Code of Virginia.

Public comments may be submitted until 5 p.m. on October 22, 2003.

Contact: Cal Sawyer, Director, Division of Wastewater Engineering, Department of Health, 1500 E. Main St., Suite 109, Richmond, VA 23219, telephone (804) 371-3500, FAX (804) 786-5566 or e-mail csawyer@vdh.state.va.us.

VA.R. Doc. No. R04-4; Filed August 25, 2003, 10:25 a.m.

TITLE 13. HOUSING

BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Housing and Community Development intends to consider amending regulations entitled **13 VAC 5-111, Enterprise Zone Program Regulation**. The purpose of the proposed action is to address legislative changes made to the Enterprise Zone Program enacted by the 2003 General Assembly and to clarify aspects of the regulations for more effective implementation and ease of use.

The agency intends to hold a public hearing on the proposed regulation after publication in the Virginia Register.

Statutory Authority: § 59.1-278 of the Code of Virginia.

Public comments may be submitted until November 6, 2003.

Contact: Stephen W. Calhoun, Senior Policy Analyst/Regulatory Coordinator, Department of Housing and Community Development, 501 N. 2nd St., Richmond, VA 23219, telephone (804) 371-7015, FAX (804) 371-7090 or e-mail scalhoun@dhcd.state.va.us.

VA.R. Doc. No. R04-7; Filed September 11, 2003, 3:16 p.m.

TITLE 22. SOCIAL SERVICES

STATE BOARD OF SOCIAL SERVICES

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to consider amending regulations entitled **22 VAC 40-170, Voluntary Registration of Family Day Homes--Requirements for Contracting Organizations**. The purpose of the proposed action is to incorporate statutory changes that have occurred since the regulation became effective in April 1993. Other revisions will be made for clarity to assist affected organizations in understanding the regulatory requirements. Requirements that, through implementation, have been determined to be burdensome will be deleted. Statutory references throughout the regulation will be updated to reflect the recodification of Title 63.2.

The agency does not intend to hold a public hearing on the proposed regulation after publication in the Virginia Register.

Statutory Authority: § 63.2-1704 of the Code of Virginia.

Public comments may be submitted until November 5, 2003.

Contact: Doris Sherrod, Program Development Consultant, Department of Social Services, Division of Licensing Programs, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1748, FAX (804) 692-2370 or e-mail dss7@dss.state.va.us.

VA.R. Doc. No. R04-11; Filed September 17, 2003, 9:57 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to consider repealing regulations entitled **22 VAC 40-180, Voluntary Registration of Family Day Homes--Requirements for Providers**, and adopting regulations entitled **22 VAC 40-181, Voluntary Registration of Family Day Homes--Requirements for Providers**. The purpose of the proposed action is to repeal 22 VAC 40-180 and adopt a new regulation (22 VAC 40-181). The number of changes that have occurred since this regulation became effective in April 1993 including, but not limited to, additions to the definition of a family day home, changes in background clearance requirements, and the addition of requirements for proof of a child's age and identity, all of which are statutory changes, makes replacement of the regulation necessary. Many of the requirements of 22 VAC 40-180 will be incorporated into 22 VAC 40-181. The new regulation will be clear and easy to follow, will incorporate all applicable requirements from the Code of Virginia, and will provide reasonable health and safety guidelines for the protection of children cared for in these small homes.

The agency does not intend to hold a public hearing on the proposed regulation after publication in the Virginia Register.

Statutory Authority: § 63.2-1704 of the Code of Virginia.

Notices of Intended Regulatory Action

Public comments may be submitted until November 5, 2003.

Contact: Doris Sherrod, Program Development Consultant, Department of Social Services, Division of Licensing Programs, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1748, FAX (804) 692-2370 or e-mail dss7@dss.state.va.us.

VA.R. Doc. No. R04-12 and R04-13; Filed September 17, 2003, 10 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to consider amending regulations entitled **22 VAC 40-325, Fraud Reduction/Elimination Effort**. The purpose of the proposed action is to amend the criteria for local departments of social services to receive full reimbursement for program costs, expand the responsibilities of local departments of social services fraud units and enhance the definitions section of the regulation.

The agency does not intend to hold a public hearing on the proposed regulation after publication in the Virginia Register.

Statutory Authority: § 63.2-526 of the Code of Virginia.

Public comments may be submitted until November 5, 2003.

Contact: S. Michelle Lauter, Manager, Fraud Unit, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 786-9170, FAX (804) 692-2431 or e-mail sml900@dss.state.va.us.

VA.R. Doc. No. R04-14; Filed September 17, 2003, 9:59 a.m.



PROPOSED REGULATIONS

For information concerning Proposed Regulations, see Information Page.

Symbol Key

Roman type indicates existing text of regulations. *Italic type* indicates proposed new text.
Language which has been stricken indicates proposed text for deletion.

TITLE 13. HOUSING

VIRGINIA HOUSING DEVELOPMENT AUTHORITY

REGISTRAR'S NOTICE: The Virginia Housing Development Authority is exempt from the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia) pursuant to § 2.2-4002 A 4; however, under the provisions of § 2.2-4031 A, it is required to publish all proposed and final regulations.

Title of Regulation: 13 VAC 10-180. Rules and Regulations for Allocation of Low-Income Housing Tax Credits (amending 13 VAC 10-180-10, 13 VAC 10-180-50, and 13 VAC 10-180-60).

Statutory Authority: § 36-55.30:3 of the Code of Virginia.

Public Hearing Date: October 27, 2003 - 10 a.m.

Public comments may be submitted until October 27, 2003.

Agency Contact: J. Judson McKellar, Jr., General Counsel, Virginia Housing Development Authority, 601 S. Belvidere Street, Richmond, VA 23220, telephone (804) 343-5540, FAX (804) 783-6701, or e-mail judson.mckellar@vhda.com.

Summary:

The proposed amendments (i) include a definition of older central cities; (ii) revise the definition of revitalization area; (iii) require market studies for developments intended for persons age 55 and older to be submitted with the application; (iv) require a certification that the proposed development meets all applicable amenity and design requirements; (v) replace the nonprofit set-aside and local housing authority set-aside with a nonprofit pool and local housing authority pool; (vi) revise the points awarded for developments located in revitalization areas; (vii) delete points awarded for certain amenity items and award points for including new amenity items; (viii) revise the standard for which points will be awarded to developments that include units that will serve people with disabilities; (ix) add point categories relating to management companies, architects that are LEED certified and architects that have completed Fair Housing Act compliance training; (x) limit the amount of credits that may be awarded to elderly developments; (xi) limit the amount of credits that may be awarded to developments located in older central cities; (xii) create a tax credit set-aside for developments intended to serve persons with disabilities with extremely low incomes; and (xiii) make other miscellaneous administrative clarification changes.

13 VAC 10-180-10. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Applicant" means an applicant for credits under this chapter and also means the owner of the development to whom the credits are allocated.

"Credits" means the low-income housing tax credits as described in § 42 of the IRC.

"IRC" means the Internal Revenue Code of 1986, as amended, and the rules, regulations, notices and other official pronouncements promulgated thereunder.

"IRS" means the Internal Revenue Service.

"Low-income housing units" means those units which are defined as "low income units" under § 42 of the IRC.

"Low-income jurisdiction" means any city or county in the Commonwealth with an area median income at or below the Virginia nonmetro area median income established by the U.S. Department of Housing and Urban Development ("HUD").

"Older central cities" include the following jurisdictions: Alexandria, Arlington, Bristol, Charlottesville, Danville, Falls Church, Fredericksburg, Hampton, Harrisonburg, Hopewell, Lynchburg, Martinsville, Newport News, Norfolk, Petersburg, Portsmouth, Radford, Richmond, Roanoke, Staunton, Waynesboro and Winchester.

"Principal" means any person (including any individual, joint venture, partnership, limited liability company, corporation, nonprofit organization, trust, or any other public or private entity) that (i) with respect to the proposed development will own or participate in the ownership of the proposed development or (ii) with respect to an existing multi-family rental project has owned or participated in the ownership of such project, all as more fully described hereinbelow.

The person who is the owner of the proposed development or multi-family rental project is considered a principal. In determining whether any other person is a principal, the following guidelines shall govern: (i) in the case of a partnership that is a principal (whether as the owner or otherwise), all general partners are also considered principals, regardless of the percentage interest of the general partner; (ii) in the case of a public or private corporation or organization or governmental entity that is a principal (whether as the owner or otherwise), principals also include the president, vice president, secretary, and treasurer and other officers who are directly responsible to the board of directors or any equivalent governing body, as well as all directors or other members of the governing body and any stockholder having a 25% or more interest; (iii) in the case of a limited liability company that is a principal (whether as the owner or otherwise), all members are also considered principals, regardless of the percentage interest of the member; (iv) in the case of a trust that is a principal (whether as the owner or otherwise), all persons having a 25% or more beneficial ownership interest in the assets of such trust; (v) in the case

of any other person that is a principal (whether as the owner or otherwise), all persons having a 25% or more ownership interest in such other person are also considered principals; and (vi) any person that directly or indirectly controls, or has the power to control, a principal shall also be considered a principal.

"Qualified application" means a written request for tax credits which is submitted on a form or forms prescribed or approved by the executive director together with all documents required by the authority for submission and meets all minimum scoring requirements.

"Qualified low-income buildings" or "qualified low-income development" means the buildings or development which meets the applicable requirements in § 42 of the IRC to qualify for an allocation of credits thereunder.

"Revitalization area" means any area ~~(i) designated by a municipality for implementation of either a "redevelopment plan" meeting the requirements of § 36-51 of the Code of Virginia or a "conservation plan" meeting the requirements of § 36-51.1 of the Code of Virginia; (ii) documented by local government officials as a revitalization area that (a) has that the governing body of any city or county may by resolution designate within such city or county if such governing body shall in such resolution make the following determinations with respect to such area: (i) either (a) the area is blighted, deteriorated, deteriorating or, if not rehabilitated, likely to deteriorate by reason that the buildings, improvements or other facilities in such area are subject to one or more of the following conditions - dilapidation, obsolescence, overcrowding, inadequate ventilation, light or sanitation, excessive land coverage, deleterious land use, or faulty or inadequate design, quality or condition or (b) the industrial, commercial or other economic development of such area will benefit the city or county but such area lacks the housing needed to induce manufacturing, industrial, commercial, governmental, educational, entertainment, community development, healthcare or nonprofit enterprises or undertakings to locate or remain in such area; and (ii) private enterprise and investment are not reasonably expected, without assistance, to produce the construction or rehabilitation of decent, safe and sanitary housing and supporting facilities that will meet the needs of low and moderate income persons and families in such area and will induce other persons and families to live within such area and thereby create a desirable economic mix of residents in such area. The area within a redevelopment project, conservation project, or rehabilitation district established by the city or county pursuant to Chapter 1 (§ 36-1 et seq.) of Title 36 of the Code of Virginia or any area within a qualified census tract as defined in § 42 (d)(5)(c)(ii) of the IRC shall be deemed to be designated as a revitalization area without adoption of the above described resolution of the city or county. Any such revitalization area must either (i) have established boundaries at least a year old at the time applications are submitted and (b) has local or state funds that have been spent in furtherance of the revitalization objectives; or (iii) that is subject to a plan using Hope VI funds from HUD. The revitalization area described in clause (ii) of this definition must be part of a plan adopted by the local government that should include discussions from the locality of the type of~~

developments that will be encouraged, the potential sources of funding, and services to be offered in the area; or (ii) be subject to a plan using Hope VI funds from HUD. A comprehensive plan does not qualify as documentation of a revitalization area.

13 VAC 10-180-50. Application.

Prior to submitting an application for reservation, applicants shall submit on such form as required by the executive director, the letter for authority signature by which the authority shall notify the chief executive officers (or the equivalent) of the local jurisdictions in which the developments are to be located to provide such officers a reasonable opportunity to comment on the developments. When scoring the applications, the executive director will award points to those applications that submit the form within the deadlines established by the executive director and subtract points from those applications that fail to submit the form by such deadlines.

~~Prior to submitting an application for reservation, any applicant proposing a development intended to serve 55 or over housing, as defined by the United States Fair Housing Act, shall submit a market study, in form and substance satisfactory to the authority, that shows adequate demand for the housing units to be produced by the applicant's proposed development.~~

Application for a reservation of credits shall be commenced by filing with the authority an application, on such form or forms as the executive director may from time to time prescribe or approve, together with such documents and additional information as may be requested by the authority in order to comply with the IRC and this chapter and to make the reservation and allocation of the credits in accordance with this chapter. *Any applicant proposing a development intended to serve 55 or over housing as defined by the United States Fair Housing Act (elderly housing) shall submit a market study, in form and substance satisfactory to the authority, that shows adequate demand for the housing units to be produced by the applicant's proposed development with the application for reservation.* The executive director may reject any application from consideration for a reservation or allocation of credits if in such application the applicant does not provide the proper documentation or information on the forms prescribed by the executive director.

The application should include a breakdown of sources and uses of funds sufficiently detailed to enable the authority to ascertain what costs will be incurred and what will comprise the total financing package, including the various subsidies and the anticipated syndication or placement proceeds that will be raised. The following cost information, if applicable, needs to be included in the application to determine the feasible credit amount: site acquisition costs, site preparation costs, construction costs, construction contingency, general contractor's overhead and profit, architect and engineer's fees, permit and survey fees, insurance premiums, real estate taxes during construction, title and recording fees, construction period interest, financing fees, organizational costs, rent-up and marketing costs, accounting and auditing costs, working capital and operating deficit reserves, syndication and legal fees, development fees, and other costs and fees. All

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applications seeking credits for rehabilitation of existing units must provide for contractor construction costs of at least \$7,500 per unit.

Each application shall include evidence of (i) sole fee simple ownership of the site of the proposed development by the applicant, (ii) lease of such site by the applicant for a term exceeding the compliance period (as defined in the IRC) or for such longer period as the applicant represents in the application that the development will be held for occupancy by low-income persons or families or (iii) right to acquire or lease such site pursuant to a valid and binding written option or contract between the applicant and the fee simple owner of such site for a period extending at least four months beyond any application deadline established by the executive director, provided that such option or contract shall have no conditions within the discretion or control of such owner of such site. A contract that permits the owner to continue to market the property, even if the applicant has a right of first refusal, does not constitute the requisite site control required in clause (iii) above. No application shall be considered for a reservation or allocation of credits unless such evidence is submitted with the application and the authority determines that the applicant owns, leases or has the right to acquire or lease the site of the proposed development as described in the preceding sentence. In the case of acquisition and rehabilitation of developments funded by Rural Development of the U.S. Department of Agriculture (Rural Development), the site control document does not need to be approved by all partners of the seller if the general partner of the seller executing the site control document provides (i) an attorney's opinion that such general partner has the authority to enter into the site control document and such document is binding on the seller or (ii) a letter from the existing syndicator indicating a willingness to secure the necessary partner approvals upon the reservation of credits.

Each application shall include, in a form or forms required by the executive director, a certification of previous participation listing all developments receiving an allocation of tax credits under § 42 of the IRC in which the principal or principals have or had an ownership or participation interest, the location of such developments, the number of residential units and low-income housing units in such developments and such other information as more fully specified by the executive director. Furthermore, for any such development, the applicant must indicate whether the appropriate state housing credit agency has ever filed a Form 8823 with the IRS reporting noncompliance with the requirements of the IRC and that such noncompliance had not been corrected at the time of the filing of such Form 8823. The executive director may reject any application from consideration for a reservation or allocation of credits unless the above information is submitted with the application. If, after reviewing the above information or any other information available to the authority, the executive director determines that the principal or principals do not have the experience, financial capacity and predisposition to regulatory compliance necessary to carry out the responsibilities for the acquisition, construction, ownership, operation, marketing, maintenance and management of the proposed development or the ability to fully perform all the duties and obligations relating to the proposed development under law, regulation and the

reservation and allocation documents of the authority or if an applicant is in substantial noncompliance with the requirements of the IRC, the executive director may reject applications by the applicant. No application will be accepted from any applicant with a principal that has or had an ownership or participation interest in a development at the time the authority reported such development to the IRS as no longer in compliance and no longer participating in the federal low-income housing tax credit program.

Each application shall include, in a form or forms required by the executive director, a certification that the design of the proposed development meets all applicable amenity and design requirements required by the executive director for the type of housing to be provided by the proposed development.

The application should include pro forma financial statements setting forth the anticipated cash flows during the credit period as defined in the IRC. The application shall include a certification by the applicant as to the full extent of all federal, state and local subsidies which apply (or which the applicant expects to apply) with respect to each building or development. The executive director may also require the submission of a legal opinion or other assurances satisfactory to the executive director as to, among other things, compliance of the proposed development with the IRC and a certification, together with an opinion of an independent certified public accountant or other assurances satisfactory to the executive director, setting forth the calculation of the amount of credits requested by the application and certifying, among other things, that under the existing facts and circumstances the applicant will be eligible for the amount of credits requested.

Each applicant shall commit in the application to provide relocation assistance to displaced households, if any, at such level required by the director.

If an applicant submits an application for reservation or allocation of credits that contains a material misrepresentation or fails to include information regarding developments involving the applicant that have been determined to be out of compliance with the requirements of the IRC, the executive director may reject the application or stop processing such application upon discovery of such misrepresentation or noncompliance and may prohibit such applicant from submitting applications for credits to the authority in the future.

In any situation in which the executive director deems it appropriate, he may treat two or more applications as a single application.

The executive director may establish criteria and assumptions to be used by the applicant in the calculation of amounts in the application, and any such criteria and assumptions may be indicated on the application form, instructions or other communication available to the public.

The executive director may prescribe such deadlines for submission of applications for reservation and allocation of credits for any calendar year as he shall deem necessary or desirable to allow sufficient processing time for the authority to make such reservations and allocations. If the executive director determines that an applicant for a reservation of credits has failed to submit one or more mandatory

attachments to the application by the reservation application deadline, he may allow such applicant an opportunity to submit such attachments within a certain time established by the executive director with a ten-point scoring penalty per item.

After receipt of the applications, if necessary, the authority shall notify the chief executive officers (or the equivalent) of the local jurisdictions in which the developments are to be located and shall provide such officers a reasonable opportunity to comment on the developments.

The development for which an application is submitted may be, but shall not be required to be, financed by the authority. If any such development is to be financed by the authority, the application for such financing shall be submitted to and received by the authority in accordance with its applicable rules and regulations.

The authority may consider and approve, in accordance herewith, both the reservation and the allocation of credits to buildings or developments which the authority may own or may intend to acquire, construct and/or rehabilitate.

13 VAC 10-180-60. Review and selection of applications; reservation of credits.

~~The following text for this section is effective through December 31, 2003.~~

~~The executive director may divide the amount of credits into separate pools. The division of such pools may be based upon one or more of the following factors: geographical areas of the state; types or characteristics of housing, construction, financing, owners, occupants, or source of credits; or any other factors deemed appropriate by him to best meet the housing needs of the Commonwealth.~~

~~An amount, as determined by the executive director, not less than 10% of the Commonwealth's annual state housing credit ceiling for credits, shall be available for reservation and allocation to buildings or developments with respect to which the following requirements are met:~~

~~1. A "qualified nonprofit organization" (as described in § 42(h)(5)(C) of the IRC) which is authorized to do business in Virginia and is determined by the executive director, on the basis of such relevant factors as he shall consider appropriate, to be substantially based or active in the community of the development and is to materially participate (regular, continuous and substantial involvement as determined by the executive director) in the development and operation of the development throughout the "compliance period" (as defined in § 42(i)(1) of the IRC); and~~

~~2. (i) The "qualified nonprofit organization" described in the preceding subdivision 1 is to own (directly or through a partnership), prior to the reservation of credits to the buildings or development, all of the general partnership interests of the ownership entity thereof; (ii) the executive director of the authority shall have determined that such qualified nonprofit organization is not affiliated with or controlled by a for-profit organization; (iii) the executive director of the authority shall have determined that the qualified nonprofit organization was not formed by one or~~

~~more individuals or for-profit entities for the principal purpose of being included in any nonprofit pools (as defined below) established by the executive director, and (iv) the executive director of the authority shall have determined that no staff member, officer or member of the board of directors of such qualified nonprofit organization will materially participate, directly or indirectly, in the proposed development as a for-profit entity.~~

~~In making the determinations required by the preceding subdivision 1 and clauses (ii), (iii) and (iv) of subdivision 2 of this section, the executive director may apply such factors as he deems relevant, including, without limitation, the past experience and anticipated future activities of the qualified nonprofit organization, the sources and manner of funding of the qualified nonprofit organization, the date of formation and expected life of the qualified nonprofit organization, the number of paid staff members and volunteers of the qualified nonprofit organization, the nature and extent of the qualified nonprofit organization's proposed involvement in the construction or rehabilitation and the operation of the proposed development, the relationship of the staff, directors or other principals involved in the formation or operation of the qualified nonprofit organization with any persons or entities to be involved in the proposed development on a for-profit basis, and the proposed involvement in the construction or rehabilitation and operation of the proposed development by any persons or entities involved in the proposed development on a for-profit basis. The executive director may include in the application of the foregoing factors any other nonprofit organizations which, in his determination, are related (by shared directors, staff or otherwise) to the qualified nonprofit organization for which such determination is to be made.~~

~~For purposes of the foregoing requirements, a qualified nonprofit organization shall be treated as satisfying such requirements if any qualified corporation (as defined in § 42(h)(5)(D)(ii) of the IRC) in which such organization (by itself or in combination with one or more qualified nonprofit organizations) holds 100% of the stock satisfies such requirements.~~

~~The applications shall include such representations and warranties and such information as the executive director may require in order to determine that the foregoing requirements have been satisfied. In no event shall more than 90% of the Commonwealth's annual state housing credit ceiling for credits be available for developments other than those satisfying the preceding requirements. The executive director may establish such pools ("nonprofit pools") of credits as he may deem appropriate to satisfy the foregoing requirement. If any such nonprofit pools are so established, the executive director may rank the applications therein and reserve credits to such applications before ranking applications and reserving credits in other pools, and any such applications in such nonprofit pools not receiving any reservations of credits or receiving such reservations in amounts less than the full amount permissible hereunder (because there are not enough credits then available in such nonprofit pools to make such reservations) shall be assigned to such other pool as shall be appropriate hereunder; provided, however, that if credits are later made available (pursuant to the IRC or as a result of either a termination or reduction of a reservation of credits~~

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made from any nonprofit pools or a rescission in whole or in part of an allocation of credits made from such nonprofit pools or otherwise) for reservation and allocation by the authority during the same calendar year as that in which applications in the nonprofit pools have been so assigned to other pools as described above, the executive director may, in such situations, designate all or any portion of such additional credits for the nonprofit pools (or for any other pools as he shall determine) and may, if additional credits have been so designated for the nonprofit pools, reassign such applications to such nonprofit pools, rank the applications therein and reserve credits to such applications in accordance with the IRC and this chapter. In the event that during any round (as authorized hereinbelow) of application review and ranking the amount of credits reserved within such nonprofit pools is less than the total amount of credits made available therein, the executive director may either (i) leave such unreserved credits in such nonprofit pools for reservation and allocation in any subsequent round or rounds or (ii) redistribute, to the extent permissible under the IRC, such unreserved credits to such other pool or pools as the executive director shall designate reservations therefor in the full amount permissible hereunder (which applications shall hereinafter be referred to as "excess qualified applications") or (iii) carry over such unreserved credits to the next succeeding calendar year for inclusion in the state housing credit ceiling (as defined in § 42(h)(3)(C) of the IRC) for such year. Notwithstanding anything to the contrary herein, no reservation of credits shall be made from any nonprofit pools to any application with respect to which the qualified nonprofit organization has not yet been legally formed in accordance with the requirements of the IRC. In addition, no application for credits from any nonprofit pools or any combination of pools may receive a reservation or allocation of annual credits in an amount greater than \$650,000 unless credits remain available in such nonprofit pools after all eligible applications for credits from such nonprofit pools receive a reservation of credits.

Notwithstanding anything to the contrary herein, applicants relying on the experience of a local housing authority for developer experience points described hereinbelow and/or using Hope VI funds from HUD in connection with the proposed development shall not be eligible to receive a reservation of credits from any nonprofit pools.

The authority shall review each application, and, based on the application and other information available to the authority, shall assign points to each application as follows:

1. Readiness.

a. Written evidence satisfactory to the authority of unconditional approval by local authorities of the plan of development or site plan for the proposed development or that such approval is not required. (40 points; applicants receiving points under this subdivision 1 a are not eligible for points under subdivision 5 a below)

b. Written evidence satisfactory to the authority (i) of approval by local authorities of proper zoning or special use permit for such site or (ii) that no zoning requirements or special use permits are applicable. (40 points)

c. Submission of plans and specifications or, in the case of rehabilitation for which plans will not be used, a unit-by-unit work write-up for such rehabilitation with certification in such form and from such person satisfactory to the executive director as to the completion of such plans or specifications or work write-up. (20 points multiplied by the quotient calculated by dividing the percentage of completion of such plans and specifications or such work write-up by 75% not to exceed 20 points.)

2. Housing needs characteristics.

a. Submission of the form prescribed by the authority with any required attachments, providing such information necessary for the authority to send a letter addressed to the current chief executive officer (or the equivalent) of the locality in which the proposed development is located, soliciting input on the proposed development from the locality within the deadlines established by the executive director. (10 points; failure to make timely submission, minus 50 points)

b. (1) A letter dated within three months prior to the application deadline addressed to the authority and signed by the chief executive officer of the locality in which the proposed development is to be located stating, without qualification or limitation, the following:

"The construction or rehabilitation of (name of development) and the allocation of federal housing tax credits available under IRC Section 42 for that development will help meet the housing needs and priorities of (name of locality). Accordingly, (name of locality) supports the allocation of federal housing tax credits requested by (name of applicant) for that development." (50 points)

(2) No letter from the chief executive officer of the locality in which the proposed development is to be located, or a letter addressed to the authority and signed by such chief executive officer stating neither support (as described in subdivision b (1) above) nor opposition (as described in subdivision b (3) below) as to the allocation of credits to the applicant for the development. (25 points)

(3) A letter in response to its notification to the chief executive officer of the locality in which the proposed development is to be located opposing the allocation of credits to the applicant for the development. In any such letter, the chief executive officer must certify that the proposed development is not consistent with current zoning or other applicable land use regulations. (0 points)

c. Documentation from the local authorities that the proposed development is located in a Revitalization Area, or such other revitalization area created by local government authorities with established boundaries beyond the boundaries of the proposed development, or determination by the authority that the proposed development is located in a Difficult Development Area as defined by HUD or in an Enterprise Zone or Housing Revitalization Zone designated by the state (20 points) if the proposed development is in a qualified census tract

within either a Revitalization Area, Enterprise Zone or Housing Revitalization Zone. (25 points)

d. Commitment by the applicant to give leasing preference to individuals and families (i) on public housing waiting lists maintained by the local housing authority operating in the locality in which the proposed development is to be located and notification of the availability of such units to the local housing authority by the applicant or (ii) on section 8 (as defined in 13 VAC 10-180-90) waiting lists maintained by the local or nearest section 8 administrator for the locality in which the proposed development is to be located and notification of the availability of such units to the local section 8 administrator by the applicant. (10 points; Applicants receiving points under this subdivision may not require an annual minimum income requirement for prospective tenants that exceeds the greater of \$3,600 or 2.5 times the portion of rent to be paid by such tenants.)

e. Any of the following: (i) firm financing commitment(s) from the local government, local housing authority, Federal Home Loan Bank affordable housing funds, or the Rural Development of the U.S. Department of Agriculture, for a below-market rate loan or grant; (ii) a resolution passed by the locality in which the proposed development is to be located committing such financial support to the development in a form approved by the authority; or (iii) a commitment to donate land, buildings or tap fee waivers from the government. (The amount of such financing or dollar value of local support will be divided by the total development sources of funds and the proposed development receives two points for each percentage point up to a maximum of 40 points.)

f. Any development subject to (i) HUD's Section 8 or Section 236 programs or (ii) Rural Development's 515 program, at the time of application. (20 points)

g. Any development receiving (i) a real estate tax abatement on the increase in value of the development or (ii) new project-based subsidy from HUD or Rural Development for the greater of 5 or 10% of the units of the proposed development. (10 points)

3. Development characteristics.

a. The average unit size. (100 points multiplied by the sum of the products calculated by multiplying, for each unit type as defined by the number of bedrooms per unit, (i) the quotient of the number of units of a given unit type divided by the total number of units in the proposed development, times (ii) the quotient of the average actual gross square footage per unit for a given unit type minus the lowest gross square footage per unit for a given unit type established by the executive director divided by the highest gross square footage per unit for a given unit type established by the executive director minus the lowest gross square footage per unit for a given unit type established by the executive director. If the average actual gross square footage per unit for a given unit type is less than the lowest gross square footage per unit for a given unit type established by the executive director or greater than the highest gross square footage per unit for

a given unit type established by the executive director, the lowest or highest, as the case may be, gross square footage per unit for a given unit type established by the executive director shall be used in the above calculation rather than the actual gross square footage per unit for a given unit type.)

b. Lower amount of credit request. (50 points multiplied by the percentage by which the total amount of the annual tax credits requested is less than \$1,000,000, including negative points using the percentage in which the total amount of annual credits requested is greater than \$1,000,000. Developments financed with tax-exempt bonds will receive an automatic 25 points under this scoring category.)

c. Evidence satisfactory to the authority documenting the quality of the proposed development's amenities as determined by the following:

(1) The following points are available for any application:

(a) If 2-bedroom units have 1.5 bathrooms and 3-bedroom units have 2 bathrooms. (15 points multiplied by the percentage of units meeting these requirements)

(b) If all units have a washer and dryer. (7 points)

(c) If all units have a balcony or patio. (5 points)

(d) If all units have a washer and dryer hook-up only. (3 points, no points if points awarded in subdivision (1) (b) above)

(e) If all units have a dishwasher. (2 points)

(f) If all units have a garbage disposal. (1 point)

(g) If the development has a laundry room. (1 point, no points if points awarded in subdivision (1) (b) above)

(h) If a community/meeting room with a minimum of 800 square feet is provided. (5 points)

(i) If all units have a range hood above the stove. (1 point)

(j) If all metal windows have thermal breaks, and if insulating glass for metal or vinyl windows and sliding glass doors have a 10-year warranty against breakage of the seal from date of delivery. (1 point)

(k) If all insulation complies with Virginia Power Energy Efficient Home Requirements, with a minimum R=30 insulation for roofs. (2 points)

(l) If all refrigerators are frost free, a minimum size of 14 cubic feet, and provide separate doors for freezer and refrigerator compartments. (1 point)

(m) If all exterior doors exposed to weather are metal. (1 point)

(n) Brick exterior walls. (15 points times the percentage of exterior walls covered by brick)

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~~(e) If the development has a minimum STC (sound transmission class) rating of 52 for the floor construction between units. (3 points)~~

~~(p) All kitchen cabinets comply with authority minimum guidelines. (1 point)~~

~~(q) All closet doors are side hinged (no bi-fold or sliding doors). (1 point)~~

~~(r) All exterior wood, including trim, fascia and rake boards are clad in aluminum. (1 point)~~

~~(2) The following points are available to applications electing to serve elderly and/or physically disabled tenants as elected in subdivision 4 a of this section:~~

~~(a) If all cooking ranges have front controls. (1 point)~~

~~(b) If all units are adaptable for the handicapped in buildings with elevators. (2 points)~~

~~(c) If all units have an emergency call system. (3 points)~~

~~(d) If all bathrooms have grab bars and slip-resistant bottoms for bathtubs. (1 point)~~

~~(e) If all bathrooms have an independent or supplemental heat source. (1 point)~~

~~(f) If all corridors have a handrail on one side. (1 point)~~

~~(g) If all entrance doors to each unit have two eye viewers, one at 48 inches and the other at standard height. (1 point)~~

~~(3) The following points are available to proposed developments which rehabilitate or adaptively reuse an existing structure:~~

~~(a) If all bathrooms, including ones with windows, have exhaust fans ducted out. (1 point)~~

~~(b) If all existing, single-glazed windows in good condition have storm windows, and all windows in poor condition are replaced with new windows with integral storm sash or insulating glass. The insulating glass metal windows must have a thermal break. The insulated glass must have a 10-year warranty against breakage of the seal. (3 points)~~

~~(c) If all apartments have a minimum of one electric smoke detector with battery backup. (1 point)~~

~~(d) If all bathrooms have ground fault interrupter electrical receptacles. (1 point)~~

~~(e) If the structure is historic, by virtue of being listed individually in the National Register of Historic Places, or due to its location in a registered historic district and certified by the Secretary of the Interior as being of historical significance to the district, and the rehabilitation will be completed in such a manner as to be eligible for historic rehabilitation tax credits. (5 points)~~

~~(f) All buildings have a minimum insulation of R=30 for attics and R=19 for crawl spaces. (3 points)~~

~~(g) All public areas, such as community rooms, laundry rooms, and rental office are accessible to persons in wheelchairs. (1 point)~~

~~(h) If replacing the roof, removing the old roof and felt. (1 point)~~

The maximum number of points that may be awarded under any combination of the scoring categories under subdivision 3 c of this section is 50 points.

~~d. Any proposed 50 unit or less development that meets at least three of the following criteria: (i) sets maximum rents on all units at or below 25% of the gross income of households at or below 50% of the area median income (without vouchers or rental assistance); (ii) restricts at least 20% of the units for occupancy by households with incomes at or below 40% of the area median income; (iii) requires at least 60% of the developer's fee to pay development costs; and (iv) has below market rate financial assistance from local, state or federal government. (20 points)~~

~~e. Any nonelderly development in which the greater of 5 units or 10% of the units (i) provide federal project-based rent subsidies or equivalent assistance in order to ensure occupancy by extremely low-income persons; (ii) conform to Americans with Disabilities Act Architectural Guidelines (ADAAG) requirements as set forth in the Virginia building code as BOCA Chapter 11 (13 VAC 5-61) or any successor provisions; and (iii) are actively marketed to people with special needs in accordance with a plan submitted as part of the application for credits (if special needs includes mobility impairments, the units described above must include roll-in showers and roll-under sinks and ranges). (50 points)~~

~~f. Any nonelderly development in which the greater of 5 units or 10% of the units (i) have rents within HUD's Housing Choice Voucher (HCV) payment standard; (ii) conform to ADAAG requirements as set forth in the Virginia building code as BOCA Chapter 11 (13 VAC 5-61) or any successor provisions; and (iii) are actively marketed to people with mobility impairments including HCV holders in accordance with a plan submitted as part of the application for credits. (30 points)~~

~~g. Any nonelderly development in which 4.0% of the units (i) conform to ADAAG requirements as set forth in the Virginia building code as BOCA Chapter 11 (13 VAC 5-61) or any successor provisions; and (ii) are actively marketed to people with mobility impairments in accordance with a plan submitted as part of the application for credits. (15 points)~~

4. Tenant population characteristics.

~~a. Commitment by the applicant to lease low income housing units in the proposed development to either: (i) 55 or over housing as defined by the United States Fair Housing Act or (ii) physically or mentally disabled persons. Applicants committing to serve physically disabled persons must meet the requirements of the~~

~~federal Americans with Disabilities Act (42 USC § 12101 et seq.). Applicants receiving points under this subdivision a may not receive points under subdivision b below. (30 points)~~

~~b. Commitment by the applicant to give a leasing preference to individuals and families with children in developments that will have no more than 20% of its units with one bedroom or less. Applicants receiving points under this subdivision b may not receive points under subdivision a above. (15 points; plus 0.75 points for each percent of the low-income units in the development with three or more bedrooms up to an additional 15 points for a total of no more than 30 points under this subdivision b)~~

~~c. Commitment by the applicant to provide relocation assistance to displaced households at such level required by the authority. (30 points times the number of certified occupied units divided by the greater of (i) the number of certified occupied units or (ii) the number of units of the proposed development)~~

~~5. Sponsor characteristics.~~

~~a. Evidence that the principal or principals, as a group or individually, for the proposed development have developed at least three tax credit developments that contain at least three times the number of housing units in the proposed development. (50 points; applicants receiving points under this subdivision 5 a are not eligible for points under subdivision 1 a above)~~

~~b. Evidence that the principal or principals, as a group or individually, for the proposed development have developed at least one tax credit development that contains at least the number of housing units in the proposed development. (10 points)~~

~~c. Any applicant that includes a principal that was a principal in a development at the time the authority reported such development to the IRS for an uncorrected major violation of health, safety and building codes. (minus 50 points for a period of three years after the violation has been corrected)~~

~~d. Beginning January 1, 2003, any applicant that includes a principal that was a principal in a development at the time the authority reported such development to the IRS for noncompliance that has not been corrected by the time a Form 8823 is filed by the authority. (minus 15 points for a period of three years after the time the authority filed Form 8823, unless the executive director determines that such principal's attempts to correct such noncompliance were prohibited by a court, local government or governmental agency, in which case, no negative points will be assessed to the applicant)~~

~~e. Beginning January 1, 2003, any applicant that includes a principal that is or was a principal in a development that (i) did not build a development as represented in the application for credit. (minus 20 points for a period of three years after the development is placed in service, in addition to any other penalties the authority may seek under its agreements with the applicant), or (ii) has a~~

~~reservation of credits terminated by the authority (minus 10 points a period of three years after the credits are returned to the authority)~~

~~6. Efficient use of resources.~~

~~a. The percentage by which the total of the amount of credits per low-income housing unit (the "per unit credit amount") of the proposed development is less than the standard per unit credit amounts established by the executive director for a given unit type, based upon the number of such unit types in the proposed development. (180 points multiplied by the percentage by which the total amount of the per unit credit amount of the proposed development is less than the applicable standard per unit credit amount established by the executive director, negative points will be assessed using the percentage by which the total amount of the per unit credit amount of the proposed development exceeds the applicable standard per unit credit amount established by the executive director.)~~

~~b. The percentage by which the cost per low-income housing unit (the "per unit cost"), adjusted by the authority for location, of the proposed development is less than the standard per unit cost amounts established by the executive director for a given unit type, based upon the number of such unit types in the proposed development. (75 points multiplied by the percentage by which the total amount of the per unit cost of the proposed development is less than the applicable standard per unit cost amount established by the executive director.)~~

~~The executive director may use a standard per square foot credit amount and a standard per square foot cost amount in establishing the per unit credit amount and the per unit cost amount in subdivision 6 above. For the purpose of calculating the points to be assigned pursuant to such subdivisions 3 c and 6 above, all credit amounts shall include any credits previously allocated to the development, and the per unit credit amount for any building documented by the applicant to be located in a qualified census tract or difficult development area (such tract or area being as defined in the IRC) shall be determined based upon 100% of the eligible basis of such building, in the case of new construction, or 100% of the rehabilitation expenditures, in the case of rehabilitation of an existing building, notwithstanding any use by the applicant of 130% of such eligible basis or rehabilitation expenditures in determining the amount of credits as provided in the IRC.~~

~~7. Bonus points.~~

~~a. Commitment by the applicant to impose income limits on the low-income housing units throughout the extended use period (as defined in the IRC) below those required by the IRC in order for the development to be a qualified low-income development. Applicants receiving points under this subdivision a may not receive points under subdivision b below. (The product of (i) 50 points multiplied by (ii) the percentage of housing units in the proposed development both rent restricted to and occupied by households at or below 50% of the area median gross income; plus 1 point for each percentage point of such housing units in the proposed development~~

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which are further restricted to rents at or below 30% of 40% of the area median gross income up to an additional 10 points.)

b. Commitment by the applicant to impose rent limits on the low-income housing units throughout the extended use period (as defined in the IRC) below those required by the IRC in order for the development to be a qualified low-income development. Applicants receiving points under this subdivision b may not receive points under subdivision a above. (The product of (i) 25 points (50 points for proposed developments in low-income jurisdictions) multiplied by (ii) the percentage of housing units in the proposed development rent restricted to households at or below 50% of the area median gross income; plus 1 point for each percentage point of such housing units in the proposed development which are further restricted to rents at or below 30% of 40% of the area median gross income up to an additional 10 points.)

c. Commitment by the applicant to maintain the low-income housing units in the development as a qualified low-income housing development beyond the 30-year extended use period (as defined in the IRC). Applicants receiving points under this subdivision c may not receive bonus points under subdivision d below. (40 points for a 10-year commitment beyond the 30-year extended use period or 50 points for a 20-year commitment beyond the 30-year extended use period.)

d. Participation by a local housing authority or qualified nonprofit organization (substantially based or active in the community with at least a 10% ownership interest in the general partnership interest of the partnership) and a commitment by the applicant to sell the proposed development pursuant to an executed, recordable option or right of first refusal to such local housing authority or qualified nonprofit organization or to a wholly owned subsidiary of such organization or authority, at the end of the 15-year compliance period, as defined by IRC, for a price not to exceed the outstanding debt and exit taxes of the for-profit entity. The applicant must record such option or right of first refusal immediately after the low-income housing commitment described in 13 VAC 10-180-70 and give the qualified nonprofit veto power over any refinancing of the development. Applicants receiving points under this subdivision d may not receive bonus points under subdivision c above. (60 points; plus 5 points if the local housing authority or qualified nonprofit organization submits a homeownership plan satisfactory to the authority in which the local housing authority or qualified nonprofit organization commits to sell the units in the development to tenants.)

In calculating the points for subdivisions 7 a and b above, any units in the proposed development required by the locality to exceed 60% of the area median gross income will not be considered when calculating the percentage of low-income units of the proposed development with incomes below those required by the IRC in order for the development to be a qualified low-income development, provided that the locality submits evidence satisfactory to the authority of such requirement.

After points have been assigned to each application in the manner described above, the executive director shall compute the total number of points assigned to each such application. Notwithstanding any other provisions herein, any application that is assigned a total number of points less than a threshold amount of 375 points shall be rejected from further consideration hereunder and shall not be eligible for any reservation or allocation of credits.

The executive director may exclude and disregard any application which he determines is not submitted in good faith or which he determines would not be financially feasible.

Upon assignment of points to all of the applications, the executive director shall rank the applications based on the number of points so assigned. If any pools shall have been established, each application shall be assigned to a pool and shall be ranked within such pool. Those applications assigned more points shall be ranked higher than those applications assigned fewer points.

In the event of a tie in the number of points assigned to two or more applications within the same pool, or, if none, within the Commonwealth, and in the event that the amount of credits available for reservation to such applications is determined by the executive director to be insufficient for the financial feasibility of all of the developments described therein, the authority shall, to the extent necessary to fully utilize the amount of credits available for reservation within such pool or, if none, within the Commonwealth, select one or more of the applications with the highest combination of points from subdivision 7 above, and each application so selected shall receive (in order based upon the number of such points, beginning with the application with the highest number of such points) a reservation of credits. If two or more of the tied applications receive the same number of points from subdivision 7 above and if the amount of credits available for reservation to such tied applications is determined by the executive director to be insufficient for the financial feasibility of all the developments described therein, the executive director shall select one or more of such applications by lot, and each application so selected by lot shall receive (in order of such selection by lot) a reservation of credits.

For each application which may receive a reservation of credits, the executive director shall determine the amount, as of the date of the deadline for submission of applications for reservation of credits, to be necessary for the financial feasibility of the development and its viability as a qualified low-income development throughout the credit period under the IRC. In making this determination, the executive director shall consider the sources and uses of the funds, the available federal, state and local subsidies committed to the development, the total financing planned for the development as well as the investment proceeds or receipts expected by the authority to be generated with respect to the development, and the percentage of the credit dollar amount used for development costs other than the costs of intermediaries. He shall also examine the development's costs, including developer's fees and other amounts in the application, for reasonableness and, if he determines that such costs or other amounts are unreasonably high, he shall reduce them to amounts that he determines to be reasonable. The executive

~~director shall review the applicant's projected rental income, operating expenses and debt service for the credit period. The executive director may establish such criteria and assumptions as he shall deem reasonable for the purpose of making such determination, including, without limitation, criteria as to the reasonableness of fees and profits and assumptions as to the amount of net syndication proceeds to be received (based upon such percentage of the credit dollar amount used for development costs, other than the costs of intermediaries, as the executive director shall determine to be reasonable for the proposed development), increases in the market value of the development, and increases in operating expenses, rental income and, in the case of applications without firm financing commitments (as defined hereinabove) at fixed interest rates, debt service on the proposed mortgage loan. The executive director may, if he deems it appropriate, consider the development to be a part of a larger development. In such a case, the executive director may consider, examine, review and establish any or all of the foregoing items as to the larger development in making such determination for the development.~~

~~At such time or times during each calendar year as the executive director shall designate, the executive director shall reserve credits to applications in descending order of ranking within each pool and tier, if applicable, until either substantially all credits therein are reserved or all qualified applications therein have received reservations. (For the purpose of the preceding sentence, if there is not more than a de minimis amount, as determined by the executive director, of credits remaining in a pool after reservations have been made, "substantially all" of the credits in such pool shall be deemed to have been reserved.) The executive director may rank the applications within pools at different times for different pools and may reserve credits, based on such rankings, one or more times with respect to each pool. The executive director may also establish more than one round of review and ranking of applications and reservation of credits based on such rankings, and he shall designate the amount of credits to be made available for reservation within each pool during each such round. The amount reserved to each such application shall be equal to the lesser of (i) the amount requested in the application or (ii) an amount determined by the executive director, as of the date of application, to be necessary for the financial feasibility of the development and its viability as a qualified low-income development throughout the credit period under the IRC; provided, however, that in no event shall the amount of credits so reserved exceed the maximum amount permissible under the IRC.~~

~~If the amount of credits available in any pool is determined by the executive director to be insufficient for the financial feasibility of the proposed development to which such available credits are to be reserved, the executive director may move the proposed development and the credits available to another pool. If any credits remain in any pool after moving proposed developments and credits to another pool, the executive director may for developments that meet the requirements of § 42(h)(1)(E) of the IRC only, reserve the remaining credits to any proposed development(s) scoring at or above the minimum point threshold established by this chapter without regard to the ranking of such application with additional credits from the Commonwealth's annual state~~

~~housing credit ceiling for the following year in such an amount necessary for the financial feasibility of the proposed development, or developments. However, the reservation of credits from the Commonwealth's annual state housing credit ceiling for the following year shall be in the reasonable discretion of the executive director if he determines it to be in the best interest of the plan. In the event a reservation or an allocation of credits from the current year or a prior year is reduced, terminated or cancelled, the executive director may substitute such credits for any credits reserved from the following year's annual state housing credit ceiling.~~

~~In the event that during any round of application review and ranking the amount of credits reserved within any pools is less than the total amount of credits made available therein during such round, the executive director may either (i) leave such unreserved credits in such pools for reservation and allocation in any subsequent round or rounds or (ii) redistribute such unreserved credits to such other pool or pools as the executive director may designate or (iii) carry over such unreserved credits to the next succeeding calendar year for inclusion in the state housing credit ceiling (as defined in § 42(h)(3)(C) of the IRC) for such year.~~

~~Notwithstanding anything contained herein, the total amount of credits that may be awarded in any credit year after credit year 2001 to any applicant or to any related applicants for one or more developments shall not exceed 15% of Virginia's per capita dollar amount of credits for such credit year (the "credit cap"). However, if the amount of credits to be reserved in any such credit year to all applications assigned a total number of points at or above the threshold amount set forth above shall be less than Virginia's dollar amount of credits available for such credit year, then the authority's board of commissioners may waive the credit cap to the extent it deems necessary to reserve credits in an amount at least equal to such dollar amount of credits. Applicants shall be deemed to be related if any principal in a proposed development or any person or entity related to the applicant or principal will be a principal in any other proposed development or developments. For purposes of this paragraph, a principal shall also include any person or entity who, in the determination of the executive director, has exercised or will exercise, directly or indirectly, substantial control over the applicant or has performed or will perform (or has assisted or will assist the applicant in the performance of), directly or indirectly, substantial responsibilities or functions customarily performed by applicants with respect to applications or developments. For the purpose of determining whether any person or entity is related to the applicant or principal, persons or entities shall be deemed to be related if the executive director determines that any substantial relationship existed, either directly between them or indirectly through a series of one or more substantial relationships (e.g., if party A has a substantial relationship with party B and if party B has a substantial relationship with party C, then A has a substantial relationship with both party B and party C), at any time within three years of the filing of the application for the credits. In determining in any credit year whether an applicant has a substantial relationship with another applicant with respect to any application for which credits were awarded in any prior credit year, the executive director shall determine whether the applicants were related as of the date of the filing of such prior~~

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~~credit year's application or within three years prior thereto and shall not consider any relationships or any changes in relationships subsequent to such date. Substantial relationships shall include, but not be limited to, the following relationships (in each of the following relationships, the persons or entities involved in the relationship are deemed to be related to each other): (i) the persons are in the same immediate family (including, without limitation, a spouse, children, parents, grandparents, grandchildren, brothers, sisters, uncles, aunts, nieces, and nephews) and are living in the same household; (ii) the entities have one or more common general partners or members (including related persons and entities), or the entities have one or more common owners that (by themselves or together with any other related persons and entities) have, in the aggregate, 5.0% or more ownership interest in each entity; (iii) the entities are under the common control (e.g., the same person or persons and any related persons serve as a majority of the voting members of the boards of such entities or as chief executive officers of such entities) of one or more persons or entities (including related persons and entities); (iv) the person is a general partner, member or employee in the entity or is an owner (by himself or together with any other related persons and entities) of 5.0% or more ownership interest in the entity; (v) the entity is a general partner or member in the other entity or is an owner (by itself or together with any other related persons and entities) of 5.0% or more ownership interest in the other entity; or (vi) the person or entity is otherwise controlled, in whole or in part, by the other person or entity. In determining compliance with the credit cap with respect to any application, the executive director may exclude any person or entity related to the applicant or to any principal in such applicant if the executive director determines that (i) such person or entity will not participate, directly or indirectly, in matters relating to the applicant or the ownership of the development to be assisted by the credits for which the application is submitted, (ii) such person or entity has no agreement or understanding relating to such application or the tax credits requested therein, and (iii) such person or entity will not receive a financial benefit from the tax credits requested in the application. A limited partner or other similar investor shall not be determined to be a principal and shall be excluded from the determination of related persons or entities unless the executive director shall determine that such limited partner or investor will, directly or indirectly, exercise control over the applicant or participate in matters relating to the ownership of the development substantially beyond the degree of control or participation that is usual and customary for limited partners or other similar investors with respect to developments assisted by the credits. If the award of multiple applications of any applicant or related applicants in any credit year shall cause the credit cap to be exceeded, such applicant or applicants shall, upon notice from the authority, jointly designate those applications for which credits are not to be reserved so that such limitation shall not be exceeded. Such notice shall specify the date by which such designation shall be made. In the absence of any such designation by the date specified in such notice, the executive director shall make such designation as he shall determine to best serve the interests of the program. Each applicant and each principal therein shall make such certifications, shall disclose such facts and shall submit such documents to the authority as the~~

~~executive director may require to determine compliance with credit cap. If an applicant or any principal therein makes any misrepresentation to the authority concerning such applicant's or principal's relationship with any other person or entity, the executive director may reject any or all of such applicant's pending applications for reservation or allocation of credits, may terminate any or all reservations of credits to the applicant, and may prohibit such applicant, the principals therein and any persons and entities then or thereafter having a substantial relationship (in the determination of the executive director as described above) with the applicant or any principal therein from submitting applications for credits for such period of time as the executive director shall determine.~~

~~Within a reasonable time after credits are reserved to any applicants' applications, the executive director shall notify each applicant for such reservations of credits either of the amount of credits reserved to such applicant's application (by issuing to such applicant a written binding commitment to allocate such reserved credits subject to such terms and conditions as may be imposed by the executive director therein, by the IRC and by this chapter) or, as applicable, that the applicant's application has been rejected or excluded or has otherwise not been reserved credits in accordance herewith. The written binding commitment shall prohibit any transfer, direct or indirect, of partnership interests (except those involving the admission of limited partners) prior to the placed-in-service date of the proposed development unless the transfer is consented to by the executive director. The written binding commitment shall further limit the developers' fees to the amounts established during the review of the applications for reservation of credits and such amounts shall not be increased unless consented to by the executive director. The executive director shall, as a condition to the binding commitment, require each applicant to obtain a market study, in form and substance satisfactory to the authority, that shows adequate demand for the housing units to be produced by each applicant's proposed development.~~

~~If credits are reserved to any applicants for developments which have also received an allocation of credits from prior years, the executive director may reserve additional credits from the current year equal to the amount of credits allocated to such developments from prior years, provided such previously allocated credits are returned to the authority. Any previously allocated credits returned to the authority under such circumstances shall be placed into the credit pools from which the current year's credits are reserved to such applicants.~~

~~The executive director shall make a written explanation available to the general public for any allocation of housing credit dollar amount which is not made in accordance with established priorities and selection criteria of the authority.~~

~~The authority's board shall review and consider the analysis and recommendation of the executive director for the reservation of credits to an applicant, and, if it concurs with such recommendation, it shall by resolution ratify the reservation by the executive director of the credits to the applicant, subject to such terms and conditions as it shall deem necessary or appropriate to assure compliance with the~~

~~aforementioned binding commitment issued or to be issued to the applicant, the IRC and this chapter. If the board determines not to ratify a reservation of credits or to establish any such terms and conditions, the executive director shall so notify the applicant.~~

~~Subsequent to such ratification of the reservation of credits, the executive director may, in his discretion and without ratification or approval by the board, increase the amount of such reservation by an amount not to exceed 10% of the initial reservation amount. The executive director may require the applicant to make a good faith deposit or to execute such contractual agreements providing for monetary or other remedies as it may require, or both, to assure that the applicant will comply with all requirements under the IRC, this chapter and the binding commitment (including, without limitation, any requirement to conform to all of the representations, commitments and information contained in the application for which points were assigned pursuant to this section). Upon satisfaction of all such aforementioned requirements (including any post-allocation requirements), such deposit shall be refunded to the applicant or such contractual agreements shall terminate, or both, as applicable.~~

~~If, as of the date the application is approved by the executive director, the applicant is entitled to an allocation of the credits under the IRC, this chapter and the terms of any binding commitment that the authority would have otherwise issued to such applicant, the executive director may at that time allocate the credits to such qualified low-income buildings or development without first providing a reservation of such credits. This provision in no way limits the authority of the executive director to require a good faith deposit or contractual agreement, or both, as described in the preceding paragraph, nor to relieve the applicant from any other requirements hereunder for eligibility for an allocation of credits. Any such allocation shall be subject to ratification by the board in the same manner as provided above with respect to reservations.~~

~~The executive director may require that applicants to whom credits have been reserved shall submit from time to time or at such specified times as he shall require, written confirmation and documentation as to the status of the proposed development and its compliance with the application, the binding commitment and any contractual agreements between the applicant and the authority. If on the basis of such written confirmation and documentation as the executive director shall have received in response to such a request, or on the basis of such other available information, or both, the executive director determines any or all of the buildings in the development which were to become qualified low-income buildings will not do so within the time period required by the IRC or will not otherwise qualify for such credits under the IRC, this chapter or the binding commitment, then the executive director may terminate the reservation of such credits and draw on any good faith deposit. If, in lieu of or in addition to the foregoing determination, the executive director determines that any contractual agreements between the applicant and the authority have been breached by the applicant, whether before or after allocation of the credits, he may seek to enforce any and all remedies to which the~~

~~authority may then be entitled under such contractual agreements.~~

~~The executive director may establish such deadlines for determining the ability of the applicant to qualify for an allocation of credits as he shall deem necessary or desirable to allow the authority sufficient time, in the event of a reduction or termination of the applicant's reservation, to reserve such credits to other eligible applications and to allocate such credits pursuant thereto.~~

~~Any material changes to the development, as proposed in the application, occurring subsequent to the submission of the application for the credits therefor shall be subject to the prior written approval of the executive director. As a condition to any such approval, the executive director may, as necessary to comply with this chapter, the IRC, the binding commitment and any other contractual agreement between the authority and the applicant, reduce the amount of credits applied for or reserved or impose additional terms and conditions with respect thereto. If such changes are made without the prior written approval of the executive director, he may terminate or reduce the reservation of such credits, impose additional terms and conditions with respect thereto, seek to enforce any contractual remedies to which the authority may then be entitled, draw on any good faith deposit, or any combination of the foregoing.~~

~~In the event that any reservation of credits is terminated or reduced by the executive director under this section, he may reserve, allocate or carry over, as applicable, such credits in such manner as he shall determine consistent with the requirements of the IRC and this chapter.~~

~~The following text for this section becomes effective January 1, 2004.~~

~~The executive director may divide the amount of credits into separate pools and each separate pool may be further divided into separate tiers. The division of such pools and tiers may be based upon one or more of the following factors: geographical areas of the state; types or characteristics of housing, construction, financing, owners, occupants, or source of credits; or any other factors deemed appropriate by him to best meet the housing needs of the Commonwealth.~~

~~An amount, as determined by the executive director, not less than 10% of the Commonwealth's annual state housing credit ceiling for credits, shall be available for reservation and allocation to buildings or developments with respect to which the following requirements are met:~~

- ~~1. A "qualified nonprofit organization" (as described in § 42(h)(5)(C) of the IRC) which is authorized to do business in Virginia and is determined by the executive director, on the basis of such relevant factors as he shall consider appropriate, to be substantially based or active in the community of the development and is to materially participate (regular, continuous and substantial involvement as determined by the executive director) in the development and operation of the development throughout the "compliance period" (as defined in § 42(i)(1) of the IRC); and~~

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2. (i) The "qualified nonprofit organization" described in the preceding subdivision 1 is to own (directly or through a partnership), prior to the reservation of credits to the buildings or development, all of the general partnership interests of the ownership entity thereof; (ii) the executive director of the authority shall have determined that such qualified nonprofit organization is not affiliated with or controlled by a for-profit organization; (iii) the executive director of the authority shall have determined that the qualified nonprofit organization was not formed by one or more individuals or for-profit entities for the principal purpose of being included in any nonprofit pools (as defined below) established by the executive director, and (iv) the executive director of the authority shall have determined that no staff member, officer or member of the board of directors of such qualified nonprofit organization will materially participate, directly or indirectly, in the proposed development as a for-profit entity.

In making the determinations required by the preceding subdivision 1 and clauses (ii), (iii) and (iv) of subdivision 2 of this section, the executive director may apply such factors as he deems relevant, including, without limitation, the past experience and anticipated future activities of the qualified nonprofit organization, the sources and manner of funding of the qualified nonprofit organization, the date of formation and expected life of the qualified nonprofit organization, the number of paid staff members and volunteers of the qualified nonprofit organization, the nature and extent of the qualified nonprofit organization's proposed involvement in the construction or rehabilitation and the operation of the proposed development, the relationship of the staff, directors or other principals involved in the formation or operation of the qualified nonprofit organization with any persons or entities to be involved in the proposed development on a for-profit basis, and the proposed involvement in the construction or rehabilitation and operation of the proposed development by any persons or entities involved in the proposed development on a for-profit basis. The executive director may include in the application of the foregoing factors any other nonprofit organizations which, in his determination, are related (by shared directors, staff or otherwise) to the qualified nonprofit organization for which such determination is to be made.

For purposes of the foregoing requirements, a qualified nonprofit organization shall be treated as satisfying such requirements if any qualified corporation (as defined in § 42(h)(5)(D)(ii) of the IRC) in which such organization (by itself or in combination with one or more qualified nonprofit organizations) holds 100% of the stock satisfies such requirements.

The applications shall include such representations and warranties and such information as the executive director may require in order to determine that the foregoing requirements have been satisfied. In no event shall more than 90% of the Commonwealth's annual state housing credit ceiling for credits be available for developments other than those satisfying the preceding requirements. The executive director may establish a set-aside of credits as he may deem appropriate to satisfy the foregoing requirement ("nonprofit set-aside"). If any such nonprofit set-aside is so established, the executive director may rank the applications and reserve credits to applications

~~meeting the requirements of the nonprofit set-aside before reserving credits to any other application. In the event that during any round (as authorized hereinbelow) of application review and ranking the amount of credits reserved within such nonprofit set-aside is less than the total amount of credits made available therein, the executive director may either (i) leave such unreserved credits in such nonprofit set-aside for reservation and allocation in any subsequent round or rounds; (ii) reserve, to the extent permissible under the IRC, such unreserved credits to such other applications as the executive director shall designate in the full amount permissible hereunder; or (iii) carry over such unreserved credits to the next succeeding calendar year for inclusion in the state housing credit ceiling (as defined in § 42(h)(3)(C) of the IRC) for such year. Notwithstanding anything to the contrary herein, no reservation of credits shall be made from any nonprofit set-aside to any application with respect to which the qualified nonprofit organization has not yet been legally formed in accordance with the requirements of the IRC. In addition, no application for credits from any nonprofit set-aside may receive a reservation or allocation of annual credits in an amount greater than \$650,000 such pools (nonprofit pools) of credits as he may deem appropriate to satisfy the foregoing requirement. If any such nonprofit pools are so established, the executive director may rank the applications therein and reserve credits to such applications before ranking applications and reserving credits in other pools, and any such applications in such nonprofit pools not receiving any reservations of credits or receiving such reservations in amounts less than the full amount permissible hereunder (because there are not enough credits then available in such nonprofit pools to make such reservations) shall be assigned to such other pool as shall be appropriate hereunder; provided, however, that if credits are later made available (pursuant to the IRC or as a result of either a termination or reduction of a reservation of credits made from any nonprofit pools or a rescission in whole or in part of an allocation of credits made from such nonprofit pools or otherwise) for reservation and allocation by the authority during the same calendar year as that in which applications in the nonprofit pools have been so assigned to other pools as described above, the executive director may, in such situations, designate all or any portion of such additional credits for the nonprofit pools (or for any other pools as he shall determine) and may, if additional credits have been so designated for the nonprofit pools, reassign such applications to such nonprofit pools, rank the applications therein and reserve credits to such applications in accordance with the IRC and this chapter. In the event that during any round (as authorized hereinbelow) of application review and ranking the amount of credits reserved within such nonprofit pools is less than the total amount of credits made available therein, the executive director may either (i) leave such unreserved credits in such nonprofit pools for reservation and allocation in any subsequent round or rounds or (ii) redistribute, to the extent permissible under the IRC, such unreserved credits to such other pool or pools as the executive director shall designate reservations therefore in the full amount permissible hereunder (which applications shall hereinafter be referred to as "excess qualified applications") or (iii) carry over such unreserved credits to the next succeeding calendar year for the inclusion in the state housing credit ceiling (as defined in §~~

42(h)(3)(C) of the IRC) for such year. Notwithstanding anything to the contrary herein, no reservation of credits shall be made from any nonprofit pools to any application with respect to which the qualified nonprofit organization has not yet been legally formed in accordance with the requirements of the IRC. In addition, no application for credits from any nonprofit pools or any combination of pools may receive a reservation or allocation of annual credits in an amount greater than \$650,000 unless credits remain available in such nonprofit pools after all eligible applications for credits from such nonprofit pools receive a reservation of credits.

~~The executive director may establish a set aside of credits as he may deem appropriate to applicants either relying on the experience of a local housing authority for developer experience points described hereinbelow or using Hope VI funds from HUD in connection with the proposed development ("LHA set aside"), or both. If any such LHA set aside is so established, the executive director may rank the applications and reserve credits to applications meeting the requirements of the LHA set aside before reserving credits to any other application (except any applications needed to meet the nonprofit set aside). In the event that during any round (as authorized hereinbelow) of application review and ranking the amount of credits reserved within such LHA set aside is less than the total amount of credits made available therein, the executive director may either (i) leave such unreserved credits in such LHA set aside for reservation and allocation in any subsequent round or rounds; (ii) reserve such unreserved credits to such other applications as the executive director shall designate in the full amount permissible hereunder; or (iii) carry over such unreserved credits to the next succeeding calendar year for inclusion in the state housing credit ceiling (as defined in § 42(h)(3)(C) of the IRC) for such year. Notwithstanding anything to the contrary herein, applicants relying on the experience of a local housing authority for developer experience points described hereinbelow and/or using Hope VI funds from HUD in connection with the proposed development shall not be eligible to receive a reservation of credits from any nonprofit set aside. In addition, no application for credits from any LHA set aside may receive a reservation or allocation of annual credits in an amount greater than \$650,000 pools.~~

The authority shall review each application, and, based on the application and other information available to the authority, shall assign points to each application as follows:

1. Readiness.

- a. Written evidence satisfactory to the authority of unconditional approval by local authorities of the plan of development or site plan for the proposed development or that such approval is not required. (40 points; applicants receiving points under this subdivision 1 a are not eligible for points under subdivision 5 a below)
- b. Written evidence satisfactory to the authority (i) of approval by local authorities of proper zoning or special use permit for such site or (ii) that no zoning requirements or special use permits are applicable. (40 points)
- c. Submission of plans and specifications or, in the case of rehabilitation for which plans will not be used, a unit-by-

unit work write-up for such rehabilitation with certification in such form and from such person satisfactory to the executive director as to the completion of such plans or specifications or work write-up. (20 points multiplied by the quotient calculated by dividing the percentage of completion of such plans and specifications or such work write-up by 75% not to exceed 20 points.)

2. Housing needs characteristics.

a. Submission of the form prescribed by the authority with any required attachments, providing such information necessary for the authority to send a letter addressed to the current chief executive officer (or the equivalent) of the locality in which the proposed development is located, soliciting input on the proposed development from the locality within the deadlines established by the executive director. (10 points; failure to make timely submission, minus 50 points)

b. (1) A letter dated within three months prior to the application deadline addressed to the authority and signed by the chief executive officer of the locality in which the proposed development is to be located stating, without qualification or limitation, the following:

"The construction or rehabilitation of (name of development) and the allocation of federal housing tax credits available under IRC Section 42 for that development will help meet the housing needs and priorities of (name of locality). Accordingly, (name of locality) supports the allocation of federal housing tax credits requested by (name of applicant) for that development." (50 points)

(2) No letter from the chief executive officer of the locality in which the proposed development is to be located, or a letter addressed to the authority and signed by such chief executive officer stating neither support (as described in subdivision b (1) above) nor opposition (as described in subdivision b (3) below) as to the allocation of credits to the applicant for the development. (25 points)

(3) A letter in response to its notification to the chief executive officer of the locality in which the proposed development is to be located opposing the allocation of credits to the applicant for the development. In any such letter, the chief executive officer must certify that the proposed development is not consistent with current zoning or other applicable land use regulations. (0 points)

c. Proposed developments competing in any pool established specifically for community revitalization plans may receive points from one of the following categories while competing in such pool: (1) Applications with Documentation in a form approved by the authority from the local government officials that the proposed development is located in a revitalization area and the proposed development is an integral part of the planned revitalization. (50 points) ~~(2) Applications with documentation in a form approved by the authority from local government officials that (i) the proposed development is located in a revitalization area with~~

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~~established boundaries (beyond the boundaries of the proposed development), (ii) local or state funds have been spent or budgeted in furtherance of the revitalization objectives, and (iii) the proposed development will further the goals of the planned revitalization. (25 points) (3) The proposed development involves either (i) substantial rehabilitation (contractor's cost of at least \$50,000 per unit) or adaptive reuse of vacant or derelict structures (15 points) or (ii) the rehabilitation of properties deemed troubled by a local government based on the physical condition of the property, documented crime/drug problems or similar factors. (10 points)~~

~~d. If the proposed development (i) includes the rehabilitation of existing housing (add 5 points) or (ii) is located in a Difficult Development Area as defined by HUD or is in a qualified census tract within either a Revitalization Area, an Enterprise Zone or a Housing Revitalization Zone designated by the state. (add 5 points)~~

~~d. e. Commitment by the applicant to give leasing preference to individuals and families (i) on public housing waiting lists maintained by the local housing authority operating in the locality in which the proposed development is to be located and notification of the availability of such units to the local housing authority by the applicant or (ii) on section 8 (as defined in 13 VAC 10-180-90) waiting lists maintained by the local or nearest section 8 administrator for the locality in which the proposed development is to be located and notification of the availability of such units to the local section 8 administrator by the applicant. (10 points; Applicants receiving points under this subdivision may not require an annual minimum income requirement for prospective tenants that exceeds the greater of \$3,600 or 2.5 times the portion of rent to be paid by such tenants.)~~

~~e. f. Any of the following: (i) firm financing commitment(s) from the local government, local housing authority, Federal Home Loan Bank affordable housing funds, or the Rural Development of the U.S. Department of Agriculture, for a below-market rate loan or grant; (ii) a resolution passed by the locality in which the proposed development is to be located committing such financial support to the development in a form approved by the authority; or (iii) a commitment to donate land, buildings or waive tap fee waivers from the local government. (The amount of such financing or dollar value of local support will be divided by the total development sources of funds and the proposed development receives two points for each percentage point up to a maximum of 40 points.)~~

~~f. g. Any development subject to (i) HUD's Section 8 or Section 236 programs or (ii) Rural Development's 515 program, at the time of application. (20 points)~~

~~g. h. Any development receiving (i) a real estate tax abatement on the increase in the value of the development or (ii) new project-based subsidy from HUD or Rural Development for the greater of 5 units or 10% of the units of the proposed development. (10 points)~~

3. Development characteristics.

a. The average unit size. (100 points multiplied by the sum of the products calculated by multiplying, for each unit type as defined by the number of bedrooms per unit, (i) the quotient of the number of units of a given unit type divided by the total number of units in the proposed development, times (ii) the quotient of the average actual gross square footage per unit for a given unit type minus the lowest gross square footage per unit for a given unit type established by the executive director divided by the highest gross square footage per unit for a given unit type established by the executive director minus the lowest gross square footage per unit for a given unit type established by the executive director. If the average actual gross square footage per unit for a given unit type is less than the lowest gross square footage per unit for a given unit type established by the executive director or greater than the highest gross square footage per unit for a given unit type established by the executive director, the lowest or highest, as the case may be, gross square footage per unit for a given unit type established by the executive director shall be used in the above calculation rather than the actual gross square footage per unit for a given unit type.)

b. Lower amount of credit request. (50 points multiplied by the percentage by which the total amount of the annual tax credits requested is less than \$1,000,000, including negative points using the percentage in which the total amount of annual credits requested is greater than \$1,000,000. Developments financed with tax-exempt bonds will receive an automatic 25 points under this scoring category.)

c. Evidence satisfactory to the authority documenting the quality of the proposed development's amenities as determined by the following:

(1) The following points are available for any application:

(a) If 2-bedroom units have 1.5 bathrooms and 3-bedroom units have 2 bathrooms. (15 points multiplied by the percentage of units meeting these requirements)

~~(b) If all units have a washer and dryer. (7 points) a community/meeting room with a minimum of 800 square feet is provided. (5 points)~~

~~(c) If all units have a balcony or patio. (5 points)~~

~~(d) If all units have a washer and dryer hook-up only. (3 points, no points if points awarded in subdivision (1)(b) above)~~

~~(e) If all units have a dishwasher. (2 points)~~

~~(f) If all units have a garbage disposal. (1 point)~~

~~(g) If the development has a laundry room. (1 point, no points if points awarded in subdivision (1)(b) above)~~

~~(h) If a community/meeting room with a minimum of 800 square feet is provided. (5 points)~~

- (i) If all units have a range hood above the stove. (1 point)
- (j) If all metal windows have thermal breaks, and if insulating glass for metal or vinyl windows and sliding glass doors have a 10-year warranty against breakage of the seal from date of delivery. (1 point)
- (k) If all insulation complies with Virginia Power Energy Efficient Home Requirements, with a minimum R=30 insulation for roofs. (2 points)
- (l) If all refrigerators are frost free, a minimum size of 14 cubic feet, and provide separate doors for freezer and refrigerator compartments. (1 point)
- (m) If all exterior doors exposed to weather are metal. (1 point)
- (n) Brick exterior walls. (15 (c) Brick covering 50% or more of the exterior walls. (20 points times the percentage of exterior walls covered by brick)
- (d) If all kitchen and laundry appliances meet the EPA's Energy Star qualified program requirements. (5 points)
- (e) If all roofing products meet the EPA's Energy Star qualified program requirements. (5 points)
- (f) If all the windows meet the EPA's Energy Star qualified program requirements. (5 points)
- (g) If every unit in the development is heated and air conditioned with either (i) heat pump units with both a SEER rating of 14.0 or more and a HSPF rating of 9.0 or more or (ii) air conditioning units with a SEER rating of 14.0 or more, combined with a gas furnace with an AFUE rating of 90% or more. (10 points)
- (o) If the development has a minimum STC (sound transmission class) rating of 52 for the floor construction between units. (3 points)
- (p) All kitchen cabinets comply with authority minimum guidelines. (1 point)
- (q) All closet doors are side hinged (no bi-fold or sliding doors). (1 point)
- (r) All exterior wood, including trim, fascia and rake boards are clad in aluminum. (1 point)
- (2) The following points are available to applications electing to serve elderly and/or physically disabled tenants as elected in subdivision 4 a of this section:
- (a) If all cooking ranges have front controls. (1 point)
- (b) If all units are adaptable for the handicapped in buildings with elevators. (2 points)
- (c) (b) If all units have an emergency call system. (3 points)
- (d) (c) If all bathrooms have grab bars and slip resistant bottoms for bathtubs, an independent or supplemental heat source. (1 point)
- (e) If all bathrooms have an independent or supplemental heat source. (1 point)
- (f) If all corridors have a handrail on one side. (1 point)
- (g) (d) If all entrance doors to each unit have two eye viewers, one at 48 inches and the other at standard height. (1 point)
- (3) The following points are available to proposed developments which rehabilitate or adaptively reuse an existing structure:
- (a) If all bathrooms, including ones with windows, have exhaust fans ducted out. (1 point)
- (b) (a) If all existing, single-glazed windows in good condition have storm windows, and all windows in poor condition are replaced with new windows with integral storm sash or insulating glass. The insulating glass metal windows must have a thermal break. The insulated glass must have a 10-year warranty against breakage of the seal. (3 points)
- (c) If all apartments have a minimum of one electric smoke detector with battery backup. (1 point)
- (d) If all bathrooms have ground fault interrupter electrical receptacles. (1 point)
- (e) (b) If the structure is historic, by virtue of being listed individually in the National Register of Historic Places, or due to its location in a registered historic district and certified by the Secretary of the Interior as being of historical significance to the district, and the rehabilitation will be completed in such a manner as to be eligible for historic rehabilitation tax credits. (5 points)
- (f) All buildings have a minimum insulation of R=30 for attics and R=19 for crawl spaces. (3 points)
- (g) All public areas, such as community rooms, laundry rooms, and rental office are accessible to persons in wheelchairs. (1 point)
- (h) If replacing the roof, removing the old roof and felt. (1 point)
- The maximum number of points that may be awarded under any combination of the scoring categories under subdivision 3 e d of this section is ~~50~~ 60 points.
- d. Any proposed 50 unit or less development that meets at least three of the following criteria: (i) sets maximum rents on all units at or below 25% of the gross income of households at or below 50% of the area median income (without vouchers or rental assistance); (ii) restricts at least 20% of the units for occupancy by households with incomes at or below 40% of the area median income; (iii) requires at least 60% of the developer's fee to pay development costs; and (iv) has below market rate financial assistance from local, state or federal government. (20 points)
- e. Any nonelderly development in which the greater of 5 units or 10% of the units (i) provide federal project-based

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rent subsidies or equivalent assistance in order to ensure occupancy by extremely low-income persons; (ii) conform to ~~Americans with Disabilities Act Architectural Guidelines (ADAAG) requirements as set forth in the Virginia building code as BOCA Chapter 11 (13 VAC 5-61) or any successor provisions. HUD regulations interpreting the accessibility requirements of § 504 of the Rehabilitation Act;~~ and (iii) are actively marketed to people with special needs in accordance with a plan submitted as part of the application for credits (if special needs includes mobility impairments, the units described above must include roll-in showers and roll-under sinks and ranges). (50 points)

f. Any nonelderly development in which the greater of 5 units or 10% of the units (i) have rents within HUD's Housing Choice Voucher (HCV) payment standard; (ii) conform to ~~ADAAG requirements as set forth in the Virginia building code as BOCA Chapter 11 (13 VAC 5-61) or any successor provisions. HUD regulations interpreting the accessibility requirements of § 504 of the Rehabilitation Act;~~ and (iii) are actively marketed to people with mobility impairments including HCV holders in accordance with a plan submitted as part of the application for credits. (30 points)

g. Any nonelderly development in which 4.0% of the units (i) conform to ~~ADAAG requirements as set forth in the Virginia building code as BOCA Chapter 11 (13 VAC 5-61) or any successor provisions. HUD regulations interpreting the accessibility requirements of § 504 of the Rehabilitation Act~~ and (ii) are actively marketed to people with mobility impairments in accordance with a plan submitted as part of the application for credits. (15 points)

4. Tenant population characteristics.

a. Commitment by the applicant to give a leasing preference to individuals and families with children in developments that will have no more than 20% of its units with one bedroom or less. (15 points; plus 0.75 points for each percent of the low-income units in the development with three or more bedrooms up to an additional 15 points for a total of no more than 30 points under this subdivision a)

b. Commitment by the applicant to provide relocation assistance to displaced households at such level required by the authority. (30 points times the number of certified occupied units divided by the greater of (i) the number of certified occupied units or (ii) the number of units of the proposed development)

5. Sponsor characteristics.

a. Evidence that the principal or principals, as a group or individually, for the proposed development have developed at least three tax credit developments that contain at least three times the number of housing units in the proposed development. (50 points; applicants receiving points under this subdivision 5 a are not eligible for points under subdivision 1 a above)

b. Evidence that the principal or principals for the proposed development have developed at least one tax credit development that contains at least the number of housing units in the proposed development. (10 points)

c. Any applicant that includes a principal that was a principal in a development at the time the authority reported such development to the IRS for an uncorrected major violation of health, safety and building codes. (minus 50 points for a period of three years after the violation has been corrected)

d. Beginning January 1, 2003, any applicant that includes a principal that was a principal in a development at the time the authority reported such development to the IRS for noncompliance that has not been corrected by the time a Form 8823 is filed by the authority. (minus 15 points for a period of three years after the time the authority filed Form 8823, unless the executive director determines that such principal's attempts to correct such noncompliance was prohibited by a court, local government or governmental agency, in which case, no negative points will be assessed to the applicant)

e. Beginning January 1, 2003, any applicant that includes a principal that is or was a principal in a development that (i) did not build a development as represented in the application for credit (minus 20 points for a period of three years after the development is placed in service, in addition to any other penalties the authority may seek under its agreements with the applicant), or (ii) has a reservation of credits terminated by the authority (minus 10 points a period of three years after the credits are returned to the authority).

f. *Beginning January 1, 2005, any applicant that includes a management company in its application that is rated unsatisfactory by the executive director or if the ownership of any applicant includes a principal that is or was a principal in a development that hired a management company to manage a tax credit development after such management company received a rating of unsatisfactory from the executive director during the extended use period of such development. (minus 25 points)*

g. *Evidence that a US Green Building Council LEED certified design professional participated in the design of the proposed development. (10 points)*

h. *Evidence that the proposed development's architect has completed the Fair Housing Accessibility First program offered by HUD or an equivalent organization and the certificate is attached with the architect's certification. (5 points)*

6. Efficient use of resources.

a. The percentage by which the total of the amount of credits per low-income housing unit (the "per unit credit amount") of the proposed development is less than the standard per unit credit amounts established by the executive director for a given unit type, based upon the number of such unit types in the proposed development. (180 points multiplied by the percentage by which the

total amount of the per unit credit amount of the proposed development is less than the applicable standard per unit credit amount established by the executive director, negative points will be assessed using the percentage by which the total amount of the per unit credit amount of the proposed development exceeds the applicable standard per unit credit amount established by the executive director.)

b. The percentage by which the cost per low-income housing unit (the "per unit cost"), adjusted by the authority for location, of the proposed development is less than the standard per unit cost amounts established by the executive director for a given unit type, based upon the number of such unit types in the proposed development. (75 points multiplied by the percentage by which the total amount of the per unit cost of the proposed development is less than the applicable standard per unit cost amount established by the executive director.)

The executive director may use a standard per square foot credit amount and a standard per square foot cost amount in establishing the per unit credit amount and the per unit cost amount in subdivision 6 above. For the purpose of calculating the points to be assigned pursuant to such subdivisions 3 c and 6 above, all credit amounts shall include any credits previously allocated to the development, and the per unit credit amount for any building documented by the applicant to be located in a qualified census tract or difficult development area (such tract or area being as defined in the IRC) shall be determined based upon 100% of the eligible basis of such building, in the case of new construction, or 100% of the rehabilitation expenditures, in the case of rehabilitation of an existing building, notwithstanding any use by the applicant of 130% of such eligible basis or rehabilitation expenditures in determining the amount of credits as provided in the IRC.

7. Bonus points.

a. Commitment by the applicant to impose income limits on the low-income housing units throughout the extended use period (as defined in the IRC) below those required by the IRC in order for the development to be a qualified low-income development. Applicants receiving points under this subdivision a may not receive points under subdivision b below. (The product of (i) 50 points multiplied by (ii) the percentage of housing units in the proposed development both rent restricted to and occupied by households at or below 50% of the area median gross income; plus 1 point for each percentage point of such housing units in the proposed development which are further restricted to rents at or below 30% of 40% of the area median gross income up to an additional 10 points.)

b. Commitment by the applicant to impose rent limits on the low-income housing units throughout the extended use period (as defined in the IRC) below those required by the IRC in order for the development to be a qualified low-income development. Applicants receiving points under this subdivision b may not receive points under subdivision a above. (The product of (i) 25 points (50 points for proposed developments in low-income

jurisdictions) multiplied by (ii) the percentage of housing units in the proposed development rent restricted to households at or below 50% of the area median gross income; plus 1 point for each percentage point of such housing units in the proposed development which are further restricted to rents at or below 30% of 40% of the area median gross income up to an additional 10 points.)

c. Commitment by the applicant to maintain the low-income housing units in the development as a qualified low-income housing development beyond the 30-year extended use period (as defined in the IRC). Applicants receiving points under this subdivision c may not receive bonus points under subdivision d below. (40 points for a 10-year commitment beyond the 30-year extended use period or 50 points for a 20-year commitment beyond the 30-year extended use period.)

d. Participation by a local housing authority or qualified nonprofit organization (substantially based or active in the community with at least a 10% ownership interest in the general partnership interest of the partnership) and a commitment by the applicant to sell the proposed development pursuant to an executed, recordable option or right of first refusal to such local housing authority or qualified nonprofit organization or to a wholly owned subsidiary of such organization or authority, at the end of the 15-year compliance period, as defined by IRC, for a price not to exceed the outstanding debt and exit taxes of the for-profit entity. The applicant must record such option or right of first refusal immediately after the low-income housing commitment described in 13 VAC 10-180-70 and give the qualified nonprofit veto power over any refinancing of the development. Applicants receiving points under this subdivision d may not receive bonus points under subdivision c above. (60 points; plus 5 points if the local housing authority or qualified nonprofit organization submits a homeownership plan satisfactory to the authority in which the local housing authority or qualified nonprofit organization commits to sell the units in the development to tenants.)

In calculating the points for subdivisions 7 a and b above, any units in the proposed development required by the locality to exceed 60% of the area median gross income will not be considered when calculating the percentage of low-income units of the proposed development with incomes below those required by the IRC in order for the development to be a qualified low-income development, provided that the locality submits evidence satisfactory to the authority of such requirement.

After points have been assigned to each application in the manner described above, the executive director shall compute the total number of points assigned to each such application. Notwithstanding any other provisions herein, any application that is assigned a total number of points less than a threshold amount of 375 points shall be rejected from further consideration hereunder and shall not be eligible for any reservation or allocation of credits.

The executive director may exclude and disregard any application which he determines is not submitted in good faith or which he determines would not be financially feasible.

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Upon assignment of points to all of the applications, the executive director shall rank the applications based on the number of points so assigned. If any pools shall have been established, each application shall be assigned to a pool and, if any, to the appropriate tier within such pool and shall be ranked within such pool or tier, if any. The amount of credits made available to each pool will be determined by the executive director. Available credits will include unreserved per capita dollar amount credits from the current calendar year under § 42(h)(3)(C)(i) of the IRC, any unreserved per capita credits from previous calendar years, and credits returned to the authority prior to the final ranking of the applications and may include up to 15% of next calendar year's per capita credits as shall be determined by the executive director. Those applications assigned more points shall be ranked higher than those applications assigned fewer points. However, if any set-asides established by the executive director cannot be satisfied after ranking the applications based on the number of points, the executive director may rank as many applications as necessary to meet the requirements of such set-aside (selecting the highest ranked application, or applications, meeting the requirements of the set-aside) over applications with more points.

In the event of a tie in the number of points assigned to two or more applications within the same pool, or, if none, within the Commonwealth, and in the event that the amount of credits available for reservation to such applications is determined by the executive director to be insufficient for the financial feasibility of all of the developments described therein, the authority shall, to the extent necessary to fully utilize the amount of credits available for reservation within such pool or, if none, within the Commonwealth, select one or more of the applications with the highest combination of points from subdivision 7 above, and each application so selected shall receive (in order based upon the number of such points, beginning with the application with the highest number of such points) a reservation of credits. If two or more of the tied applications receive the same number of points from subdivision 7 above and if the amount of credits available for reservation to such tied applications is determined by the executive director to be insufficient for the financial feasibility of all the developments described therein, the executive director shall select one or more of such applications by lot, and each application so selected by lot shall receive (in order of such selection by lot) a reservation of credits.

For each application which may receive a reservation of credits, the executive director shall determine the amount, as of the date of the deadline for submission of applications for reservation of credits, to be necessary for the financial feasibility of the development and its viability as a qualified low-income development throughout the credit period under the IRC. In making this determination, the executive director shall consider the sources and uses of the funds, the available federal, state and local subsidies committed to the development, the total financing planned for the development as well as the investment proceeds or receipts expected by the authority to be generated with respect to the development, and the percentage of the credit dollar amount used for development costs other than the costs of intermediaries. He shall also examine the development's costs, including developer's fees and other amounts in the application, for

reasonableness and, if he determines that such costs or other amounts are unreasonably high, he shall reduce them to amounts that he determines to be reasonable. The executive director shall review the applicant's projected rental income, operating expenses and debt service for the credit period. The executive director may establish such criteria and assumptions as he shall deem reasonable for the purpose of making such determination, including, without limitation, criteria as to the reasonableness of fees and profits and assumptions as to the amount of net syndication proceeds to be received (based upon such percentage of the credit dollar amount used for development costs, other than the costs of intermediaries, as the executive director shall determine to be reasonable for the proposed development), increases in the market value of the development, and increases in operating expenses, rental income and, in the case of applications without firm financing commitments (as defined hereinabove) at fixed interest rates, debt service on the proposed mortgage loan. The executive director may, if he deems it appropriate, consider the development to be a part of a larger development. In such a case, the executive director may consider, examine, review and establish any or all of the foregoing items as to the larger development in making such determination for the development.

At such time or times during each calendar year as the executive director shall designate, the executive director shall reserve credits to applications in descending order of ranking within each pool and tier, if applicable, until either substantially all credits therein are reserved or all qualified applications therein have received reservations. (For the purpose of the preceding sentence, if there is not more than a de minimis amount, as determined by the executive director, of credits remaining in a pool after reservations have been made, "substantially all" of the credits in such pool shall be deemed to have been reserved.) The executive director may rank the applications within pools at different times for different pools and may reserve credits, based on such rankings, one or more times with respect to each pool. The executive director may also establish more than one round of review and ranking of applications and reservation of credits based on such rankings, and he shall designate the amount of credits to be made available for reservation within each pool during each such round. The amount reserved to each such application shall be equal to the lesser of (i) the amount requested in the application or (ii) an amount determined by the executive director, as of the date of application, to be necessary for the financial feasibility of the development and its viability as a qualified low-income development throughout the credit period under the IRC; provided, however, that in no event shall the amount of credits so reserved exceed the maximum amount permissible under the IRC.

Not more than 20% of the credits in any pool may be reserved to developments intended to provide elderly housing, unless the feasible credit amount, as determined by the executive director, of the highest ranked elderly housing development in any pool exceeds 20% of the credits in such pool, then such elderly housing development shall be the only elderly housing development eligible for a reservation of credits from such pool. However, if credits remain available for reservation after all eligible nonelderly housing developments receive a

reservation of credits, such remaining credits may be made available to additional elderly housing developments.

Beginning January 1, 2005, the amount of credits available for reservation to developments in older central cities from any pool established by the executive director to serve a geographic area of the state shall be limited to an amount equal to the older central city's percentage share of households paying more than 35% of income for rent in the pool in which the older central city appears. However, notwithstanding the limitation of this paragraph, all applications with a letter of support from the chief executive officer of an older central city will be eligible for a reservation of credits.

If the amount of credits available in any pool is determined by the executive director to be insufficient for the financial feasibility of the proposed development to which such available credits are to be reserved, the executive director may move the proposed development and the credits available to another pool. If any credits remain in any pool after moving proposed developments and credits to another pool, the executive director may for developments that meet the requirements of § 42(h)(1)(E) of the IRC only, reserve the remaining credits to any proposed development(s) scoring at or above the minimum point threshold established by this chapter without regard to the ranking of such application with additional credits from the Commonwealth's annual state housing credit ceiling for the following year in such an amount necessary for the financial feasibility of the proposed development, or developments. However, the reservation of credits from the Commonwealth's annual state housing credit ceiling for the following year shall be in the reasonable discretion of the executive director if he determines it to be in the best interest of the plan. In the event a reservation or an allocation of credits from the current year or a prior year is reduced, terminated or cancelled, the executive director may substitute such credits for any credits reserved from the following year's annual state housing credit ceiling.

In the event that during any round of application review and ranking the amount of credits reserved within any pools is less than the total amount of credits made available therein during such round, the executive director may either (i) leave such unreserved credits in such pools for reservation and allocation in any subsequent round or rounds or (ii) redistribute such unreserved credits to such other pool or pools as the executive director may designate or (iii) carry over such unreserved credits to the next succeeding calendar year for inclusion in the state housing credit ceiling (as defined in § 42(h)(3)(C) of the IRC) for such year.

Notwithstanding anything contained herein, the total amount of credits that may be awarded in any credit year after credit year 2001 to any applicant or to any related applicants for one or more developments shall not exceed 15% of Virginia's per capita dollar amount of credits for such credit year (the "credit cap"). However, if the amount of credits to be reserved in any such credit year to all applications assigned a total number of points at or above the threshold amount set forth above shall be less than Virginia's dollar amount of credits available for such credit year, then the authority's board of commissioners may waive the credit cap to the extent it deems necessary to

reserve credits in an amount at least equal to such dollar amount of credits. Applicants shall be deemed to be related if any principal in a proposed development or any person or entity related to the applicant or principal will be a principal in any other proposed development or developments. For purposes of this paragraph, a principal shall also include any person or entity who, in the determination of the executive director, has exercised or will exercise, directly or indirectly, substantial control over the applicant or has performed or will perform (or has assisted or will assist the applicant in the performance of), directly or indirectly, substantial responsibilities or functions customarily performed by applicants with respect to applications or developments. For the purpose of determining whether any person or entity is related to the applicant or principal, persons or entities shall be deemed to be related if the executive director determines that any substantial relationship existed, either directly between them or indirectly through a series of one or more substantial relationships (e.g., if party A has a substantial relationship with party B and if party B has a substantial relationship with party C, then A has a substantial relationship with both party B and party C), at any time within three years of the filing of the application for the credits. In determining in any credit year whether an applicant has a substantial relationship with another applicant with respect to any application for which credits were awarded in any prior credit year, the executive director shall determine whether the applicants were related as of the date of the filing of such prior credit year's application or within three years prior thereto and shall not consider any relationships or any changes in relationships subsequent to such date. Substantial relationships shall include, but not be limited to, the following relationships (in each of the following relationships, the persons or entities involved in the relationship are deemed to be related to each other): (i) the persons are in the same immediate family (including, without limitation, a spouse, children, parents, grandparents, grandchildren, brothers, sisters, uncles, aunts, nieces, and nephews) and are living in the same household; (ii) the entities have one or more common general partners or members (including related persons and entities), or the entities have one or more common owners that (by themselves or together with any other related persons and entities) have, in the aggregate, 5.0% or more ownership interest in each entity; (iii) the entities are under the common control (e.g., the same person or persons and any related persons serve as a majority of the voting members of the boards of such entities or as chief executive officers of such entities) of one or more persons or entities (including related persons and entities); (iv) the person is a general partner, member or employee in the entity or is an owner (by himself or together with any other related persons and entities) of 5.0% or more ownership interest in the entity; (v) the entity is a general partner or member in the other entity or is an owner (by itself or together with any other related persons and entities) of 5.0% or more ownership interest in the other entity; or (vi) the person or entity is otherwise controlled, in whole or in part, by the other person or entity. In determining compliance with the credit cap with respect to any application, the executive director may exclude any person or entity related to the applicant or to any principal in such applicant if the executive director determines that (i) such person or entity will not participate, directly or indirectly,

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in matters relating to the applicant or the ownership of the development to be assisted by the credits for which the application is submitted, (ii) such person or entity has no agreement or understanding relating to such application or the tax credits requested therein, and (iii) such person or entity will not receive a financial benefit from the tax credits requested in the application. A limited partner or other similar investor shall not be determined to be a principal and shall be excluded from the determination of related persons or entities unless the executive director shall determine that such limited partner or investor will, directly or indirectly, exercise control over the applicant or participate in matters relating to the ownership of the development substantially beyond the degree of control or participation that is usual and customary for limited partners or other similar investors with respect to developments assisted by the credits. If the award of multiple applications of any applicant or related applicants in any credit year shall cause the credit cap to be exceeded, such applicant or applicants shall, upon notice from the authority, jointly designate those applications for which credits are not to be reserved so that such limitation shall not be exceeded. Such notice shall specify the date by which such designation shall be made. In the absence of any such designation by the date specified in such notice, the executive director shall make such designation as he shall determine to best serve the interests of the program. Each applicant and each principal therein shall make such certifications, shall disclose such facts and shall submit such documents to the authority as the executive director may require to determine compliance with credit cap. If an applicant or any principal therein makes any misrepresentation to the authority concerning such applicant's or principal's relationship with any other person or entity, the executive director may reject any or all of such applicant's pending applications for reservation or allocation of credits, may terminate any or all reservations of credits to the applicant, and may prohibit such applicant, the principals therein and any persons and entities then or thereafter having a substantial relationship (in the determination of the executive director as described above) with the applicant or any principal therein from submitting applications for credits for such period of time as the executive director shall determine.

Within a reasonable time after credits are reserved to any applicants' applications, the executive director shall notify each applicant for such reservations of credits either of the amount of credits reserved to such applicant's application (by issuing to such applicant a written binding commitment to allocate such reserved credits subject to such terms and conditions as may be imposed by the executive director therein, by the IRC and by this chapter) or, as applicable, that the applicant's application has been rejected or excluded or has otherwise not been reserved credits in accordance herewith. The written binding commitment shall prohibit any transfer, direct or indirect, of partnership interests (except those involving the admission of limited partners) prior to the placed-in-service date of the proposed development unless the transfer is consented to by the executive director. The written binding commitment shall further limit the developers' fees to the amounts established during the review of the applications for reservation of credits and such amounts shall not be increased unless consented to by the executive

director. The executive director shall, as a condition to the binding commitment, require each applicant to obtain a market study, in form and substance satisfactory to the authority, that shows adequate demand for the housing units to be produced by each applicant's proposed development.

If credits are reserved to any applicants for developments which have also received an allocation of credits from prior years, the executive director may reserve additional credits from the current year equal to the amount of credits allocated to such developments from prior years, provided such previously allocated credits are returned to the authority. Any previously allocated credits returned to the authority under such circumstances shall be placed into the credit pools from which the current year's credits are reserved to such applicants.

The executive director shall make a written explanation available to the general public for any allocation of housing credit dollar amount which is not made in accordance with established priorities and selection criteria of the authority.

The authority's board shall review and consider the analysis and recommendation of the executive director for the reservation of credits to an applicant, and, if it concurs with such recommendation, it shall by resolution ratify the reservation by the executive director of the credits to the applicant, subject to such terms and conditions as it shall deem necessary or appropriate to assure compliance with the aforementioned binding commitment issued or to be issued to the applicant, the IRC and this chapter. If the board determines not to ratify a reservation of credits or to establish any such terms and conditions, the executive director shall so notify the applicant.

Subsequent to such ratification of the reservation of credits, the executive director may, in his discretion and without ratification or approval by the board, increase the amount of such reservation by an amount not to exceed 10% of the initial reservation amount.

The executive director may require the applicant to make a good faith deposit or to execute such contractual agreements providing for monetary or other remedies as it may require, or both, to assure that the applicant will comply with all requirements under the IRC, this chapter and the binding commitment (including, without limitation, any requirement to conform to all of the representations, commitments and information contained in the application for which points were assigned pursuant to this section). Upon satisfaction of all such aforementioned requirements (including any post-allocation requirements), such deposit shall be refunded to the applicant or such contractual agreements shall terminate, or both, as applicable.

If, as of the date the application is approved by the executive director, the applicant is entitled to an allocation of the credits under the IRC, this chapter and the terms of any binding commitment that the authority would have otherwise issued to such applicant, the executive director may at that time allocate the credits to such qualified low-income buildings or development without first providing a reservation of such credits. This provision in no way limits the authority of the executive director to require a good faith deposit or

contractual agreement, or both, as described in the preceding paragraph, nor to relieve the applicant from any other requirements hereunder for eligibility for an allocation of credits. Any such allocation shall be subject to ratification by the board in the same manner as provided above with respect to reservations.

The executive director may require that applicants to whom credits have been reserved shall submit from time to time or at such specified times as he shall require, written confirmation and documentation as to the status of the proposed development and its compliance with the application, the binding commitment and any contractual agreements between the applicant and the authority. If on the basis of such written confirmation and documentation as the executive director shall have received in response to such a request, or on the basis of such other available information, or both, the executive director determines any or all of the buildings in the development which were to become qualified low-income buildings will not do so within the time period required by the IRC or will not otherwise qualify for such credits under the IRC, this chapter or the binding commitment, then the executive director may terminate the reservation of such credits and draw on any good faith deposit. If, in lieu of or in addition to the foregoing determination, the executive director determines that any contractual agreements between the applicant and the authority have been breached by the applicant, whether before or after allocation of the credits, he may seek to enforce any and all remedies to which the authority may then be entitled under such contractual agreements.

The executive director may establish such deadlines for determining the ability of the applicant to qualify for an allocation of credits as he shall deem necessary or desirable to allow the authority sufficient time, in the event of a reduction or termination of the applicant's reservation, to reserve such credits to other eligible applications and to allocate such credits pursuant thereto.

Any material changes to the development, as proposed in the application, occurring subsequent to the submission of the application for the credits therefor shall be subject to the prior written approval of the executive director. As a condition to any such approval, the executive director may, as necessary to comply with this chapter, the IRC, the binding commitment and any other contractual agreement between the authority and the applicant, reduce the amount of credits applied for or reserved or impose additional terms and conditions with respect thereto. If such changes are made without the prior written approval of the executive director, he may terminate or reduce the reservation of such credits, impose additional terms and conditions with respect thereto, seek to enforce any contractual remedies to which the authority may then be entitled, draw on any good faith deposit, or any combination of the foregoing.

In the event that any reservation of credits is terminated or reduced by the executive director under this section, he may reserve, allocate or carry over, as applicable, such credits in such manner as he shall determine consistent with the requirements of the IRC and this chapter.

Notwithstanding the provisions of this section, the executive director may make a reservation of credits to any applicant that proposes a nonelderly development intended to serve people with disabilities and (i) provides rent subsidies or equivalent assistance in order to ensure occupancy by extremely low-income persons; (ii) conforms to HUD regulations interpreting the accessibility requirements of § 504 of the Rehabilitation Act; and (iii) will be actively marketed to people with disabilities in accordance with a plan submitted as part of the application for credits and approved by the executive director. Any such reservations made in any calendar year may be up to 3.0% of the Commonwealth's annual state housing credit ceiling for the applicable credit year. However, such reservation will be for credits from the Commonwealth's annual state housing credit ceiling from the following calendar year.

VA.R. Doc. No. R04-16; Filed September 25, 2003, 11:05 a.m.

FINAL REGULATIONS

For information concerning Final Regulations, see Information Page.

Symbol Key

Roman type indicates existing text of regulations. *Italic type* indicates new text. Language which has been stricken indicates text to be deleted. [Bracketed language] indicates a change from the proposed text of the regulation.

TITLE 6. CRIMINAL JUSTICE AND CORRECTIONS

CRIMINAL JUSTICE SERVICES BOARD

Title of Regulation: **6 VAC 20-171. Regulations Relating to Private Security Services (amending 6 VAC 20-171-10, 6 VAC 20-171-20, 6 VAC 20-171-30, 6 VAC 20-171-50 through [6 VAC 20-171-150 6 VAC 20-171-130], 6 VAC 20-171-170 through 6 VAC 20-171-200, 6 VAC 20-171-220, 6 VAC 20-171-230, 6 VAC 20-171-240, 6 VAC 20-171-250 through 6 VAC 20-171-280, 6 VAC 20-171-300, 6 VAC 20-171-310, 6 VAC 20-171-320, [6 VAC 20-171-330 6 VAC 20-171-350] through 6 VAC 20-171-400, 6 VAC 20-171-420, 6 VAC 20-171-430, 6 VAC 20-171-440, [6 VAC 20-171-460,] 6 VAC 20-171-480, 6 VAC 20-171-500, 6 VAC 20-171-510, 6 VAC 20-171-540, and 6 VAC 20-171-560; repealing 6 VAC 20-171-40 [, 6 VAC 20-171-140, 6 VAC 20-171-150, 6 VAC 20-171-325, 6 VAC 20-171-330 and 6 VAC 20-171-340]).**

Statutory Authority: § 9.1-141 of the Code of Virginia.

Effective Date: November 19, 2003.

Agency Contact: Lisa R. Hahn, Acting Section Chief, Private Security Services, Department of Criminal Justice Services, 805 E. Broad Street, Richmond, VA 23219, telephone (804) 225-2356, FAX (804) 786-6344 or e-mail lhahn@dcjs.state.va.us.

Summary:

The amendments to the regulation:

1. *Modify private security industry fees.*
2. *Increase the standard length of time that certifications, registrations and licenses are issued from one to two years.*
3. *Increase the hours of training required for entry level for some certification and registration categories.*
4. *Add a requirement that all individuals applying for a license, registration, or certification be United States citizens or legal resident aliens of the United States.*
5. *Require unarmed security officers to submit their fingerprints to the department to conform to a legislative change from the 2002 Session of the General Assembly.*
6. *Reduce the reinstatement period from 90 days to 30 days.*
7. *Amend administrative and standard of conduct requirements such as reducing the number of days a regulant must report a felony or misdemeanor conviction from 30 days to 10 days.*

8. *Add clarifying language such as specifying the number of years that a private security service business must maintain documentation.*

9. *Incorporate changes that will make the regulation consistent with current practice such as including fees that DCJS has been charging that are not currently in the regulations, and include provisions that allow for more effective enforcement of the regulation, such as laying out in more precise language the standards of conduct for license, registration or certificate holders.*

10. *Add or clarify definitions and terms used throughout the document.*

Summary of Public Comments and Agency's Response: A summary of comments made by the public and the agency's response may be obtained from the promulgating agency or viewed at the office of the Registrar of Regulations.

REGISTRAR'S NOTICE: The proposed regulation was adopted as published in 19:14 VA.R. 2028-2062 March 24, 2003, with the changes identified below. Pursuant to § 2.2-4031 of the Code of Virginia, the adopted regulation is not published at length; however, the sections that have changed since publication of the proposed are set out.

6 VAC 20-171-10. Definitions.

The following words and terms when used in this chapter shall have the following meanings, unless the context clearly indicates otherwise:

"Administrative Process Act" means Chapter 40 (§ 2.2-4000 et seq.) of Title 2.2 of the Code of Virginia.

"Alarm respondent" means a natural person who responds to the signal of an alarm for the purpose of detecting an intrusion of the home, business or property of the end user.

"Armed" means a private security registrant who carries or has immediate access to a firearm in the performance of his duties.

"Armed security officer" means [~~a security officer, as defined in this section~~ a natural person employed to (i) safeguard and protect persons and property or (ii) deter theft, loss, or concealment of any tangible or intangible personal property on the premises he is contracted to protect, and] who carries or has [immediate] access to a firearm in the performance of his duties.

"Armored car personnel" means persons who transport or offer to transport under armed security from one place to another money, negotiable instruments or other valuables in a specially equipped motor vehicle with a high degree of security and certainty of delivery.

"Assistant training director" means a certified instructor designated by a private security training school director to

submit training school session notifications and training rosters and perform administrative duties in lieu of the director.

"Board" means the Criminal Justice Services Board or any successor board or agency.

"Business advertising material" means display advertisements in telephone directories, letterhead, business cards, local newspaper advertising and contracts.

"Central station dispatcher" means a natural person who monitors burglar alarm signal devices, burglar alarms or any other electrical, mechanical or electronic device used to prevent or detect burglary, theft, shoplifting, pilferage or similar losses; used to prevent or detect intrusion; or used primarily to summon aid for other emergencies.

"Certification" means a method of regulation indicating that qualified persons have met the minimum requirements as private security services training schools, private security services instructors [, or] compliance agents [~~unarmed security officers, electronic security employees, or electronic security technician's assistants~~].

"Certified training school" means a training school ~~which provides instruction in at least the minimum training mandated and~~ that is certified by the department for the specific purpose of training private security services business personnel *in at least one category of the compulsory minimum training standards.*

"Class" means a block of instruction no less than 50 minutes in length on a particular subject.

"Combat load loading" means tactical loading of shotgun while maintaining coverage of threat area.

"Compliance agent" means a natural person who is an owner of, or employed by, a licensed private security services business. The compliance agent shall assure the compliance of the private security services business with all applicable requirements as provided in § 9.1-139 of the Code of Virginia.

"Courier" means any armed person who transports or offers to transport from one place to another documents or other papers, negotiable or nonnegotiable instruments, or other small items of value that require expeditious service.

"Date of hire" means the date any employee of a private security services business or training school ~~provides~~ performs services regulated or required to be regulated by the department.

"Department" or "DCJS" means the Department of Criminal Justice Services or any successor agency.

"Director" means the chief administrative officer of the department.

[*Electronic roster submittal" means the authority given to the training director or assistant training director of a private security training school, after they have submitted an application and the required nonrefundable fee, to submit a training school roster to the department electronically through the department's online system.*]

"Electronic security business" means any person who engages in the business of or undertakes to (i) install, service, maintain, design or consult in the design of any electronic security equipment to an end user; (ii) respond to or cause a response to electronic security equipment for an end user; or (iii) have access to confidential information concerning the design, extent, status, password, contact list, or location of an end user's electronic security equipment.

"Electronic security employee" means a natural person who is employed by an electronic security business in any capacity which may give him access to information concerning the design, extent, status, password, contact list, or location of an end user's electronic security equipment.

"Electronic security equipment" means electronic or mechanical alarm signaling devices, including burglar alarms or holdup alarms or cameras used to detect intrusion, concealment or theft [*to safeguard and protect persons and property*]. This shall not include tags, labels, and other devices [~~which that~~] are attached or affixed to items offered for sale, library books, and other protected articles as part of an electronic article surveillance and theft detection and deterrence system.

"Electronic security sales representative" means a natural person who sells electronic security equipment on behalf of an electronic security business to the end user.

"Electronic security technician" means a natural person who installs, services, maintains or repairs electronic security equipment.

"Electronic security technician's assistant" means a natural person who works as a laborer under the supervision of the electronic security technician in the course of his normal duties, but who may not make connections to any electronic security equipment.

"Employed" means an employer/employee relationship where the employee is providing work in exchange for compensation and the employer directly controls the employee's conduct and pays taxes on behalf of the employee. The term "employed" shall not be construed to include independent contractors.

"Employee" means a natural person employed by a licensee to ~~provided~~ perform private security services that are regulated by the department.

"End user" means any person who purchases or leases electronic security equipment for use in that person's home or business.

"Engaging in the business of providing or undertaking to provide private security services" means any person who solicits business within the Commonwealth of Virginia through advertising, business cards, submission of bids, contracting, public notice for private security services, directly or indirectly, or by any other means.

"Firearms endorsement" means [~~that~~ a method of regulation that identifies] an individual [~~is~~] registered as a private security registrant and has successfully completed the annual firearms training [and has met the requirements as set forth in this chapter].

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"*Firearms training verification*" means verification of successful completion of either initial or retraining requirements for handgun or shotgun training, or both.

"*Firm*" means a business entity, regardless of method of organization, applying for a private security services business license or for the renewal or reinstatement of same.

"*Incident*" means an event ~~which~~ *that* exceeds the normal extent of one's duties.

"*In-service training requirement*" means the compulsory in-service training standards adopted by the Criminal Justice Services Board for private security services business personnel.

"*License number*" means the official number issued to a private security services business licensed by the department.

"*Licensed firm*" means a business entity, regardless of method of organization, which holds a valid private security services business license issued by the department.

"*Licensee*" means a licensed private security services business.

"*Locksmith security equipment*" means mechanical, electrical or electro-mechanical locking devices for the control of ingress or egress that do not primarily detect intrusion, concealment and theft.

["*Official documentation*" means personnel records; DD214; copies of business licenses indicating ownership; law-enforcement transcripts; certificates of training completion; a signed letter provided directly by a current or previous employer detailing dates of employment and job duties; college transcripts; letters of commendation; private security services registrations, certifications or licenses from other states; and other employment, training, or experience verification documents. A resume is not considered official documentation.]

"*On duty*" means ~~that~~ the time during which private security services business personnel [~~receives~~ receive] or are entitled to receive compensation for employment for which a registration or certification is required.

"*Performance of his duties*" means on duty in the context of this chapter.

"*Person*" means any individual, group of individuals, firm, company, corporation, partnership, business, trust, association, or other legal entity.

"*Personal protection specialist*" means any natural person who engages in the duties of providing close protection from bodily harm to any person.

"*Physical address*" means the location of the building that houses [~~the entity for~~] a private security services business or training school, or the location where the individual principals of a business reside. A post office box is not a physical address.

"*Principal*" means any sole proprietor, individual listed as an officer or director with the Virginia State Corporation Commission, board member of the association, or partner of a licensed firm or applicant for licensure.

"*Private investigator*" means any natural person who engages in the business of, or accepts employment to make, investigations to obtain information on (i) crimes or civil wrongs; (ii) the location, disposition, or recovery of stolen property; (iii) the cause of accidents, fires, damages, or injuries to persons or to property; or (iv) evidence to be used before any court, board, officer, or investigative committee.

"*Private security services business*" means any person engaged in the business of providing, or who undertakes to provide, armored car personnel, security officers, personal protection specialists, private investigators, couriers, security canine handlers, alarm respondents, central station dispatchers, electronic security employees, electronic security sales representatives or electronic security technicians and their assistants to another person under contract, express or implied.

"*Private security services business personnel*" means each employee of a private security services business who is employed as an unarmed security officer, armed security officer/courier, armored car personnel, security canine handler [,] private investigator, personal protection specialist, alarm respondent, central station dispatcher, electronic security employee, electronic security sales representative, electronic security technician or electronic security technician's assistant.

"*Private security services instructor*" means any natural person certified by the department to provide mandated instruction in private security subjects for a certified private security services training school.

"*Private security services registrant*" means any qualified [~~natural person individual~~] who has met the requirements under [Article 6 (6 VAC 20-171-120 et seq. of Part III of] this chapter to perform the duties of alarm respondent, armored car personnel, central station dispatcher, courier, electronic security sales representative, electronic security technician, [*electronic security technician's assistant*,] personal protection specialist, private investigator, security canine handler, [*unarmed security officer*] or armed security officer.

"*Private security services training school*" means any person certified by the department to provide instruction in private security subjects for the training of private security services business personnel in accordance with this chapter.

"*Reciprocity*" means the relation existing between Virginia and any other state, commonwealth or providence as established by agreements approved by the board.

"*Recognition*" means the relation of accepting various application requirements between Virginia and any other state, commonwealth or providence as established by agreements approved by the board.

"*Registration*" means a method of regulation which identifies individuals as having met the minimum requirements for a particular registration category as set forth in this chapter.

"*Registration category*" means any one of the following categories: (i) [*unarmed security officer and*] armed security officer/courier, (ii) security canine handler, (iii) armored car personnel, (iv) private investigator, (v) personal protection specialist, (vi) alarm respondent, (vii) central station dispatcher, (viii) electronic security sales representative, or (ix)

electronic security technician [or (x) *electronic security technician's assistant*].

"*Security canine*" means a dog that has attended, completed, and been certified as a security canine by a certified security canine handler instructor in accordance with approved department procedures and certification guidelines. "Security canine" shall not include detector dogs.

"*Security canine handler*" means any natural person who utilizes his security canine in the performance of private security duties.

"*Security canine team*" means the security canine handler and his security canine performing private security duties.

["~~*Security officer*~~" means any natural person employed by a private security services business to (i) safeguard and protect persons and property or (ii) prevent theft, loss, or concealment of any tangible or intangible personal property on the premises contracted to protect.]

"*Session*" means a group of classes comprising the total hours of mandated training in any of the following categories: unarmed security officer, armed security officer/courier, personal protection specialist, armored car personnel, security canine handler, private investigator, alarm respondent, central station dispatcher, electronic security sales representative, electronic security technician, electronic security technician's assistant or compliance agent.

"*Supervisor*" means any natural person who directly or indirectly supervises registered or certified private security services business personnel.

"*This chapter*" means the Regulations Relating to Private Security Services (6 VAC 20-171) as part of the Virginia Administrative Code.

"*Training certification*" means verification of the successful completion of any training requirement established in this chapter.

"*Training requirement*" means any entry level, in-service, or firearms retraining standard established in this chapter.

"*Training school director*" means a natural person designated by a principal of a certified private security services training school to assure the compliance of the private security services training school with all applicable requirements as provided in the Code of Virginia and this chapter.

"*Unarmed security officer*" means a [~~security officer~~ *natural person who performs the function of observation, detection, reporting, or notification of appropriate authorities or designated agents regarding persons or property on the premises he is contracted to protect, and*] who does not carry or have [~~immediate~~] access to a firearm in the performance of his duties.

"*Uniform*" means any clothing with a badge, patch or lettering which clearly identifies persons to any observer as private security services business personnel, not law-enforcement officers.

6 VAC 20-171-20. [No change from proposed.]

6 VAC 20-171-30. Fingerprint processing.

A. ~~On or before the first [day date] of hire, each person applying for [licensing licensure] as a private security services business, including principals, supervisors, and electronic security employees; certification as a private security services training school; ; [or] a private security registration or private security certification in a category requiring a fingerprint-based criminal history records search shall submit to the department:~~

- ~~1. His fingerprints on one~~ Two completed set [~~sets of~~] two fingerprint [~~fingerprints on fingerprint~~] cards provided by the department ~~or another electronic method approved by the department,~~
2. A fingerprint processing application; ~~and~~
3. The applicable, nonrefundable fee ~~for each set;~~ ~~and~~
4. ~~All criminal history conviction information on a form provided by the department.~~

B. The department shall submit those fingerprints to the Virginia State Police for the purpose of conducting a Virginia Criminal History Records search and a National Criminal Records search to determine whether the individual or individuals have a record of conviction.

C. Fingerprint cards found to be unclassifiable will be returned to the applicant. Action on the application will be suspended pending the resubmittal of classifiable fingerprint cards. The applicant shall be so notified in writing and shall submit new fingerprint cards and the applicable, nonrefundable fee to the department before the processing of his application shall resume. However, no such fee may be required if the rejected fingerprint cards are included and attached to the new fingerprint cards when resubmitted and the department is not assessed additional processing fees.

D. If the applicant is denied by DCJS, the department will notify the applicant by letter regarding the reasons for the denial. The compliance agent will also be notified in writing by DCJS that the applicant has been denied.

6 VAC 20-171-40. [No change from proposed.]

6 VAC 20-171-50. Initial business license application.

A. Prior to the issuance of a business license, the applicant shall meet or exceed the requirements of licensing and application submittal to the department as set forth in this section.

B. Each person seeking a license as a private security services business shall file a completed application provided by the department ~~to include~~ including:

1. For each principal and supervisor of the applying business, their fingerprints pursuant to 6 VAC 20-171-30;
2. Documentation verifying that the applicant has secured a surety bond in the amount of \$100,000 executed by a surety company authorized to do business in Virginia, or a certificate of insurance reflecting the department as a

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certificate holder, showing a policy of comprehensive general liability insurance with a minimum coverage of \$100,000 and \$300,000 issued by an insurance company authorized to do business in Virginia;

3. For each nonresident applicant for a license, on a form provided by the department, a completed irrevocable consent for the department to serve as service agent for all actions filed in any court in this Commonwealth;

4. For each applicant for a license as a private security services business ~~whose legal entity is a corporation or limited liability company except sole proprietor or partnership~~, on a form provided by the department, the identification number issued by the Virginia State Corporation Commission for verification that the entity is authorized to conduct business in the Commonwealth;

5. A physical address in Virginia where records required to be maintained by the Code of Virginia and this chapter are kept and available for inspection by the department. A post office box is not a physical address;

6. On the license application, designation of at least one individual as compliance agent who is not designated as compliance agent for any other licensee, and who is certified or eligible for certification pursuant to 6 VAC 20-171-70; ~~and~~

7. The applicable, nonrefundable license application fee; ~~and~~

8. *Designation on the license application of the type of private security business license the applicant is seeking. The initial business license fee includes one category. A separate fee will be charged for each additional category. The separate categories are identified as follows: security officers/couriers (armed and unarmed), private investigators, electronic security, armored car, personal protection specialists, and security canine handlers. Alarm respondents crossover into both the security officer and electronic security category; therefore, if an applicant is licensed in either of these categories, he can provide [this service these services] without purchasing an additional category.*

C. Upon completion of the initial license application requirements, the department may issue an initial license for a period not to exceed ~~42~~ 24 months.

D. The department may issue a letter of temporary licensure to businesses seeking licensure under § 9.1-139 of the Code of Virginia for not more than 120 days while awaiting the results of the state and national fingerprint search conducted on the principals and compliance agent of the business, provided the applicant has met the necessary conditions and requirements.

E. A new license is required whenever there is any change in the ownership or ~~manner~~ type of organization of the licensed entity that results in the creation of a new legal entity.

F. Each license shall be issued to the legal business entity named on the application, whether it be a sole proprietorship, partnership, corporation, or other legal entity, and shall be valid only for the legal entity named on the license. No license

shall be assigned or otherwise transferred to another legal entity, with the exception of a sole proprietorship or *partnership* that incorporates to form a new corporate entity where the initial licensee remains as a principal in the newly formed corporation. This exception shall not apply to any existing corporation that purchases the business or assets of an existing sole proprietorship.

G. Each licensee shall comply with all applicable administrative requirements and standards of conduct and shall not engage in any acts prohibited by applicable sections of the Code of Virginia and this chapter.

H. *Each licensee shall be a United States citizen or legal resident alien of the United States.*

6 VAC 20-171-60. Renewal license application.

A. Applications for license renewal should be received by the department at least 30 days prior to expiration. The department will provide a renewal notification to the last known mailing address of the licensee. However, if a renewal notification is not received by the licensee, it is the responsibility of the licensee to ensure renewal requirements are filed with the department. License renewal applications [*must be*] received by the department [~~after~~ *and all license requirements must be completed prior to*] the expiration date [*or*] shall be subject to all applicable, nonrefundable renewal fees plus reinstatement fees. *Outstanding fees or monetary penalties owed to DCJS must be paid prior to issuance of said renewal.*

B. ~~Applicants for license renewal shall have the option of renewing Licenses will be renewed for either a period not to exceed 12 months or a period not to exceed 24 months.~~

C. The department may renew a license when the following are received by the department:

1. A properly completed renewal application;

2. Documentation verifying that the applicant has secured and maintained a surety bond in the amount of \$100,000 executed by a surety company authorized to do business in Virginia, or a certificate of insurance reflecting the department as a certificate holder, showing a policy of comprehensive general liability insurance with a minimum coverage of \$100,000 and \$300,000 issued by an insurance company authorized to do business in Virginia;

3. *Fingerprint records for any new or additional principals submitted to the department within 30 days of their hire date pursuant to 6 VAC 20-171-30 provided, however, that any change in the ownership or type of organization of the licensed entity has not resulted in the creation of a new legal entity pursuant to 6 VAC-20-171-50;*

~~3.~~ 4. On the application, designation of at least one compliance agent who has satisfactorily completed all applicable training requirements; ~~and~~

4. 5. The applicable, nonrefundable license renewal fee; ~~and~~

6. [~~Fingerprint records for~~ *On the first day of employment,] each new and additional [~~supervisor~~ supervisor's*

fingerprints] submitted to the department pursuant to § 9.1-139 H of the Code of Virginia.

D. Each principal and compliance agent listed on the license renewal application shall be in good standing in every jurisdiction where licensed, registered or certified. This subsection shall not apply to any probationary periods during which the individual is eligible to operate under the license, registration or certification.

E. Any renewal application received after the expiration date of a license shall be subject to the requirements set forth by the reinstatement provisions of this chapter.

F. On the renewal application the licensee must designate the type of private security business license he wishes to renew. The fee will be based upon the category or categories selected on the renewal application pursuant to 6VAC 20-171-20.

6 VAC 20-171-70. [No change from proposed.]

6 VAC 20-171-80. Initial training school application.

A. Prior to the issuance of a training school certification, the applicant shall meet or exceed the requirements of certification and application submittal to the department as set forth in this section.

B. Each person seeking certification as a private security services training school shall file a completed application provided by the department to include:

1. For each principal of the applying training school, their fingerprints pursuant to 6 VAC 20-171-30;
2. Documentation verifying that the applicant has secured a surety bond in the amount of \$100,000 executed by a surety company authorized to do business in Virginia, or a certificate of insurance reflecting the department as a certificate holder, showing a policy of comprehensive general liability insurance with a minimum coverage of \$100,000 and \$300,000 issued by an insurance company authorized to do business in Virginia;
3. For each nonresident applicant for a training school, on a form provided by the department, a completed irrevocable consent for the department to serve as service agent for all actions filed in any court in this Commonwealth;
4. For each applicant for certification as a private security services training school ~~whose legal entity is a corporation or limited liability company~~ *except sole proprietor and partnership*, on a form provided by the department, the identification number issued by the Virginia State Corporation Commission for verification that the entity is authorized to conduct business in the Commonwealth;
5. A physical [~~address~~ *location*] in Virginia where records required to be maintained by the Code of Virginia and this chapter are kept and available for inspection by the department. A post office box is not a physical [~~address~~ *location*];
6. On the training school certification application, designation of at least one individual as training director who is not designated as training director for any other

training school, and who is certified as an instructor pursuant to Article 5 (6 VAC 20-171-100 et seq.) of this part. A maximum of four individuals may be designated as an assistant training director;

7. A copy of the curriculum in course outline format for each category of training to be offered [, *including the hours of instruction with initial and in-service courses on separate documents*];

8. A copy of the training school regulations;

9. A copy of the training *completion* certificate to be used by the training school;

10. A copy of the range regulations [*to include the assigned DCJS range identification number*] if firearms training will be offered; and

11. The applicable, nonrefundable training school certification application fee.

C. When the department has received and processed a completed application and accompanying material, the department shall inspect the training facilities to ensure conformity with department policy, including an inspection of the firearms range, if applicable, to ensure conformity with the minimum requirements set forth by this chapter.

D. Upon completion of the initial training school application requirements, the department may issue an initial certification for a period not to exceed ~~42~~ 24 months.

E. The department may issue a letter of temporary certification to training schools for not more than 120 days while awaiting the results of the state and national fingerprint search conducted on the principals and training director of the business, provided the applicant has met the necessary conditions and requirements.

F. A new certification is required whenever there is any change in the ownership or ~~manner~~ *type* of organization of the certified entity ~~which~~ *that* results in the creation of a new legal entity.

G. Each certification shall be issued to the legal entity named on the application, whether it be a sole proprietorship, partnership, corporation, or other legal entity, and shall be valid only for the legal entity named on the certification. No certification shall be assigned or otherwise transferred to another legal entity, with the exception of a sole proprietorship *or partnership* that incorporates to form a new corporate entity where the initial licensee remains as a principal in the newly formed corporation. This exception shall not apply to any existing corporation that purchases the training school or assets of an existing sole proprietorship.

H. Each certified training school shall comply with all applicable administrative requirements and standards of conduct and shall not engage in any acts prohibited by applicable sections of the Code of Virginia and this chapter.

6 VAC 20-171-90. Renewal training school application.

A. Applications for certification renewal should be received by the department at least 30 days prior to expiration. The department will provide a renewal notification to the last

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known mailing address of the certified training school. However, if a renewal notification is not received by the training school, it is the responsibility of the training school to ensure renewal requirements are filed with the department. Certification renewal applications received by the department after the expiration date shall be subject to all applicable, nonrefundable renewal fees plus reinstatement fees. [*Outstanding fees or monetary penalties owed to DCJS must be paid prior to issuance of said renewal.*]

B. ~~Applicants for~~ Upon completion of the renewal training school application requirements, the department may issue a renewal ~~shall have the option of renewing certification for either a period not to exceed 12 months or a period not to exceed 24 months.~~

C. The department may renew a certification when the following are received by the department:

1. A properly completed renewal application;
2. Documentation verifying that the applicant has secured and maintained a surety bond in the amount of \$100,000 executed by a surety company authorized to do business in Virginia, or a certificate of insurance reflecting the department as a certificate holder, showing a policy of comprehensive general liability insurance with a minimum coverage of \$100,000 and \$300,000 issued by an insurance company authorized to do business in Virginia;

3. On the application, designation of at least one certified instructor as training director who has satisfactorily completed all applicable training requirements; and

[~~4. Fingerprints for each new and additional principal must submit their fingerprints to the department pursuant to § 9.1-139 H of the Code of Virginia.~~]

[~~4- 5.] The applicable, nonrefundable certification renewal fee.~~

D. Each principal and instructor listed on the license renewal application shall be in good standing in every jurisdiction where licensed, registered or certified. This subsection shall not apply to any probationary periods during which the individual is eligible to operate under the license, registration or certification.

E. Any renewal application received after the expiration date of a certification shall be subject to the requirements set forth by the reinstatement provisions of this chapter.

6 VAC 20-171-100. [No change from proposed.]

6 VAC 20-171-110. Renewal instructor application.

A. Applications for certification renewal should be received by the department at least 30 days prior to expiration. The department will provide a renewal notification to the last known mailing address of the certified instructor. However, if a renewal notification is not received by the instructor, it is the responsibility of the instructor to ensure renewal requirements are filed with the department. Certification renewal applications received by the department after the expiration date shall be subject to all applicable, nonrefundable renewal fees plus reinstatement fees.

B. Each person applying for instructor certification renewal shall meet the minimum requirements for eligibility as follows:

1. Successfully complete the in-service training *within 12 months immediately preceding the expiration date of the current certification* pursuant to the compulsory minimum training standards in [~~Part V (6 VAC 20-171-350 et seq.) of this chapter~~ 6 VAC 20-171-360]; and

2. Be in good standing in every jurisdiction where licensed, registered or certified. This subdivision shall not apply to any probationary periods during which the individual is eligible to operate under the license, registration or certification.

C. The department may renew a certification for a period not to exceed ~~36~~ 24 months.

D. The department may renew a certification when the following are received by the department:

1. A properly completed renewal application provided by the department; and
2. The applicable, nonrefundable certification renewal fee.

E. Any [*instructor*] renewal application received [~~after by the department shall meet all renewal requirements prior to~~] the expiration date of a certification [*or*] shall be subject to the requirements set forth by the reinstatement provisions of this chapter.

6 VAC 20-171-120. Initial registration application.

A. Individuals required to be registered, pursuant to § 9.1-139 C of the Code of Virginia, in the categories of armored car personnel, courier, [*unarmed security officer,*] armed security officer, security canine handler, private investigator, personal protection specialist, alarm respondent, central station dispatcher, electronic security sales representative [*or,*] electronic security technician [*, or electronic security technician's assistant*] shall meet all registration requirements in this section. Prior to the issuance of a registration, the applicant shall meet or exceed the requirements of registration and application submittal to the department as set forth in this section. *Individuals who carry or have access to a firearm while on duty must have [~~successfully completed the firearms training and have the qualifications to carry a firearm in the performance of their duties~~ a valid registration with a firearm endorsement]. If carrying [a handgun] concealed, the individual must [also] have a valid concealed handgun permit [and the written permission of his employer pursuant to § 18.2-308 of the Code of Virginia].*

B. Each person applying for registration shall meet the minimum requirements for eligibility as follows:

1. Be a minimum of 18 years of age; ~~and~~
2. Successfully complete all initial training requirements for each registration category, *including firearms endorsement if applicable*, requested pursuant to the compulsory minimum training standards in [~~Part V (6 VAC 20-171-350 et seq.) of this chapter~~ 6 VAC 20-171-360]; *and*
3. *Be a United States citizen or legal resident alien of the United States.*

C. Each person applying for registration shall file with the department:

1. A properly completed application provided by the department;
2. On the application, his ~~physical mailing address (a post office box is not a physical address);~~
3. Fingerprint cards pursuant to 6 VAC 20-171-30; and
4. The applicable, nonrefundable application fee.

D. Each person seeking *or required to seek* registration as [*unarmed security officer,*] alarm respondent, central station dispatcher, electronic security sales representative [*or,*] electronic security technician [*,* *or electronic security technician's assistant*] may be employed for a period not to exceed 90 *consecutive days in any categories listed above* while completing the compulsory minimum training standards, provided:

1. Fingerprint cards have been submitted pursuant to 6 VAC 20-171-30; ~~and~~
2. The individual is not employed in excess of 120 days without having been issued a registration from the department; *and*
3. *The individual did not fail to timely complete the required training with previous employer(s).*

E. Upon completion of the initial registration application requirements, the department may issue an initial registration *letter* for a period not to exceed ~~42~~ 24 months. This registration *letter* shall be submitted by the applicant to the Virginia Department of Motor Vehicles *or other specified entity* for a *state-issued* photo identification card.

F. The department may issue a letter of temporary registration for not more than 120 days while awaiting the results of the state and national fingerprint search, provided the applicant has met the necessary conditions and requirements.

G. Each registration shall be issued to the individual named on the application and shall be valid only for use by that individual. No registration shall be assigned or otherwise transferred to another individual.

H. Each registered individual shall comply with all applicable administrative requirements and standards of conduct and shall not engage in any acts prohibited by applicable sections of the Code of Virginia and this chapter.

6 VAC 20-171-130. Renewal registration application.

A. Applications for registration renewal should be received by the department at least 30 days prior to expiration. The department will provide a renewal notification to the last known mailing address of the registered individual. However, if a renewal notification is not received by the individual, it is the responsibility of the individual to ensure renewal requirements are filed with the department. Registration renewal applications received by the department after the expiration date shall be subject to all applicable, nonrefundable renewal fees plus reinstatement fees.

B. Each person applying for registration renewal shall meet the minimum requirements for eligibility as follows:

1. Successfully complete the in-service training, and firearms retraining if applicable, pursuant to the compulsory minimum training standards set forth by this chapter; and
2. Be in good standing in every jurisdiction where licensed, registered or certified. This subdivision shall not apply to any probationary periods during which the individual is eligible to operate under the license, registration or certification.

C. The department may renew a registration when the following are received by the department:

1. A properly completed renewal application provided by the department;
2. For individuals applying for renewal ~~including with~~ the category of armored car personnel, fingerprint cards submitted pursuant to 6 VAC 20-171-30; ~~and~~
3. The applicable, nonrefundable registration renewal fee; *and*
4. *For individuals with firearms endorsements, evidence of completion of annual firearms retraining in accordance with 6 VAC 20-171-400.*

D. Upon completion of the renewal registration application requirements, the department may issue a registration *letter* for a period not to exceed ~~42~~ 24 months. This registration *letter* shall be submitted by the applicant to the Virginia Department of Motor Vehicles *or other specified entity* for a *state-issued* photo identification card.

E. Any renewal application received [*after by the department shall meet all renewal requirements prior to*] the expiration date of a registration [*or*] shall be subject to the requirements set forth by [~~Article 9 (6 VAC 20-171-180 et seq.)~~] the *reinstatement provisions*] of this [~~part~~] chapter].

[~~Article 7,
Private Security Services Coordination.~~]

6 VAC 20-171-140. [~~Initial certification application.~~ (Repealed.)

~~A. Individuals required to be certified in the categories of electronic security employee, electronic security technician's assistant and unarmed security officer shall meet all certification requirements of this section. Prior to the issuance of a certification, the applicant shall meet or exceed the requirements of certification and application submittal to the department as set forth in this section.~~

~~B. Each person applying for certification shall meet the minimum requirements for eligibility as follows:~~

- ~~1. Be a minimum of 18 years of age; and~~
- ~~2. Successfully complete all initial training requirements, if applicable, for each certification category requested pursuant to the compulsory minimum training standards in Part V (6 VAC 20-171-350 et seq.) of this chapter; and~~

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~~3. Be a United States citizen or legal resident alien of the United States.~~

~~C. Each person applying for certification shall file with the department:~~

- ~~1. A properly completed application provided by the department;~~
- ~~2. On the application, his physical mailing address (a post office box is not a physical address);~~
- ~~3. Fingerprint cards pursuant to 6 VAC 20-171-30, if applicable; and~~
- ~~4. The applicable, nonrefundable application fee.~~

~~D. Individuals seeking certification as electronic security employees are not required to complete any compulsory minimum training.~~

~~E. Individuals seeking or required to seek certification as an electronic security technician's assistant may be employed in said category for a period not to exceed 90 consecutive days while completing the compulsory minimum training standards, provided:~~

- ~~1. Fingerprint cards have been submitted pursuant to 6 VAC 20-171-30; and~~
- ~~2. The individual is not employed in excess of 120 days without having been issued a registration or certification from the department.; and~~
- ~~3. The individual did not fail to timely complete the required training with previous employer(s).~~

~~F. Individuals seeking or required to seek certification as an unarmed security officer may be employed in said category for a period not to exceed 90 consecutive days while completing the compulsory minimum training standards, provided:~~

- ~~1. A VSP-167 has Fingerprint cards have been submitted pursuant to 6 VAC 20-171-40 6 VAC 20-171-30; and~~
- ~~2. The individual is not employed in excess of 120 days without having been issued a registration or certification from the department.; and~~
- ~~3. The individual did not fail to timely complete the required training with previous employer(s).~~

~~G. Upon completion of the initial certification application requirements, the department may issue an initial certification letter for a period not to exceed 24 months. This certification letter shall be submitted by the applicant to the Virginia Department of Motor Vehicles or other specified entity for a state-issued photo identification card.~~

~~H. The department may issue a letter of temporary certification for not more than 120 days while awaiting the results of the state and national fingerprint search, if applicable, provided the applicant has met the necessary conditions and requirements.~~

~~I. Each certification shall be issued to the individual named on the application and shall be valid only for use by that individual. No certification shall be assigned or otherwise transferred to another individual.~~

~~J. Each certified individual shall comply with all applicable administrative requirements and standards of conduct and shall not engage in any acts prohibited by applicable sections of the Code of Virginia and this chapter.]~~

6 VAC 20-171-150. [Renewal certification application. (Repealed.)

~~A. Applications for certification renewal should be received by the department at least 30 days prior to expiration. The department will provide a renewal notification to the last known mailing address of the certified individual. However, if a renewal notification is not received by the individual, it is the responsibility of the individual to ensure renewal requirements are filed with the department. Certification renewal applications received by the department after the expiration date shall be subject to all applicable, nonrefundable renewal fees plus reinstatement fees.~~

~~B. Each person applying for certification renewal shall meet the minimum requirements for eligibility:~~

- ~~1. Successfully complete the applicable in-service training pursuant to the compulsory minimum training standards in Part V (6 VAC 20-171-350 et seq.) of this chapter; and~~
- ~~2. Be in good standing in every jurisdiction where licensed, registered or certified. This subdivision shall not apply to any probationary periods during which the individual is eligible to operate under the license, registration or certification.~~

~~C. The department may renew a certification when the following are received by the department:~~

- ~~1. A properly completed renewal application provided by the department; and~~
- ~~2. The applicable, nonrefundable certification renewal fee.~~

~~D. Upon completion of the renewal certification application requirements, the department may issue a certification letter for a period not to exceed 24 months. This certification letter shall be submitted by the applicant to the Virginia Department of Motor Vehicles or other specified entity for a state-issued photo identification card.~~

~~E. Any renewal application received after the expiration date of a certification shall be subject to the requirements set forth by Article 9 (6 VAC 20-171-180 et seq.) of this part.]~~

[Article 8. 7.

Additional Categories/Replacement Identification.]

6 VAC 20-171-170. Replacement [state issued] photo identification letter.

Registered individuals seeking a replacement [*state issued*] photo identification letter shall submit to the department:

1. A properly completed application provided by the department; and
2. The applicable, nonrefundable application fee.

[Article 9. 8.
Reinstatement and Renewal Extension.]

6 VAC 20-171-180. Reinstatement.

A. Any business license, training school certification, instructor certification [~~or~~] registration [~~or certification~~] not renewed on or before the expiration date shall become null and void. Pursuant to the Code of Virginia, all such persons must currently be licensed, registered or certified with the department to provide private security services.

B. A renewal application *must be* received by the department within ~~90~~ [~~30~~ 60] days following the expiration date of the license [~~or~~] registration [~~or certification~~] *may in order to be* reinstated by the department *providing all renewal requirements have been met*. Prior to reinstatement the following shall be submitted to the department:

1. The appropriate renewal application and completion of renewal requirements *including required training* pursuant to this chapter; and
2. The applicable, nonrefundable reinstatement fee pursuant to this chapter *and in accordance with 6 VAC 20-171-20 B.*

The department shall not reinstate renewal applications received after the [30 60] -day reinstatement period has expired. It is unlawful to operate without a valid registration or license including during reinstatement period.

The department shall not reinstate business licenses or training school certifications that have become null and void due to not maintaining required insurance or surety bond coverage.

C. No license, registration or certification shall be renewed or reinstated when all renewal application requirements are received by the department more than ~~90~~ [~~30~~ 60] days following the expiration date of the license. After that date, the applicant shall meet all initial application requirements, *including applicable training requirements.*

D. Following submittal of all reinstatement requirements, the department will process and [*may*] approve any application for reinstatement pursuant to the renewal process for the application.

6 VAC 20-171-190. Renewal extension.

A. An extension of the time period to meet renewal requirements may be approved only under specific circumstances which do not allow private security personnel, businesses, or training schools to complete the required procedures within the prescribed time period. The following are the only circumstances for which extensions may be granted:

1. Extended illness;
2. Extended injury;
3. Military or foreign service; or
4. Any emergency temporary assignment of private security personnel by the private security services business or training school for which he is employed [~~provided said~~

~~assignment does not occur within the 120-day period immediately preceding the expiration date of the registration or certification]~~.

B. A request for extension shall:

1. Be submitted *in writing, dated and signed by the individual or principal of a licensed entity* prior to the expiration date of the time limit required for completion of the requirements;
2. Indicate the projected date the person, business, or training school will be able to comply with the requirements; and
3. Include a copy of the physician's record of the injury or illness or a copy of the government orders.

C. No extension will be approved for registrations, certifications, or business licenses ~~which that~~ have expired.

D. Applications for additional extensions may be approved upon written request of the person, business, or training school.

E. The private security services person, business, or training school shall be nonoperational during the period of extension.

[Article 10. 9.

Application Sanctions; Exemptions, Recognition/Reciprocity.]

6 VAC 20-171-200. Denial, probation, suspension and revocation.

A. The department may deny a license, registration or certification in which any person or principal of an applying business has been convicted in any jurisdiction of any felony or of a misdemeanor involving moral turpitude, assault and battery, damage to real or personal property, controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia, or firearms. Any plea of nolo contendere shall be considered a conviction for the purposes of this chapter. The record of a conviction, authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted, shall be admissible as prima facie evidence of such conviction.

B. The department may deny a license, registration or certification in which any person or principal of an applying business *or training school* has not maintained good standing in every jurisdiction where licensed, registered or certified; or has had his license, registration or certification denied upon initial application, suspended, revoked, surrendered, or not renewed; or has otherwise been disciplined in connection with a disciplinary action prior to applying for licensing, registration or certification in Virginia.

C. Any false or misleading statement on any state application *or supporting documentation* is grounds for denial *or revocation* and may be subject to criminal prosecution.

D. The department may deny licensure to a firm for other just cause.

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E. A licensee, training school, compliance agent, instructor, [or] registered individual [~~or certified individual~~] shall be subject to disciplinary action for violations or noncompliance with the Code of Virginia or this chapter. Disciplinary action shall be in accordance with procedures prescribed by the Administrative Process Act. The disciplinary action may include but is not limited to a letter of censure, fine, probation, suspension or revocation ~~of the firm's private security services business license or his status as compliance agent.~~

6 VAC 20-171-220. Business administrative requirements.

A licensee shall:

1. Maintain at all times with the department its physical [~~address location~~] in Virginia where records required to be maintained by the Code of Virginia and this chapter are kept and available for inspection by the department. A post office box is not a physical [~~address location~~]. Such notification shall be in writing and received by the department no later than 10 days after the effective date of the change.
2. Maintain at all times with the department its current operating name. Any name change reports shall be submitted in writing within 10 days after the occurrence of such change and accompanied by certified true copies of the documents ~~which~~ that establish the name change.
3. Report in writing to the department any change in its ownership or principals ~~which~~ that does not result in the creation of a new legal entity. Such written report shall be received by the department within 30 days after the occurrence of such change to include fingerprint cards pursuant to this chapter.
4. Report in writing to the department any change in the entity of the licensee that results in continued operation requiring a license. Such written report shall be received by the department within 10 days after the occurrence of such change.
5. Maintain at all times current liability coverage at least in the minimum amounts prescribed by the application requirements of this chapter. Failure of the business to do so shall result in the license becoming null and void.
6. Maintain at all times with the department a completed irrevocable consent for service if the licensee is not a resident of the Commonwealth of Virginia. Licensees that move their business from the Commonwealth shall file a completed irrevocable consent for services within 15 days of the change in location.
7. Employ at all times at least one individual designated as compliance agent who is ~~eligible for certification in good standing and is certified~~ pursuant to this chapter 6 VAC 20-171-70 and who is not currently designated as compliance agent for another licensee. *In the event there is more than one compliance agent designated for the business, designate one as the primary compliance agent and point of contact.*
8. *Maintain at all times [and for a period of not less than three years from the date of termination of employment] the following documentation concerning all regulants: documentation of the date of hire in the regulated category,*

documentation that the fingerprint processing application was submitted on the date of hire, verification that the employee is a U.S. citizen or legal resident alien and is properly registered/certified and trained, current physical and mailing addresses for all regulated employees and telephone numbers if applicable.

~~8.~~ 9. Upon termination of employment of a certified compliance agent, notify the department in writing within 10 calendar days. ~~Licensees employing unarmed security officers shall include with this notification the name of the individual responsible for review and maintenance of the VSP-167 forms during the period of compliance agent replacement.~~

~~9.~~ 10. Within 90 days of termination of employment of the sole remaining compliance agent, submit the name of a new compliance agent *who is* eligible for certification pursuant to this chapter and who is not currently designated for another licensee. Individuals not currently eligible may pursue certification pursuant to Part III (6 VAC 20-171-30 et seq.) of this chapter. Such notification shall be in writing and signed by a principal of the business and the designated compliance agent.

~~10.~~ 11. Prominently display at all times for public inspection, *in a conspicuous place where the public has access*, the business license issued by the department.

~~11.~~ 12. Ensure that ~~any individual employed as a supervisor~~ all individuals submit fingerprint cards pursuant to 6VAC 20-171-30 as required by the Code of Virginia.

~~12.~~ 13. Inform the department in writing within ~~30~~ 10 days of receiving knowledge of any principal, partner, officer, compliance agent or employee regulated or required to be regulated by this chapter pleading guilty or nolo contendere or being convicted or found guilty of any felony or of a misdemeanor ~~involving moral turpitude, assault and battery, damage to real or personal property, controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia, or firearms.~~

~~13.~~ 14. Inform the department in writing within ~~30~~ 10 days of receiving knowledge of any principal, *licensee, subsidiary*, partner, officer, compliance agent or employee regulated or required to be regulated by this chapter, having been found guilty by any court or administrative body of competent jurisdiction to have violated the private security services business statutes or regulations of that jurisdiction, there being no appeal therefrom or the time for appeal having elapsed.

~~14.~~ 15. On a form provided by the department and within 10 calendar days of receiving knowledge of the incident, submit a report of any incident in which any registrant has discharged a firearm while on duty, excluding any training exercise.

~~15.~~ 16. In the event a complaint against the licensee is received by the department, be required to furnish documentary evidence (*written agreement*) of the terms

agreed to between licensee and client, which shall include at a minimum the specific scope of services and fees assessed for such services. ~~This information shall be used by the department to assess the validity of the complaint. The licensee shall retain a copy for a period of not less than three years from completion of said agreement.~~

17. Not fail to honor the terms and conditions of a warranty or written agreement.

18. In the event a licensee sells or otherwise transfers the ownership of a monitoring agreement of an electronic security customer, notify the end user, in writing, within 30 days of the transfer of monitoring services. No licensee shall sell to an entity not licensed in Virginia.

19. Ensure that all regulated employees carry a [state issued] photo identification card along with their registration or certification card, unless the card is one in the same.

6 VAC 20-171-230. Business standards of conduct.

A licensee shall:

1. Conform to all requirements pursuant to the Code of Virginia and this chapter.
2. Ensure that all employees regulated, or required to be regulated, by this chapter conform to all application requirements, administrative requirements and standards of conduct pursuant to the Code of Virginia and this chapter.
3. Not direct any employee regulated, or required to be regulated, by this chapter to engage in any acts prohibited by the Code of Virginia and this chapter.
4. Employ individuals regulated, or required to be regulated, as follows:
 - a. A licensee shall employ or otherwise utilize individuals possessing a valid registration [~~or certification~~] issued by the department showing the registration [~~or certification~~] categories required to perform duties requiring registration [~~or certification~~] pursuant to the Code of Virginia;
 - b. A licensee ~~may shall~~ not employ allow individuals requiring registration as armored car personnel, armed security officers/couriers, alarm respondents [with firearm endorsement], private investigators, personal protection specialists or security canine handlers to perform private security services until such time as the individual has been issued a registration by the department;
 - c. A licensee may employ individuals requiring registration as alarm respondent [without firearm endorsement], central station dispatcher, electronic security sales representative [~~or ,~~] electronic security technician, [~~or certification as armored car driver,~~] unarmed security officer or electronic security technician's assistant for a period not to exceed 90 consecutive days in any registered category listed above while completing the compulsory minimum training standards provided:

(1) [The individual's] fingerprint cards, ~~or a VSP-167 if applicable,~~ have been submitted pursuant to Article 1

(6 VAC 20-171-30 et seq.) of Part III of this chapter; ~~and~~

(2) The individual is not employed in excess of 120 days without having been issued a registration [~~or certification~~] from the department; ~~and~~

(3) The individual did not fail to timely complete the required training with previous employer(s).

d. A licensee shall not employ any individual carrying or having access to a firearm in the performance of his duties who has not obtained a valid registration and firearms [training] ~~verification~~ endorsement from the department; and

e. A licensee shall maintain appropriate documentation to verify compliance with these requirements. A licensee shall maintain these documents after employment is terminated for a period of not less than three years.

5. Not contract or subcontract any private security services in the Commonwealth of Virginia to a person not licensed by the department. Verification of a contractor's or subcontractor's license issued by the department shall be maintained for a period of not less than three years.

6. Ensure that the compliance agent conforms to all applicable application requirements, administrative requirements and standards of conduct pursuant to the Code of Virginia and this chapter.

7. Permit the department during regular business hours to inspect, review, or copy those documents, business records or training records that are required to be maintained by the Code of Virginia and this chapter.

8. Not violate or aid and abet others in violating the provisions of Article 1 (§ 9.1-138 et seq.) of Chapter 1 of Title 9.1 of the Code of Virginia or this chapter.

9. Not commit any act or omission ~~which~~ that results in a private security license or registration being suspended, revoked, not renewed or being otherwise disciplined in any jurisdiction.

10. Not have been convicted or found guilty in any jurisdiction of the United States of any felony or a misdemeanor involving moral turpitude, assault and battery, damage to real or personal property, controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia, or firearms, from which no appeal is pending, the time for appeal having elapsed. Any plea of nolo contendere shall be considered a conviction for the purpose of this chapter. The record of conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be prima facie evidence of such guilt.

11. Not obtain a license, license renewal, registration, registration renewal, certification, certification renewal, or [~~certification to act as compliance agent for a licensee,~~

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~~training school, school director or instructor, firearms endorsement]~~ through any fraud or misrepresentation.

12. Include the business license number issued by the department on all business advertising materials pursuant to the Code of Virginia.

13. Not conduct a private security services business in such a manner as to endanger the public health, safety and welfare.

14. Not falsify, or aid and abet others in falsifying, training records for the purpose of obtaining a license, registration [, or] certification [, ~~or certification as a compliance agent, training school, school director or instructor~~].

15. Not represent as one's own a license issued to another private security services business.

16. When providing central station monitoring services, attempt to verify the legitimacy of a burglar alarm activation by [~~contacting an authorized individual at the site where an alarm signal originated before dispatching authorities~~ *calling the site of the alarm. If unable to make contact, call one additional number provided by the alarm user who has the authority to cancel the dispatch*]. [() This shall not apply if the alarm user has provided written authorization requesting immediate [*or one call*] dispatch [*to both their local police department and their dealer of record*]]. This shall not apply to duress or hold-up alarms.

17. Not perform any unlawful or negligent act resulting in loss, injury or death to any person.

18. Utilize vehicles for private security services using or displaying a flashing light only as specifically authorized by § 46.2-1025.9 of the Code of Virginia.

19. Not use or display the state seal of Virginia *or the seal of the Department of Criminal Justice Services, or any portion thereof, or the seal of any political subdivision, or any portion thereof*, as a part of any logo, stationery, letter, training document, business card, badge, patch, insignia or other form of identification or advertisement.

20. Not provide information obtained by the firm or its employees to any person other than the client who secured the services of the licensee without the client's prior written consent. Provision of information in response to official requests from law-enforcement agencies, the courts, or the department shall not constitute a violation of this chapter. Provision of information to law-enforcement agencies pertinent to criminal activity or to planned criminal activity shall not constitute a violation of this chapter.

21. *Not engage in acts of unprofessional conduct in the practice of private security services.*

22. *Not engage in acts of negligent or incompetent private security services.*

23. *Not make any misrepresentation or false promise to a private security services business client or potential private security services business client.*

24. *Not violate [the Virginia Uniform Statewide Building Code any state or local ordinances] .*

25. *Satisfy all judgments related to private security services not provided.*

26. *Not publish or cause to be published any written business material relating to private security services that contains an assertion, representation, or statement of fact that is false, deceptive or misleading.*

27. *Not conduct private security business under a fictitious or assumed name unless the name is on file with the Department of Criminal Justice Services. This does not apply to a private investigator conducting a "pretext," provided that the private investigator does not state that he is representing a private security business that does not exist.*

[~~28. Comply with all local ordinances.~~]

6 VAC 20-171-240. Compliance agent.

A compliance agent shall:

1. Conform to all requirements pursuant to the Code of Virginia and this chapter.

2. Maintain at all times with the department his physical and mailing address. ~~A post office box is not a physical address.~~ Written notification of any change in the physical or mailing of address shall be in writing and received by the department no later than 10 days after the effective date of the change.

3. Not violate or aid and abet others in violating the provisions of Article 1 (§ 9.1-138 et seq.) of Chapter 1 of Title 9.1 of the Code of Virginia or this chapter.

4. Not commit any act or omission which results in a private security license or registration being suspended, revoked, not renewed or being otherwise disciplined in any jurisdiction.

5. Not have been convicted or found guilty in any jurisdiction of the United States of any felony or a misdemeanor involving moral turpitude, assault and battery, damage to real or personal property, controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia, or firearms, from which no appeal is pending, the time for appeal having elapsed. Any plea of nolo contendere shall be considered a conviction for the purpose of this chapter. The record of conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be prima facie evidence of such guilt.

6. Inform the department, and the licensee for which the individual is designated as compliance agent if applicable, in writing within ~~30~~ 10 days after pleading guilty or nolo contendere or being convicted or found guilty of any felony or of a misdemeanor ~~involving moral turpitude, assault and battery, damage to real or personal property, controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, prohibited sexual behavior as~~

~~described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia, or firearms.~~

7. Inform the department, and the licensee for which the individual is designated as compliance agent if applicable, in writing within ~~30~~ 10 days after having been found guilty by any court or administrative body of competent jurisdiction to have violated the private security services business statutes or regulations of that jurisdiction, there being no appeal therefrom or the time for appeal having elapsed.

8. Not obtain a license, license renewal, registration, registration renewal, certification [~~, or] certification renewal [, or certification to act as compliance agent for a licensee, training school, school director, or instructor,] through any fraud or misrepresentation.~~

9. Only be designated with the department and acting as [a] compliance agent for one ~~licensee~~ licensed entity.

10. Be designated with the department as compliance agent for a licensee and shall:

a. Ensure that the licensee and all employees regulated, or required to be regulated, by this chapter conform to all application requirements, administrative requirements and standards of conduct pursuant to the Code of Virginia and this chapter;

b. Maintain documentation for all employees or persons otherwise utilized that verifies compliance with requirements pursuant to the Code of Virginia and this chapter; ~~and~~

c. Notify the department in writing within 10 calendar days following termination of his employment as compliance agent for the licensee; ~~and~~

d. *Ensure that all regulated employees carry a [state issued] photo identification card [unless the card is one in the same] along with their registration or certification card.*

11. *Not engage in acts of unprofessional conduct in the practice of private security services.*

12. *Not engage in acts of negligent and/or incompetent private security services.*

13. *Not make any misrepresentation or false promise to a private security services business client or potential private security services business client.*

14. *Satisfy all judgments related to private security services not provided.*

15. *Not publish or cause to be published any written business material relating to private security services that contain an assertion, representation, or statement of fact that is false, deceptive or misleading.*

16. *Not conduct private security business under a fictitious or assumed name unless the name is on file with the Department of Criminal Justice Services. This does not apply to a private investigator conducting a "pretext," provided that the private investigator does not state that he is representing a private security business that does not exist.*

6 VAC 20-171-250. Administrative requirements.

A training school shall:

1. Maintain at all times with the department its physical [~~address location~~] in Virginia where records required to be maintained by the Code of Virginia and this chapter are kept and available for inspection by the department. A post office box is not a physical [~~address location~~]. Such notification shall be in writing and received by the department no later than 10 days after the effective date of the change.

2. Employ at all times one individual designated as training director who is currently certified as an instructor pursuant to this chapter and who is not currently designated as training director for another training school. A training school may designate a maximum of four individuals as assistant training directors.

3. Upon termination of [~~eligibility~~ the services] of a certified instructor, notify the department in writing within 10 calendar days. Should the instructor also be designated as the training director for the training school, this notification shall include the name of the instructor responsible for the training school's adherence to applicable administrative requirements and standards of conduct during the period of training director replacement.

4. Within 90 days of termination of employment of the sole remaining training director, submit the name of a new instructor eligible for designation pursuant to this chapter and who is not currently designated for another training school. Individuals not currently eligible may pursue certification pursuant to Part III (6 VAC 20-171-30 et seq.) of this chapter. Such notification shall be in writing and signed by a principal of the training school and the designated training director.

5. Notify the department in writing of any certified instructors or subject matter specialists eligible to provide instruction at the training school. The notification shall be received by the department prior to the individual conducting any training for the training school and signed by the training school director and the designated instructor or subject matter specialist.

6. Prominently display at all times, ~~for public inspection in a conspicuous place where the public has access,~~ the training school certification issued by the department.

7. Maintain at all times current liability coverage at least in the minimum amounts prescribed by the application requirements of this chapter. Failure of the training school to do so shall result in the certification becoming null and void.

8. Inform the department in writing within ~~30~~ 10 days, for any principal, partner, officer, instructor or employee regulated or required to be regulated by this chapter pleading guilty or nolo contendere or being convicted or found guilty of any felony or of a misdemeanor ~~involving moral turpitude, assault and battery, damage to real or personal property, controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia, or firearms.~~

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9. Inform the department in writing within ~~30~~ 10 days, for any principal, partner, officer, instructor or employee regulated or required to be regulated by this chapter having been found guilty by any court or administrative body of competent jurisdiction to have violated the private security services business statutes or regulations of that jurisdiction, there being no appeal therefrom or the time for appeal having elapsed.

10. Report in writing to the department any change in its ownership or principals ~~which that~~ does not result in the creation of a new legal entity. Such written report shall be received by the department within ~~30~~ 10 days after the occurrence of such change to include fingerprint cards submitted pursuant to 6 VAC 20-171-30.

11. Maintain at all times with the department its current operating name. Any name change reports shall be submitted in writing within 10 days after the occurrence of such change and accompanied by certified true copies of the documents [~~which that~~] establish the name change.

12. Report in writing to the department any change in the entity of the training school that results in continued operation requiring a certification. Such written report shall be received by the department within 10 days after the occurrence of such change.

13. Maintain written authorization from the department for any subject matter specialists being used to provide instruction.

14. Develop lesson plans for each training curriculum and subject being offered in accordance with the topical outlines submitted to the department [~~to include hours of instruction~~].

15. Maintain comprehensive and current lesson plans for each entry level training curriculum and subject being offered.

16. Maintain comprehensive and current lesson plans for each in-service training curriculum and subject being offered.

17. Maintain comprehensive and current lesson plans for each firearms training curriculum and subject being offered.

18. Date all lesson plans and handout material ~~to include~~, including the initial date of development and subsequent revisions.

19. Ensure that current copies of the following requirements are provided to and maintained with the department, including:

- a. A list of all training locations used by the training school, excluding hotel/motel facilities;
- b. A list of all firing range names and locations;
- c. A list of all subject matter specialists currently employed, or otherwise utilized; and
- d. Copies of current ~~course~~ topical outlines for all lesson plans and curriculums. The lesson plans and subsequent course outlines shall include [(i)] specific reference to

the course content involving the Code of Virginia and this chapter [~~and (ii) the hours of instruction~~].

20. Ensure that range qualification for all firearms training is completed pursuant to this chapter except with written authorization from the department.

21. On a form provided by the department and within 10 calendar days of the incident, submit a report of any incident in which any instructor, student or employee has discharged a firearm while on duty, excluding any training exercise.

22. ~~Not act as or be a certified training school for undisclosed persons who directly or indirectly control the operation of the training school.~~

6 VAC 20-171-260. Training school standards of conduct.

A training school shall:

1. Conform to all requirements pursuant to the Code of Virginia and this chapter.

2. Ensure that the *owners, principals*, training director and all instructors employed by the training school conform to all applicable application requirements, administrative requirements and standards of conduct pursuant to the Code of Virginia and this chapter.

3. Utilize only certified instructors, or other individuals eligible to provide instruction pursuant to this chapter in the conduct of private security training sessions.

4. Maintain current files that include copies or electronic images of attendance records, a master final examination, pass/fail recording of examination and firearms qualification scores, training completion rosters, and training completion forms for each student for three years from the date of the training session in which the individual student was enrolled.

5. Permit the department during regular business hours to inspect, review, or copy those documents, business records or training records that are required to be maintained by the Code of Virginia and this chapter.

6. Permit the department to inspect and observe any training session. Certified training schools ~~which that~~ conduct training sessions not located within Virginia may be required to pay the expenses of inspection and review.

7. Include the training school certification number issued by the department on all business advertising materials pursuant to the Code of Virginia.

8. Not violate or aid and abet others in violating the provisions of Article 1 (§ 9.1-138 et seq.) of Chapter 1 of Title 9.1 of the Code of Virginia or this chapter.

9. Not commit any act or omission ~~which that~~ results in a private security license or registration being suspended, revoked, not renewed or being otherwise disciplined in any jurisdiction.

10. ~~Not~~ Ensure that the owner, principals, training director and all instructors employed by the training school have not been convicted or found guilty in any jurisdiction of the

United States of any felony or a misdemeanor involving moral turpitude, assault and battery, damage to real or personal property, controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia, or firearms, from which no appeal is pending, the time for appeal having elapsed. Any plea of nolo contendere shall be considered a conviction for the purpose of this chapter. The record of conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be prima facie evidence of such guilt.

11. Not obtain a license, license renewal, registration, registration renewal, certification [, or] certification renewal [, or certification to act as compliance agent for a licensee, training school, school director, or instructor,] through any fraud or misrepresentation.

12. Conduct entry level and in-service training sessions separately. In-service subjects and curriculums may not be incorporated or included as a part of the entry-level subjects and curriculums.

13. Not conduct a private security services training school in such a manner as to endanger the public health, safety and welfare.

14. Not falsify, or aid and abet others in falsifying, training records for the purpose of obtaining a license, registration, certification, or certification as a compliance agent, training school, school director or instructor.

15. Not represent as one's own a certification issued to another private security services training school.

16. Not perform any unlawful or negligent act resulting in loss, injury or death to any person.

17. Not use or display the state seal of Virginia, or any portion thereof, as a part of any logo, stationery, business card, badge, patch, insignia or other form of identification or advertisement.

18. *Not use or display the state seal of the Department of Criminal Justice Services, or any portion thereof, or the seal of any political subdivision, or any portion thereof, as a part of [any the training school's] logo, stationery, letter, training document, business card, badge, patch, insignia or other form of identification or advertisement.*

19. *Not engage in acts of unprofessional conduct in the practice of private security services.*

20. *Not engage in acts of negligent or incompetent private security services.*

21. *Not make any misrepresentation or false promise to a private security services business client or potential private security services business client.*

22. *Not violate [the Virginia Uniform Statewide Building Code any state or local ordinances].*

23. *Satisfy all judgments related to private security services not provided.*

24. *Not publish or cause to be published any written business material relating to private security services that contains an assertion, representation, or statement of fact that is false, deceptive or misleading.*

6 VAC 20-171-270. Private security services training school director.

A training school director shall:

1. Ensure that the certified training school and all employees regulated, or required to be regulated, by this chapter conform to all application requirements, administrative requirements and standards of conduct pursuant to the Code of Virginia and this chapter.

2. Conform to all application requirements, administrative requirements and standards of conduct as a certified instructor pursuant to the Code of Virginia and this chapter.

3. Maintain documentation for all employees or persons otherwise utilized that verifies compliance with requirements pursuant to the Code of Virginia and this chapter.

4. Notify the department in writing within 10 calendar days following termination of his employment as training director for the certified training school.

5. *Not engage in acts of unprofessional conduct in the practice of private security services.*

6. *Not engage in act of negligent or incompetent private security services.*

7. *Not make any misrepresentation or false promise to a private security services business client or potential private security services business client.*

8. *Not violate [the Virginia Uniform Statewide Building Code any state or local ordinances].*

9. *Satisfy all judgments relating to private security services not provided.*

10. *Not publish or cause to be published any written business material relating to private security services that contains an assertion, representation, or statement of fact that is false, deceptive or misleading.*

6 VAC 20-171-280. Private security services instructor.

An instructor shall:

1. Conform to all requirements pursuant to the Code of Virginia and this chapter.

2. Maintain at all times with the department his physical and mailing address. ~~A post office box is not a physical address.~~ Written notification of any address change in the physical or mailing address shall be in writing and received by the department no later than 10 days after the effective date of the change.

3. Not have been convicted or found guilty in any jurisdiction of the United States of any felony or a misdemeanor involving moral turpitude, assault and battery, damage to

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real or personal property, controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia, or firearms, from which no appeal is pending, the time for appeal having elapsed. Any plea of nolo contendere shall be considered a conviction for the purpose of this chapter. The record of conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be prima facie evidence of such guilt.

4. Inform the department, and the training school for which the individual is designated as an instructor, if applicable, in writing within ~~30~~ 10 days after pleading guilty or nolo contendere or being convicted or found guilty of any felony or of a misdemeanor ~~involving moral turpitude, assault and battery, damage to real or personal property, controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia, or firearms.~~

5. Inform the department, and the training school for which the individual is designated as instructor, if applicable, in writing within ~~30~~ 10 days after having been found guilty by any court or administrative body of competent jurisdiction to have violated the private security services business statutes or regulations of that jurisdiction, there being no appeal therefrom or the time for appeal having elapsed.

6. Not violate or aid and abet others in violating the provisions of Article 1 (§ 9.1-138 et seq.) of Chapter 1 of Title 9.1 of the Code of Virginia or this chapter.

7. Not commit any act or omission ~~which~~ *that* results in a private security license or registration being suspended, revoked, not renewed or being otherwise disciplined in any jurisdiction.

8. Not obtain a license, license renewal, registration, registration renewal, certification [~~;~~ or] certification renewal [~~;~~ or certification to act as compliance agent for a licensee, training school, school director, or instructor,] through any fraud or misrepresentation.

9. Conduct training sessions pursuant to requirements established in this chapter.

10. Notify the department within 10 calendar days following termination of his employment as instructor for the training school.

11. *Not engage in acts of unprofessional conduct in the practice of private security services.*

12. *Not engage in acts of negligent or incompetent private security services.*

13. *Not make any misrepresentation or false promise to a private security services business client or potential private security services business client.*

14. *Not violate [~~the Virginia Uniform Statewide Building Code any state or local ordinances~~].*

6 VAC 20-171-300. Private security training session.

A. Training sessions will be conducted in accordance with requirements established in this chapter. Adherence to the administrative requirements, attendance and standards of conduct are the responsibility of the training school, training school director and instructor of the training session.

B. Administrative requirements.

1. In a manner approved by the department, a notification to conduct a training session shall be submitted to the department. All notifications shall be received by the department, or postmarked if mailed, no less than seven calendar days prior to the beginning of each training session to include the date, time, instructors and location of the training session. The department may allow a session to be conducted with less than seven calendar days of notification with prior approval. Session notifications require no fee from the training school. A notification to conduct a training session shall be deemed to be in compliance unless the training school director is notified by the department to the contrary.

2. Notification of any changes to the dates, times, location or cancellation of a *future* training session must be submitted to the department in writing and received by the department ~~prior to~~ *at least 24 hours in advance of the scheduled starting time of the class. In the event that a session must be cancelled on the scheduled date, the department must be notified immediately followed by a cancellation in writing as soon as practical.*

3. On a form provided by the department, the training school director shall issue an original training completion form and training certificate to each student who satisfactorily completes a training session no later than five business days following the training completion date.

4. In a manner approved by the department, the training school director shall submit an original training completion roster to the department affirming each student's successful completion of the session. The training completion roster shall be received by the department within seven calendar days, or postmarked if mailed, no later than five business days following the training completion date. The training completion roster for each session must be accompanied by the applicable, nonrefundable processing fee.

5. A written examination shall be administered at the conclusion of each entry level training session. The examination shall be based, ~~at a minimum,~~ on the applicable learning objectives. The student must attain a minimum grade of *80% for compliance agent entry-level training or 70% for all other entry-level training examinations* to satisfactorily complete the training session.

6. Firearms classroom training shall be separately tested and graded. Individuals must achieve a minimum score of 70% on the firearms classroom training examination.

7. Failure to achieve a minimum score of 70% on the firearms classroom written examination will exclude the individual from the firearms range training.

8. To successfully complete the firearms range training, the individual must achieve a minimum qualification score of 75% of the scoring value of the target.

9. To successfully complete the private investigator entry level training session, the individual must:

- a. Successfully complete each of the ~~three~~ four graded practical exercises required; and
- b. Pass the written examination with a minimum score of 70%.

10. To successfully complete the personal protection specialist entry level training session, the individual must:

- a. Complete each of the five graded practical exercises required under protective detail operations pursuant to 6 VAC 20-171-350 ~~C~~ E 6 (the practical exercises must be successfully completed prior to the written examination); and
- b. Pass the written examination with a minimum score of 70%.

11. *The unarmed security officer must:*

- a. *Complete the required training; and*
- b. *Successfully pass the written examination with a minimum score of 70%.*

C. Attendance.

1. Private security services business personnel enrolled in an approved training session are required to be present for the hours required for each training session unless they have been granted a partial [~~waiver~~ exemption to training] from the department.

2. Tardiness and absenteeism will not be permitted. Individuals violating these provisions will be required to make up any training missed. Such training must be completed within 60 days after the completion of the training session or at the next available session offered by the training school. Individuals not completing the required training within this period are required to complete the entire training session.

3. Individuals that do not successfully complete the compulsory minimum training standards of the training session shall not be reported to the department except where required pursuant to this chapter.

4. Each individual attending an approved training session shall comply with the regulations promulgated by the board and any other rules within the authority of the training school. If the training school director or instructor considers a violation of the rules detrimental to the training of other students or [to involve ~~involves~~] cheating on examinations, the training school director or instructor may expel the individual from the school. Notification of such action shall immediately be reported to the employing firms and the department.

D. Standards of conduct.

1. The training school, training school director and instructor shall at all times conform to the application requirements, administrative requirements and standards of conduct established for certification as a training school and instructor.

2. Training sessions will be conducted by certified instructors or other individuals authorized to provide instruction pursuant to this chapter.

3. Training sessions will be conducted utilizing lesson plans developed ~~to include~~ including at a minimum the compulsory minimum training standards established pursuant to this chapter.

4. Instruction shall be provided in no less than 50-minute classes.

5. Training sessions may not exceed [~~eight~~ nine] hours of classroom instruction per day [~~; however, firearms classroom sessions may not exceed nine hours of instruction per day~~]. Range qualification and practical exercises shall not be considered classroom instruction; however, total training, including the maximum allotment of [~~eight~~ nine] hours classroom instruction and applicable range qualification and practical exercises, shall not exceed 12 hours per day. This does not include time allotted for breaks, meals and testing.

6. All audio-visual training aids must be accompanied by a period of instruction where the instructor reviews the content of the presentation and the students are provided the opportunity to ask questions regarding the content.

7. A training session must adhere to the minimum compulsory training standards and must be presented in its entirety. Training school directors may require additional hours of instruction, testing or evaluation procedures.

8. A training session must provide accurate and current information to the students.

9. Mandated training conducted not in accordance with the Code of Virginia and this chapter is null and void.

10. A duplicate set of instructor course materials, including all student materials, shall be made available to any department inspector during the training session, if requested.

6 VAC 20-171-310. Registered personnel administrative requirements.

A registered individual shall:

1. Conform to all requirements pursuant to the Code of Virginia and this chapter.

2. Maintain at all times with the department his ~~physical and mailing address, e-mail address and phone number, if applicable. A post office box is not a physical address.~~ Written notification of any change in the ~~physical or mailing address, e-mail address or phone number~~ shall be in writing and received by the department no later than 10 days after the effective date of the change.

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3. Inform the department, and the business for which the individual is employed if applicable, in writing within ~~30~~ 10 days after pleading guilty or nolo contendere or being convicted or found guilty of any felony or of a misdemeanor involving moral turpitude, assault and battery, damage to real or personal property, controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia, or firearms.

4. Inform the department, and the business for which the individual is employed if applicable, in writing within [~~30~~ 10] days after having been found guilty by any court or administrative body of competent jurisdiction to have violated the private security services business statutes or regulations of that jurisdiction, there being no appeal therefrom or the time for appeal having elapsed.

5. Inform the department, ~~or~~ and the compliance agent of the licensee if employed by a private security services business, of any incident in which any registrant has discharged a firearm while on duty, excluding any training exercise. This report shall be made within 24 hours of the incident.

6 VAC 20-171-320. Registered personnel standards of conduct.

A registered individual shall:

1. Conform to all requirements pursuant to the Code of Virginia and this chapter.

2. Not violate or aid and abet others in violating the provisions of Article 1 (§ 9.1-138 et seq.) of Chapter 1 of Title 9.1 of the Code of Virginia or this chapter.

3. Not commit any act or omission ~~which~~ that results in a private security license, registration or certification being suspended, revoked, not renewed or being otherwise disciplined in any jurisdiction.

4. Not have been convicted or found guilty in any jurisdiction of the United States of any felony or a misdemeanor involving moral turpitude, assault and battery, damage to real or personal property, controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia, or firearms, from which no appeal is pending, the time for appeal having elapsed. Any plea of nolo contendere shall be considered a conviction for the purpose of this chapter. The record of conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be prima facie evidence of such guilt.

5. Not obtain a license, license renewal, registration, registration renewal, certification [, or] certification renewal [, or certification to act as compliance agent for a licensee, training school, school director, or instructor,] through any fraud or misrepresentation.

6. Not solicit or contract to provide any private security services without first having obtained a private security services business license with the department.

7. Carry a valid registration or *valid temporary authorization letter* at all times while on duty. Individuals requiring registration as an alarm respondent, a central station dispatcher, an electronic security sales representative or an electronic security technician may be employed for not more than 90 *consecutive days in any category listed above* while completing the compulsory minimum training standards and may not be employed in excess of 120 days without having been issued a registration or *an exception* from the department.

8. Carry the private security [*state issued*] photo identification card at all times while on duty once the authorization has been approved from the department, except those individuals operating outside the Commonwealth of Virginia who shall obtain the [*state issued*] photo identification card prior to providing services when physically located in the Commonwealth.

9. Perform those duties authorized by his registration only while employed by a licensed private security services business and only for the clients of the licensee. This shall not be construed to prohibit an individual who is registered as an armed security officer from being employed by a nonlicensee as provided for in §9.1-140 of the Code of Virginia.

10. Possess a valid firearms training ~~verification endorsement~~ if he carries or has [~~immediate~~] access to firearms while on duty *and then only those firearms by type [; type] of action [: all double action, double/single action, all single action;] and caliber to which he has been trained on and is qualified to carry.*

11. Carry a firearm concealed while on duty only with the expressed authorization of the licensed private security services business employing the registrant and only in compliance with § 18.2-308 of the Code of Virginia.

12. Transport, carry and utilize firearms while on duty only in a manner ~~which~~ that does not endanger the public health, safety and welfare.

13. If authorized to make arrests, make arrests in full compliance with the law and using only the minimum force necessary to effect an arrest.

14. Engage in no conduct which through word, deed or appearance suggests that a registrant is a law-enforcement officer, [~~detective~~] or other government official.

15. Display one's registration while on duty in response to the request of a law-enforcement officer, department personnel or client.

16. Not perform any unlawful or negligent act resulting in a loss, injury or death to any person.

17. If a uniform is required, wear the uniform required by his employer. If wearing a uniform while employed as an armed security officer, unarmed security officer, alarm respondent or armored car personnel, that uniform must:

a. Include at least one insignia clearly identifying the name of the licensed firm employing the individual and, except armored car personnel, a name plate or tape bearing, as a minimum, the individual's last name attached on the outermost garment, except rainwear worn only to protect from inclement weather; and

b. Include no patch or other writing (i) containing the word "police" or any other word suggesting a law-enforcement officer; (ii) containing the word "officer" unless used in conjunction with the word "security"; or (iii) resembling any uniform patch or insignia of any duly constituted law-enforcement agency of this Commonwealth, its political subdivisions or of the federal government. This restriction shall not apply to individuals who are also duly sworn special police officers, to the extent that they may display words which *that* accurately represent that distinction.

18. When providing services as a central station dispatcher, attempt to verify the legitimacy of a burglar alarm activation by contacting an authorized individual at the site where an alarm signal originated before dispatching authorities. This shall not apply if the alarm user has provided written authorization requesting immediate dispatch. This shall not apply to duress or hold-up alarms.

19. Act only in such a manner which *that* does not endanger the public health, safety and welfare.

20. Not represent as one's own a registration issued to another individual, or represent oneself as certified compliance agent of a licensee, training school, school director or instructor unless so certified by the department.

21. Not falsify, or aid and abet others in falsifying, training records for the purpose of obtaining a license, registration, certification, or certification as a compliance agent, training school, school director or instructor.

22. Not provide information obtained by the registrant or his employing firm to any person other than the client who secured the services of the licensee without the client's prior written consent. Provision of information in response to official requests from law-enforcement agencies, the courts, or from the department shall not constitute a violation of this chapter. Provision of information to law-enforcement agencies pertinent to criminal activity or to planned criminal activity shall not constitute a violation of this chapter.

23. *Not engage in acts of unprofessional conduct in the practice of private security services.*

24. *Not engage in acts of negligent or incompetent private security services.*

25. *Not make any misrepresentation or make a false promise to a private security services business client or potential private security services business client.*

26. *Satisfy all judgments related to private security services not provided.*

[Article 4.
Private Security Services Certified Personnel]

[**6 VAC 20-171-325. General requirements. (Repealed.)**]

~~A. All certified personnel are required to maintain administrative requirements and standards of conduct as determined by the Code of Virginia, department guidelines and this chapter.]~~

6 VAC 20-171-330. [Certified personnel administrative requirements. (Repealed.)

~~A certified individual shall:~~

~~1. Conform to all requirements pursuant to the Code of Virginia and this chapter.~~

~~2. Maintain at all times with the department his physical and mailing address, e-mail address and phone number, if applicable. A post office box is not a physical address. Written notification of any change in the physical or mailing address, e-mail address or phone number shall be in writing and received by the department no later than 10 days after the effective date of the change.~~

~~3. Inform the department, and the business for which the individual is employed if applicable, in writing within 30 10 days after pleading guilty or nolo contendere or being convicted or found guilty of any felony or of a misdemeanor involving moral turpitude, assault and battery, damage to real or personal property, controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia, or firearms.~~

~~4. Inform the department, and the business for which the individual is employed if applicable, in writing within 30 10 days after having been found guilty by any court or administrative body of competent jurisdiction to have violated the private security services business statutes or regulations of that jurisdiction, there being no appeal therefrom or the time for appeal having elapsed.]~~

6 VAC 20-171-340. [Certified personnel standards of conduct. (Repealed.)

~~A certified individual shall:~~

~~1. Conform to all requirements pursuant to the Code of Virginia and this chapter.~~

~~2. Not violate or aid and abet others in violating the provisions of Article 1 (§ 9.1-138 et seq.) of Chapter 1 of Title 9.1 of the Code of Virginia or this chapter.~~

~~3. Not commit any act or omission which results in a private security license, registration or certification being suspended, revoked, not renewed or being otherwise disciplined in any jurisdiction.~~

~~4. Not have been convicted or found guilty in any jurisdiction of the United States of any felony or a misdemeanor involving moral turpitude, assault and battery, damage to real or personal property, controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et~~

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seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia, or firearms, from which no appeal is pending, the time for appeal having elapsed. Any plea of nolo contendere shall be considered a conviction for the purpose of this chapter. The record of conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be prima facie evidence of such guilt.

5. ~~Not obtain a license, license renewal, registration, registration renewal, certification, certification renewal, or certification to act as compliance agent for a licensee, training school, school director, or instructor, through any fraud or misrepresentation.~~

6. ~~Not solicit or contract to provide any private security services without first having obtained a private security services business license with the department.~~

7. ~~Carry a valid certification at all times while on duty. Individuals requiring certification as an unarmed security officer and an electronic security technician's assistant may be employed for not more than 90 consecutive days in any category listed above while completing the compulsory minimum training standards, provided fingerprint cards have been submitted to the department, and VSP-167 if applicable, pursuant to Part III (6 VAC 20-171-30 et seq.) of this chapter; however, may not be employed in excess of 120 days without having been issued a certification from the department.~~

8. ~~Carry the private security photo identification card at all times while on duty once the authorization has been approved from the department, except those individuals operating outside the Commonwealth of Virginia who shall obtain the photo identification card prior to providing services when physically located in the Commonwealth.~~

9. ~~Perform those duties authorized by his certification only while employed by a licensed private security services business and only for the clients of the licensee. This shall not be construed to prohibit an individual who is certified as an unarmed security officer from being employed by a nonlicensee as provided for in §9.1-140 of the Code of Virginia.~~

10. ~~Engage in no conduct which through word, deed or appearance suggests that the certified individual is a law enforcement officer or other government official.~~

11. ~~Display one's certification while on duty in response to the request of a law enforcement officer, department personnel or client.~~

12. ~~Not perform any unlawful or negligent act resulting in a loss, injury or death to any person.~~

13. ~~If a uniform is required, wear the uniform required by his employer. If wearing a uniform while employed as an unarmed security officer, that uniform must:~~

a. ~~Include at least one insignia clearly identifying the name of the licensed firm employing the individual and, except armored car personnel, a name plate or tape~~

~~bearing, as a minimum, the individual's last name attached on the outermost garment, except rainwear worn only to protect from inclement weather; and~~

~~b. Include no patch or other writing (i) containing the word "police" or any other word suggesting a law enforcement officer; (ii) containing the word "officer" unless used in conjunction with the word "security"; or (iii) resembling any uniform patch or insignia of any duly constituted law enforcement agency of this Commonwealth, its political subdivisions or of the federal government. This restriction shall not apply to individuals who are also duly sworn special police officers, to the extent that they may display words which that accurately represent that distinction.~~

14. ~~Act only in such a manner which that does not endanger the public health, safety and welfare.~~

15. ~~Not represent as one's own a certification issued to another individual, or represent oneself as a certified compliance agent of a licensee, training school, school director or instructor unless so certified by the department.~~

16. ~~Not falsify, or aid and abet others in falsifying training records for the purpose of obtaining a license, registration, certification, or certification as a compliance agent, training school, school director or instructor.~~

17. ~~Not provide information obtained by the firm or its employees to any person other than the client who secured the services of the licensee without the client's prior written consent. Provision of information in response to official requests from the law enforcement agencies, the courts, or from the department shall not constitute a violation of this chapter. Provision of information to law enforcement agencies pertinent to criminal activity or to planned criminal activity shall not constitute a violation of this chapter.]~~

6 VAC 20-171-350. Entry level training.

A. Each person employed by a private security services business or applying to the department for registration as an [~~unarmed security officer,~~] armed security officer/courier, personal protection specialist, armored car personnel, security canine handler, private investigator, alarm respondent, central station dispatcher, electronic security sales representative, [~~or~~] electronic security technician [, ~~or electronic security technician's assistant~~] as defined by § 9.1-138 of the Code of Virginia, [~~or applying to the department for training certification as an unarmed security officer or certification as an electronic security technician's assistant as required by § 9.1-139 of the Code of Virginia,~~] or for certification as a compliance agent as required by §9.1-139 of the Code of Virginia, who has not met the compulsory minimum training standards prior to July 13, 1994, must meet the compulsory minimum training standards herein established, unless provided for otherwise in accordance with this chapter.

B. *Training will be credited only if [application for registration or certification is] submitted to the department within 12 months of completion of training.*

[*C. The applicant shall submit a registration application to the department within 30 days of entry level training completion.]*

B. [~~D.~~ C.] Hour requirement. The compulsory minimum entry level training hour requirement by category, excluding examinations, practical exercises and range qualification, shall be:

1. Unarmed security officer --~~16~~ 18 hours
2. Armed security officer/courier --~~24~~ 40 hours
 - *There are 8 hours of Arrest Powers, Policies, Procedures that are included in the Armed Security Officer Training. These 8 hours are mandatory for armed security officers only.
3. Armored car personnel --~~20~~ 26 hours
4. Security canine handler --~~28~~ 30 hours
5. Private investigator -- 60 hours
6. Personal protection specialist -- 60 hours
7. Alarm respondent --~~16~~ 18 hours
8. Central station dispatcher -- 8 hours
9. Electronic security sales representative -- 8 hours
10. Electronic security technician -- 14 hours
11. Electronic security technician's assistant -- 4 hours
12. Compliance agent -- 6 hours

C. [~~E.~~ D.] Course content. The compulsory minimum entry level training course content by category, excluding examinations, mandated practical exercises and range qualification, shall be as provided in this subsection.

1. Security officer core subjects. The entry level curriculum for unarmed security officer, armed security officer/courier, security canine handler, and alarm respondent sets forth the following areas identified as:
 - ~~a. Administration and orientation to private security --1 hour~~
 - ~~b. Applicable section of the Code of Virginia and DCJS regulations --1 hour~~
 - ~~c. Legal authority and arrest authority and procedures --6 hours~~
 - ~~d. Emergency and defensive procedures --8 hours~~
 - ~~e. Written examination~~
 - a. Orientation -- 2 hours
 - (1) Virginia law and regulations
 - (2) Code of ethics
 - (3) General duties and responsibilities
 - b. Law -- 4 hours
 - c. Security patrol, access control and communications -- 2 hours
 - d. Documentation -- 4 hours
 - e. Emergency procedures -- 4 hours

- ~~f. Confrontation management -- 2 hours~~
- Total hours (excluding exam) --~~16~~ 18 hours
2. Armed security officer/courier.
 - a. Security officer core subjects --~~16~~ 18 hours
 - b. Entry level handgun training (refer to Article 2 (6 VAC 20-171-365 et seq.) of this part) --~~8~~ 14 hours [(~~includes 4 hours of range dry fire and low level lighting~~) dry fire, and judgmental shooting and low level light shooting familiarization]
 - ~~c. Arrest powers, policies, procedures -- 8 hours~~
 - ~~e. d.~~ Entry level shotgun training, if applicable (refer to Article 2 (6 VAC 20-171-365 et seq.) of this part) -- [~~4 hour~~ 2 hours]

- Total hours (excluding examinations, shotgun classroom instruction and range qualification) --~~24~~ 40 hours
3. Armored car personnel.
 - a. Administration and armored car orientation -- 1 hour
 - b. Applicable sections of the Code of Virginia and DCJS regulations -- 1 hour
 - c. Armored car procedures -- 10 hours
 - d. Written examination
 - e. Entry level ~~firearms~~ handgun training (refer to Article 2 (6 VAC 20-171-365 et seq.) of this part) --~~8~~ 14 hours (~~includes 4 hours of range dry fire and low level lighting~~)
 - f. Entry level shotgun training, if applicable (refer to Article 2 (6 VAC 20-171-365 et seq.) of this part) --~~4 hour~~ 2 hours

- Total hours (excluding examinations, shotgun classroom instruction and range qualification) --~~20~~ 26 hours
4. Security canine handler.

Complete entry level training requirements pursuant to Article 3 (6 VAC 20-171-430 et seq.) of this part.

5. Private investigator.
 - ~~a. Administration/investigator orientation, applicable sections of the Code of Virginia and DCJS regulations --8 hours~~
 - ~~b. Collecting and reporting information --6 hours~~
 - ~~c. General investigative techniques --20 hours~~
 - ~~d. Interviewing techniques --8 hours~~
 - ~~e. Criminal law, procedure and rules of evidence --8 hours~~
 - ~~f. Civil law, procedure and rules of evidence --10 hours~~
 - ~~g. Three practical field exercises~~
 - a. Orientation: applicable sections of the Code of Virginia; Administrative Code 6 VAC 20-171; standards of professional conduct; and ethics -- 6 hours

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b. Law: basic law; legal procedures and due process; civil law; criminal law; evidence; and legal privacy requirements -- 16 hours plus one practical exercise

c. General investigative skills, tools and techniques: surveillance; research; and interviewing -- 16 hours plus one practical exercise

d. Documentation: Report preparations; photography; audio recording; general communication; and courtroom testimony -- 8 hours plus one practical exercise

e. Types of investigations: accident; insurance; background; domestic; undercover; fraud and financial; missing persons and property; and criminal -- 14 hours [plus one practical exercise]

f. Written comprehensive examination

Total hours in classroom (excluding written examination and practical exercises) -- 60 hours

6. Personal protection specialist.

a. Administration and personal protection orientation -- 3 hours

b. Applicable sections of the Code of Virginia and DCJS regulations -- 1 hour

c. Assessment of threat and protectee vulnerability -- 8 hours

d. Legal authority and civil law -- 8 hours

e. Protective detail operations -- 28 hours

f. Emergency procedures -- 12 hours

(1) CPR

(2) Emergency first aid

(3) Defensive preparedness

g. Performance evaluation -- Five practical exercises

h. Written examination

Total hours (excluding written examination and performance evaluation) -- 60 hours

7. Alarm respondent.

Security officer core subjects --~~16~~ 18 hours

8. Electronic security subjects. The entry level electronic security subjects curriculum for central station dispatcher, electronic security sales representative, electronic security technician and electronic security technician's assistant sets forth the following areas identified as:

a. Administration and orientation to private security -- 1 hour

b. Applicable sections of the Code of Virginia and DCJS regulations -- 1 hour

c. Overview of electronic security -- 1 hour

d. False alarm prevention -- 1 hour

e. Written examination

Total hours (excluding examination) -- 4 hours

9. Central station dispatcher.

a. Electronic security subjects -- 4 hours

b. Central station dispatcher subjects -- 4 hours

(1) Duties and responsibilities

(2) Communications skills

(3) Emergency procedures

c. Written examination

Total hours (excluding examination) -- 8 hours

10. Electronic security sales representative.

a. Electronic security subjects -- 4 hours

b. Electronic security sales representative subjects -- 4 hours

(1) Duties and responsibilities

(2) System design/components

(3) False alarm prevention

c. Written examination

Total hours (excluding examination) -- 8 hours

11. Electronic security technician.

a. Electronic security subjects -- 4 hours

b. Electronic security technician subjects -- 10 hours

(1) Duties and responsibilities

(2) Electronics

(3) Control panels

(4) Protection devices and application

(5) Test equipment

(6) Power and grounding

(7) National electrical code

(8) Job safety

c. Written examination

Total hours (excluding examination) -- 14 hours

12. Compliance agent.

a. Industry overview and responsibilities

b. Regulations review

c. Business practices and ethical standards

d. Records requirements and other related issues --~~6~~ hours

e. Written examination

Total hours (excluding written examination) -- 6 hours

6 VAC 20-171-360. In-service training.

A. Each person registered with the department as an armed security officer/courier, personal protection specialist, armored car personnel, security canine handler, private investigator, alarm respondent, central station dispatcher, electronic security sales representative, electronic security technician, ~~[or applying to the department for certification as an]~~ unarmed security officer or electronic security technician's assistant, or certified by the department to act as a compliance agent shall complete the compulsory in-service training standard once during each 24-month period of registration or certification. ~~Required in-service training must be completed within 12 months of the expiration date of the registration or certification period during which in-service training is required.~~

1. Compliance agent.

~~a. Individuals must complete compliance agent in-service training within each 24-month period following the original in-service training date.~~

~~b. a. In-service training must be completed within 12 months prior to the established training due immediately preceding the expiration date.~~

~~c. b. Individuals who fail to complete in-service training prior to the established training due expiration date may complete in-service training within 90 30 days after the established training due expiration date if a completed in-service training enrollment application and a \$25 delinquent training fee is received by the department.~~

2. Instructor. All private security instructors must complete instructor in-service training within ~~each 36-month period of certification~~ [24 12] months immediately preceding the individual's expiration date.

B. Hour requirement. The compulsory minimum in-service training hour requirement by category, excluding examinations, practical exercises and range qualification, shall be as follows:

1. Unarmed security officer -- 4 hours
2. Armed security officer/courier -- 4 hours
3. Armored car personnel -- 4 hours
4. Security canine handler -- 8 hours
5. Private investigator -- 8 hours
6. Personal protection specialist -- 8 hours
7. Alarm respondent -- 4 hours
8. Central station dispatcher -- 4 hours
9. Electronic security sales representative -- 4 hours
10. Electronic security technician -- 4 hours
11. Electronic security technician's assistant -- 2 hours
12. Compliance agent -- 4 hours
13. *Firearms* instructor -- 4 hours
14. *General instructor* -- 4 hours

C. Course content. The compulsory minimum in-service training course content by category, excluding examinations, practical exercises and range qualification, shall be as follows:

1. Security officer core subjects: Unarmed security officer/armed security officer/courier/alarm respondent

- a. Legal authority -- 2 hours
- b. Job-related training -- 2 hours

Total hours -- 4 hours

2. Armored car personnel

Job-related training -- 4 hours

Total hours -- 4 hours

3. Security canine handler (*annual requirement per 6 VAC 20-171-440*)

- a. Basic obedience evaluation and retraining -- 4 hours
- b. Job-related training -- 4 hours

Total hours -- 8 hours

4. Private investigator

Job-related training -- 8 hours

Total hours -- 8 hours

5. Personal protection specialist

Job-related training -- 8 hours

Total hours -- 8 hours

6. Central station dispatcher

Job-related training -- 4 hours

Total hours -- 4 hours

7. Electronic security sales representative

Job-related training -- 4 hours

Total hours -- 4 hours

8. Electronic security technician

Job-related training -- 4 hours

Total hours -- 4 hours

9. Electronic security technician's assistant

Job-related training -- 2 hours

Total hours -- 2 hours

10. Compliance agent

- a. Industry overview and responsibilities
- b. Regulations review
- c. Business practices and ethical standards
- d. Records requirements and other related topics

Total hours -- 4 hours

11. General instructor

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- a. Regulations review and legal issues
- b. Ethical standards
- c. Records requirements and other related topics
- d. Techniques of instruction delivery, including practical exercises

Total hours -- 4 hours

12. Firearms instructor

- a. [~~Regulations review and~~] Legal issues
- b. Techniques of [~~instruction~~] delivery [*of instruction and other related topics*]

Total hours -- 4 hours

6 VAC 20-171-365. General firearms training requirements.

Firearms training ~~verification~~ endorsement is required for all private security services business personnel who carry or have immediate access to a firearm while on duty. Each person who carries or has immediate access to firearms while on duty shall qualify with each type [~~;~~ ~~type of action: all double action, double/single action, all single of~~] action [~~;~~] and caliber of firearm to which he has access.

6 VAC 20-171-370. Entry level handgun training.

A. Handgun classroom training.

1. The entry level handgun classroom training will include but not be limited to the following:
 - a. The proper care *and maintenance* of the ~~weapon~~ *firearm*;
 - b. Civil liability of the use of firearms;
 - c. Criminal liability of the use of firearms;
 - d. ~~Weapons~~ *Firearms retention and storage*;
 - e. Deadly force;
 - f. Justifiable deadly force;
 - g. Range safety;
 - h. ~~Practical firearms handling~~; and
 - i. *Principles of marksmanship*;
 - i. *Practical firearms handling and safety*;
 - j. *Judgmental shooting*; and
 - k. [~~Dim~~ *Low level*] *light shooting familiarization*.

Total Hours (excluding written examination)--~~8~~ 14 hours

2. Written examination required.

B. Range qualification (no minimum hours). The purpose of the range qualification course is to provide practical firearms training to individuals desiring to become armed private security services business personnel.

1. Prior to the date of range training, it will be the responsibility of the school director to ensure that all

students are informed of the proper attire and equipment to be worn for the firing range portion of the training. [*Equipment needed: handgun, belt with directional draw holster, ammunition (60 rounds)*]

2. Factory loaded [~~semi-wadcutter~~ *practice*] or duty ammunition (60 rounds) may be used for practice or range qualification.

3. Course shall be fired double action, [*or double single action*] except for single action semi-automatic handguns.

~~3.~~ 4. All qualifications shall be conducted using a B27 silhouette target *or the FBI "Q" target*. Alternate targets may be utilized with prior approval by the department.

~~4.~~ 5. With prior approval of the department, a reasonable modification of the firearms course may be approved to accommodate qualification on indoor ranges.

~~5.~~ 6. A certified firearms instructor must be *present on the firing line* [*on the range directly controlling the fire line*] during all phases of firearms training. There shall be a minimum of one [*certified*] firearms instructor per five shooters on the line.

~~6.~~ 7. All individuals shall qualify with directional draw holsters only.

~~7.~~ 8. The range qualification of individuals shall be scored as follows:

B27 target: (use indicated K-value) 7, 8, 9, 10 X rings --value 5 points, ~~7-ring-value 4 points~~, other hits on silhouette--value ~~3~~ 0 points: divide points scored by maximum possible score to obtain decimal and convert to percentage, e.g., 225 / 300 = .75 = 75%.

[*FBI Q target: all hits inside the bottle -- value 5 points; hits outside the bottle -- value 0 points.*]

~~9.~~ *The low light range familiarization of individuals shall be scored as follows: B27 target: (all hits inside the 7-ring count 5 points, any hits outside the 7-ring count 0 points indicated above. This is strictly a familiarization course with no pass or fail grade provided).*

C. Course: Virginia Private Security Course of Fire for Handguns. The course of fire shall be conducted using, at a minimum, the requirements set forth in subsection B of this section. Strong/weak hand refers to the primary hand used in firing the ~~weapon~~ *firearm*. The opposite hand may be used for support. The course of fire shall be conducted in the following phases:

1. Phase 1; 3 yards, ~~point shoulder position~~, *utilizing weaver* [*, modified weaver, or isosceles stance*, 18 rounds:

a. Load 6 rounds and holster loaded ~~weapon~~ *firearm*.

b. On command, draw and fire 2 rounds (3 seconds), repeat.

c. Load 6 rounds and holster loaded ~~weapon~~ *firearm*.

d. On command, draw and fire 6 rounds with strong hand.

e. Unload, reload 6 rounds and fire 6 rounds with weak hand (25 seconds).

2. Phase 2; 7 yards, ~~point shoulder position~~ utilizing weaver [, modified weaver,] or isosceles stance, 24 rounds:

- a. Load 6 rounds and holster loaded ~~weapon~~ firearm.
- b. On command, draw and fire 1 round (2 seconds), repeat.
- c. Load 6 rounds and holster loaded ~~weapon~~ firearm.
- d. On command, draw and fire 2 rounds (3 seconds), repeat.
- e. Load 6 rounds and holster loaded ~~weapon~~ firearm.
- f. On command, draw and fire 6 rounds, reload 6 rounds, fire 6 rounds (30 seconds).

3. Phase 3; 15 yards, 70 seconds, 18 rounds:

- a. Load 6 rounds and holster loaded ~~weapon~~ firearm.
- b. On command, assume kneeling position, draw and fire 6 rounds with strong hand.
- c. Assume standing position, unload, reload and fire 6 rounds from weak-hand barricade position.
- d. Unload, reload and fire 6 rounds from strong-hand barricade position (Kneeling position may be fired using barricade position.) (70 seconds).

D. Low Light Course: Virginia Private Security Low Light Familiarization Course of Fire for Handguns. The course of fire shall be conducted using, at a minimum, the requirements set forth in this subsection. Equipment needed: belt with directional draw holster, handgun, two speed loaders or three magazines, [~~duty~~ range] ammunition ([~~24~~ 30] rounds). Equipment provided by instructor: A range that can simulate low light or a pair of welders goggles for each student that simulates low light. Strong/weak hand refers to the primary hand used in firing the firearm. The opposite hand may be used for support. The course of fire shall be conducted in the following phases:

1. Phase 1; 3 yards, utilizing weaver or isosceles stance, 18 rounds:

- a. Load 6 rounds and come to ready.
- b. On command, fire 2 rounds (3 seconds) repeat.
- c. Load 6 rounds and come to ready.
- d. On command, fire 6 rounds with strong hand.
- e. Unload, reload 6 rounds and fire 6 rounds (30 seconds).

2. Phase 2; 7 yards, utilizing weaver or isosceles stance, 12 rounds:

- a. Load 6 rounds and come to ready.
- b. On command, [~~draw~~] fire 2 rounds (5 seconds), and repeat.
- c. Load 6 rounds and come to ready.
- d. On command, draw and fire 3 rounds (6 seconds), and repeat.

6 VAC 20-171-380. [No change from proposed.]

6 VAC 20-171-390. ~~Entry level personal protection specialist~~ Advanced handgun training -- required for the entry level personal protection specialist [who wishes to have firearms endorsement] and optional for other armed registrants.

A. The entry level handgun training is a prerequisite for taking the advanced handgun training.

~~A. Personal protection specialist~~ *B. Advanced handgun classroom training.*

1. The ~~entry level personal protection specialist~~ advanced handgun training will include but not be limited to:

- a. Proper care of the weapon;
- b. Civil liability of the use of firearms;
- c. Criminal liability of the use of firearms;
- d. Weapons retention;
- e. Deadly force;
- f. Justifiable deadly force;
- g. Range safety;
- h. Practical firearms handling;
- i. Principles of marksmanship; and
- j. Decision-making for the personal protection specialist.

Total hours (excluding written examination) -- 24 hours

2. Written examination required.

~~B.~~ C. Range qualification (no minimum hours). The purpose of this course of fire is to assess and improve the tactical, protection-related shooting skills for personal protection specialist candidates seeking certification to be armed. This course entails five increasingly challenging stages of advanced firearms exercises with a 92% score required for qualification.

1. The ~~personal protection specialist~~ advanced handgun course of fire is comprised of the following exercises:

- a. Shoot/don't shoot judgment;
- b. Turn and fire drills;
- c. Failure to stop drills;
- d. Multiple target drills; and
- e. Judgmental shooting.

2. For all range practicals (stage two through stage four):

a. The student will fire at a man-size silhouette target with the following requirements:

- (1) 4" 4-inch diameter circle in head;
- (2) 8" 8-inch diameter circle in chest/body area; and
- (3) Center points of circles -- 13-1/2 inches apart.

b. All rounds fired must hit within these circles.

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c. Minimum 92% qualification score = 25 rounds total requiring 23 hits. With regard to scoring:

- (1) 25 points (1 round is good for 1 point).
- (2) 92% of shots must be "in circle" hits for a passing grade (2 misses allowed on total course).
- (3) Shots not taken during stage five when a "no-shoot" situation is presented scores a point, just as an accurate shot in a hostile situation.
- (4) 92% is 23 of 25 possible.

3. A certified ~~personal protection specialist~~ *advanced handgun* firearms instructor must be on the range during all phases of ~~personal protection specialist~~ *advanced handgun* training. There shall be no less than one certified ~~personal protection specialist~~ *advanced handgun* firearms instructor per four students.

☞ *D. Course: Virginia Private Security Advanced Handgun Course of Fire for Personal Protection Specialist.*

1. Stage One: Shoot/don't shoot drill. Stage one of the ~~personal protection specialist~~ *advanced handgun* course of fire is conducted in a classroom using a 16 mm film or video cassette tape of firearms combat scenarios or in practical exercises on the range to assess the student's decision-making capability given job-related shoot/don't shoot incidents.

After the interaction of the scenario, the students must explain all their commands and actions.

Dry-fire response from a weapon rendered safe should be incorporated into the scenario interaction.

2. Stage Two: Turn-and-fire drill. Stage two of the ~~personal protection specialist~~ *advanced handgun* course of fire is held at a firing range and consists of turn-and-fire drills from varying distances (straight draw hip holsters only).

All handguns are loaded with six rounds of ammunition and safely holstered. Shooters are positioned with their backs to the targets, facing the instructor up-range. The instructor will command all shooters to walk at a normal pace, directly away from the target. Upon the command "fire," the students must quickly turn while acquiring a firm grip on the weapon. Once facing the target and in a stable position, they must safely draw and fire two rounds at the designated target circle. After shooting, while facing the target, the student must reholster safely, then turn around to face up range, ready to continue the exercise. The "fire" commands will be called at 3-5 yards, 5-7 yards, and then 8-10 yards.

3. Stage Three: Failure to stop drill. Stage three of the ~~personal protection specialist~~ *advanced handgun* course of fire is held at a firing range and consists of failure to stop drills fired from the seven-yard line (straight draw hip holsters only).

All handguns are loaded with six rounds of ammunition and are safely holstered. Shooters are positioned with their backs to the targets, facing the instructor up-range. The instructor will command all shooters to walk at a normal pace, directly away from the target. Upon the command

"fire," given at approximately the seven-yard line, each shooter must safely turn around while acquiring a firm grip on their weapon as performed in the previous drill. Once facing the target, the students will draw and fire two rounds at the 8-inch body circle, and then one immediate round to the 4-inch head circle. The student will then safely reholster. The drill will be repeated three times.

4. Stage Four: Multiple target identification drill. Stage four of the ~~personal protection specialist~~ *advanced handgun* course of fire is held at a firing range and consists of multiple target identification drills fired from varying distances (straight draw hip holsters only).

Each shooter will line up on a set of three targets. Only two shooters at one time can complete this exercise on a standard 10-12 station range. However, smaller ranges may allow for only one shooter at a time.

Each handgun is loaded with six rounds of ammunition and safely holstered. The shooters are positioned with their backs to the targets, facing the instructor up-range. The instructor will command all shooters to walk at a normal pace, directly away from the targets. Upon the command "left," "right," or "center," the student must again turn around safely while establishing a firm grip on the weapon. Then, once stable, the student must quickly draw and fire 2 rounds at the designated circle on the "called" target ("L," "R," "C"). Then, the shooter, while still facing the targets, must safely reholster, turn around to face up range, and continue the exercise. Each two-round pair must be fired within four seconds of the called command. Direction commands will be called at 3-5 yards, 5-7 yards, and then 8-10 yards.

5. Stage Five: Judgmental shooting. This drill combines the skills developed in the prior four stages. The shooter will be required to safely turn and fire at a "photograph" type target which may be either friendly or hostile. It requires hostile targets to be stopped using deadly force. Necessity (immediate jeopardy) is presumed for this exercise. This stage allows the instructor to evaluate the decision-making capability of the student as well as his shooting accuracy and safety.

Shooter is placed on the 10-yard line facing the instructor with the target to his rear. The target will be placed at any location along the range target line and should not be seen by the student until he is given the "turn" command during the drill. Each shooter has the opportunity to complete this drill four times. Each decision is worth one point. If he shoots at a hostile target, a hit anywhere on that target will score the point. If a friendly target is presented, it is clearly a no-shoot situation and the student should merely holster safely to score the point. There is a four-second time limit at this stage for any "shoot" situation.

The instructor will allow each shooter two opportunities to complete this drill and place two targets downrange for each. Four points or hits are still necessary at this stage for the total score. If two targets are used, then the time limit is raised to six seconds, regardless of whether two hostile targets are used or one hostile with one friendly.

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of Environmental Quality. This section also describes requirements for a system of recordkeeping to facilitate oversight and auditing of the fee system.

Summary of Public Comments and Agency's Response: A summary of comments made by the public and the agency's response may be obtained from the promulgating agency or viewed at the office of the Registrar of Regulations.

Agency Contact: Robert G. Wickline, Department of Environmental Quality, 629 East Main Street, Richmond, VA 23219, telephone (804) 698-4213, FAX (804) 698-4327 or e-mail rgwickline@deq.state.va.us.

PART II. STANDARDS FOR CONTAINERS.

9 VAC 20-170-70. Design, operation and maintenance of containers.

A. All transportation of solid waste or regulated medical waste on state waters shall be in containers meeting the specifications and standards specified in this section.

B. Each container must meet the following:

1. Each container shall be watertight and shall be designed, constructed, loaded, operated, secured and maintained so as to prevent the escape of wastes, liquids, and odors and to prevent the loss or spillage of wastes in the event of an accident.

2. Each container shall be stacked no higher on barges than allowable under federal law, and shall be secured to the barges to prevent accidents during transportation, loading and unloading.

3. Each container shall be completely enclosed, rigid, and constructed of nonpermeable material.

4. Each container shall meet all applicable U.S. Department of Transportation specifications.

5. [~~Construction and demolition debris~~] Waste [that is rocks, brick, cement block, uncontaminated dirt, broken concrete or road pavement and contains no paper, vegetative waste, wallboard or wood waste] may be contained in covered barges without other containerization and the barge itself shall be considered the container if the following requirements are met:

a. The barge shall fully comply with all other requirements of this section, 9 VAC 20-170-70, except subdivisions ~~C 1, C 2 and C 3~~ a D1, D2 and D3 a, and subsection ~~D E~~ of this section.

b. The waste shall be [~~only construction demolition debris waste and~~] free of municipal waste, sludge, hazardous waste, regulated medical waste, radiological waste, putrescible waste, ash, waste that gives off gases or objectionable odors, petroleum products, industrial chemicals, industrial waste, or any waste that causes a nuisance.

C. Each container shall be identified on a manifest in accordance with 9 VAC 20-170-100 and be accompanied by a current certificate from the owner of the container that it has

been tested and found to be watertight in accordance with the requirements of this part.

D. Each container shall be tested and certified by [~~the American Bureau of Shipping (ABS)~~ a delegated approval authority] to be in compliance with the requirements of this subsection. [~~The ABS~~ A delegated approval authority shall be an approval authority delegated by the U.S. Coast Guard in accordance with 49 CFR Parts 450 through 453 (defined in 49 CFR 450.3). Delegated approval authority] certification shall include, at least, the following items.

1. Each container shall be certified and bear a plate (CSC plate) showing certification of compliance with the International Convention for Safe Containers standards for ocean shipping containers ([~~December 2~~], 1972 [~~;~~ amended November 4, 1993 (CSC), 1996 Edition]).

2. Each container shall be certified as meeting the [~~ABS's~~ American Bureau of Shipping's] general specifications (see Section 6 of the Rules for Certification of Cargo Containers, 1987, American Bureau of Shipping), including weathertightness for general service. Each container shall have affixed to it in a visible and accessible location a decal including the ABS general service emblem, a notice and date of certification, and the names, addresses and telephone numbers of the person performing the test and the owner of the container.

3. [~~Once each six months,~~] Each container shall be certified as having passed the following test [when it is placed in service and at least once every six months thereafter while it remains in service]:

a. Each container shall have a minimum [internal] head of [~~water of~~] 24 inches [of water] applied for at least [~~fifteen~~ 15] minutes during which the container shall remain free from the penetration of water. All wastewater and contaminated water resulting from this test procedure shall be disposed of in compliance with the applicable regulations of the State Water Control Board.

b. Each container shall be visually inspected for damage on all sides, plus the top and bottom and must have no visible holes, gaps or structural damage [affecting its integrity or performance].

E. Each container shall have affixed to it in a visible and accessible location: (i) a decal including the ABS general service emblem, a notice and date of certification, and the name and address and telephone numbers of the person performing the test and the owner of the container, (ii) a CSC plate showing compliance with the International Convention for Safe Container Standards as prescribed in this section, (iii) [~~ABS~~ the delegated approval authority] certification for compliance with the provisions set forth in subsection D [of this section], including a notice and date of certification and the names, addresses and telephone numbers of the persons performing the task and the owner of the container.

F. Owners of all containers shall keep a record of testing of each container for, at least, the preceding three years and provide copies of [~~the log and certification to persons~~ those records to persons] who lease or handle the container. Such

records shall be available to the department for inspection at the receiving facility.

G. Notwithstanding the foregoing, during ~~[normal operation transportation, holding and storage operations]~~ or in the event of an accident, the (i) entry of liquids into a container; (ii) escape, loss or spillage of wastes or liquids from a container; or (iii) escape of odors from a container shall be a violation of this chapter.

PART V.
[OFF-LOADING MONTHLY] FEES COLLECTED BY
RECEIVING FACILITIES.

9 VAC 20-175-195. [Off-loading Monthly] fee requirements.

A. Purpose and application.

1. The purpose of this section is to establish schedules and procedures pertaining to the payment and collection of waste ~~[off-loading monthly]~~ fees from any owner or operator of any ship, barge or other vessel by the receiving facility.

2. The fees shall be based on the accurate weight of waste received at the receiving facility. If scales are unavailable, the maximum volumetric capacity of the container multiplied by 0.50 tons per cubic yard may be used as an alternative to accurate weighing of the waste. If the volumetric alternative is used, accurate and complete records of the volume of each container of such waste must be maintained in addition to the calculated weight records describe in this part.

3. If a ship, barge or other vessel that off-loads no more than 50 tons of waste per month in total at all facilities, then the owner or operator of the ship, barge, or other vessel is exempt from the assessment and payment of operating fees and related requirements set out in this section, except for the maintenance of records.

B. Payment, deposit and use of fees.

1. Due date. The owner or operator of the ship, barge, or other vessel shall pay, and the receiving facility shall collect, the correct fees for all waste off-loading at the facility at or before the time it is off-loaded. The owner or operator of the receiving facility shall be the responsible steward for the funds collected and shall forward to the department the total amounts due from all ships, barges or other vessels off-loading at the facility on a monthly basis. All payments for waste received at a facility during the month shall be received by the department no later than the fifteenth of the succeeding month.

2. Method of payment.

a. The owner or operator of the receiving facility shall send a payment transmittal letter to the Department of Environmental Quality regional office for the area in which the receiving facility is located. The letter shall contain the name of the facility, the period that the payment covers, and a summary of weights of wastes received at the facility for the period, including those calculated in accordance with subdivision A 2 of this section. Attached

to the letter shall be a log of the waste received showing the date; time of weighing or measurement; weight or volume and calculated weight of each container received; the name, address, and telephone number of the owner or operator of the ship, barge, or other vessel off-loading the container; the name, address and telephone number of the person actually weighing the waste container or verifying the volume; a certification of the accuracy of the scales based on a calibration, including the name, address and telephone number of the person certifying the accuracy of the scale. A facsimile of the check, draft, or money order submitted under subdivision B 2 b of this section shall also be attached. The owner or operator of the receiving facilities shall keep accurate accounts of all payments of ~~[off-loading monthly]~~ fees by ship, barge or vessel owners and make them available to the department for audit; however, he need not send this information with the aforementioned payment unless requested to do so by the department.

b. Fees shall be paid by check, draft or postal money order made payable to "Treasurer of Virginia/DEQ", and shall be sent to the Department of Environmental Quality, Receipts Control, P. O. Box 10150, Richmond, VA 23240. A copy of the transmittal letter required in subdivision B 2 a of this section, not to include the attachments, shall be included with the check.

c. Scales shall be accurate to measurements of plus or minus ~~[40 40]~~ pounds and shall be calibrated at least every ~~[30 180]~~ days. Scales for weighing containers must be located at the receiving facility, unless the ~~[off-loading monthly]~~ fee is determined by the maximum volumetric capacity of the container. Any failure to provide immediate access by Department of Environmental Quality personnel or agents to records or scale equipment during business hours shall be a violation of these regulations.

3. Late payment and incomplete payments. A late fee of 18.0% per annum, compounded daily, shall accrue immediately after a payment is due but not received by VDEQ. A facility shall be in arrears when a payment has not been received by the Department of Environmental Quality by the date it is due. ~~[A facility in arrears shall cease receiving waste immediately and shall not receive waste until notified by the Department of Environmental Quality that waste receiving operations may resume. All incomplete payments will be deemed nonpayments. In the event that a facility fails to submit the required monthly fee, the owner or operator of the facility will be considered to be operating an unpermitted facility and shall be required to either obtain a new permit by rule in accordance with 9 VAC 20-170-180 A or close the facility in accordance with Article 2 (9 VAC 20-170-120 et seq.) of Part III of this chapter.]~~

4. Fee schedules. The fee for each ton or partial ton of waste ~~[(the weight of the waste subject to the fee does not include the weight of the empty container itself)]~~ off-loaded at the facility shall be \$1.00.

~~[5. The fees collected shall be deposited into a separate account with the Virginia Waste Management Board Permit Program Fund and shall be treated as are other moneys in~~

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that fund except that they shall only be used for the purposes of Article 7.1 § 10.1-1454.1) of Chapter 14 of Title 10.1 of the Code of Virginia, and for funding purposes authorized by the article. Authorized funding purposes under the article include the administrative and enforcement costs associated with such operations including, but not limited to, the inspection and monitoring of such ships, barges or other vessels to ensure compliance with the article, and activities authorized by § 10.1-1454.1 to abate pollution caused by barging of waste, to improve water quality, or for other waste-related purposes.]

C. Right of entry, inspection and audit.

Upon presentation of appropriate credentials and upon the consent of the owner or custodian, the director of the Department of Environmental Quality or his designee, in addition to the routine inspection of the facility, shall have the right to enter, inspect and audit the records of the receiving facility. The owner or operator of the facility shall provide complete and timely access, during business hours, to all associated equipment, records and facility personnel.

DOCUMENTS INCORPORATED BY REFERENCE

Rules for [~~Certificate~~ Certification] of Cargo Containers, 1987, American Bureau of Shipping.

[International Convention for Safe Containers, 1972, 1996 Edition, International Maritime Organization.]

VA.R. Doc. No. R98-255; Filed September 30, 2003, 4:31 p.m.



TITLE 13. HOUSING

VIRGINIA HOUSING DEVELOPMENT AUTHORITY

REGISTRAR'S NOTICE: The Virginia Housing Development Authority is exempt from the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia) pursuant to § 2.2-4002 A 4; however, under the provisions of § 2.2-4031, it is required to publish all proposed and final regulations.

Title of Regulation: 13 VAC 10-40. Rules and Regulations for Single Family Mortgage Loans to Persons and Families of Low and Moderate Income (amending 13 VAC 10-40-120, 13 VAC 10-40-130, 13 VAC 10-40-160, 13 VAC 10-40-190, 13 VAC 10-40-210, and 13 VAC 10-40-230).

Statutory Authority: § 36-55.30:3 of the Code of Virginia.

Effective Date: September 25, 2003.

Agency Contact: J. Judson McKellar, Jr., General Counsel, Virginia Housing Development Authority, 601 S. Belvidere Street, Richmond, VA 23220, telephone (804) 343-5540, 1 (800) 968-7837, FAX (804) 783-6701, or e-mail judson.mckellar@vhda.com.

Summary:

The amendments (i) in the tax-exempt bond financed program, authorize the implementation of a new loan product that does not require mortgage insurance, subject

to the applicant or applicants satisfying more restrictive eligibility criteria; (ii) authorize the authority to permit substitution of properties and transfer of locked interest rates when the applicant or applicants can document that the need for such substitution or transfer is caused by circumstances beyond their control; (iii) authorize the authority to offer alternative pricing (e.g., fewer points in exchange for an increased interest rate) in the tax-exempt bond financed program; (iv) authorize the authority to create alternative financing terms for financing manufactured housing; (v) revise the eligibility requirements for a condominium to provide that a condominium must meet either Fannie Mae or Freddie Mac guidelines; and (vi) revise the regulations governing the flexible alternative program to (a) permit the refinance of VHDA loans, (b) provide a process for a streamlined refinance of VHDA loans, (c) provide for refinances in which the applicants receive limited cash out of the transaction, (d) in the case of acquisition loans, permit additional subordinate financing, and (e) provide that the home access program may be used to provide for improvements to provide for visitability by disabled individuals.

Summary of Public Comments and Agency's Response: No public comments were received by the promulgating agency.

REGISTRAR'S NOTICE: The proposed regulation was adopted as published in 19:25 VA.R. 3712-3720 August 25, 2003, without change. Therefore, pursuant to § 2.2-4031 A of the Code of Virginia, the text of the final regulation is not set out.

VA.R. Doc. No. R03-313; Filed September 25, 2003, 12:01 p.m.

GOVERNOR

EXECUTIVE ORDER NUMBER 56 (2003)

**DECLARATION OF A STATE OF EMERGENCY FOR
THE COMMONWEALTH OF VIRGINIA
DUE TO THE THREAT OF SIGNIFICANT FLOODING
AND WIND DAMAGE CAUSED BY
HURRICANE ISABEL**

On September 15, 2003, I verbally declared a state of emergency to exist for the entire Commonwealth of Virginia based on current forecasts that indicate that Hurricane Isabel could cause damaging high winds, flash flooding, and possible tornadoes throughout the state. The National Weather Service forecasts that Hurricane Isabel will follow a Northwest track through Eastern and Central Virginia during the next 72 hours resulting in the potential for significant rainfall causing river flooding and high wind damage in affected areas. In addition, Hurricane Isabel is expected to result in tidal flooding in southeastern Virginia and Central Chesapeake Bay and coastal areas.

The health and general welfare of the citizens of the Commonwealth required that state action be taken to help prepare for and alleviate the conditions which may result from this situation. I also found that the potential effects of Hurricane Isabel constituted a natural disaster wherein human life and public and private property were imperiled, as described in § 44-146.16 of the Code of Virginia.

Therefore, by virtue of the authority vested in me by § 44-146.17 of the Code of Virginia, as Governor and as Director of Emergency Management, and by virtue of the authority vested in me by Article V, Section 7 of the Constitution of Virginia and by § 44-75.1 of the Code of Virginia, as Governor and Commander-in-Chief of the armed forces of the Commonwealth, and subject always to my continuing and ultimate authority and responsibility to act in such matters, I hereby confirm, ratify, and memorialize in writing my verbal orders issued September 15, 2003, wherein I proclaimed that a state of emergency exists and directed that appropriate assistance be rendered by agencies of both state and local governments to prepare for potential impacts of the storm, to alleviate any conditions resulting from significant flooding, and to implement recovery and mitigation operations and activities so as to return impacted areas to pre-event conditions insofar as possible. Pursuant to § 44-75.1 A 3 and A 4 of the Code of Virginia, I also directed that the Virginia National Guard and the Virginia Defense Force be called forth to state duty to assist in providing such aid. This shall include Virginia National Guard assistance to the Virginia State Police to direct traffic, prevent looting, and perform such other law enforcement functions as the Superintendent of State Police, in consultation with the State Coordinator of Emergency Management, the Adjutant General, and the Secretary of Public Safety, may find necessary.

In order to marshal all public resources and appropriate preparedness, response and recovery measures to meet this potential threat and recover from its effects, and in accordance with my authority contained in § 44-146.17 of the

Emergency Services and Disaster Laws, I hereby order the following protective and restoration measures:

A. The full implementation by agencies of the state and local governments of Volume 1 (Basic Plan), Volume 5 (Hurricane Emergency Response Plan) and Volume 2 (Disaster Recovery Plan) of the Virginia Emergency Operations Plan, as amended, along with other appropriate state agency plans.

B. Full activation of the Virginia Emergency Operations Center (VEOC) and State Emergency Response Team (SERT). Furthermore, I am directing that the VEOC and SERT coordinate state operations in support of potential affected localities and the Commonwealth, to include issuing mission assignments to agencies designated in the Commonwealth of Virginia Emergency Operations Plan (COVEOP) and others that may be identified by the State Coordinator of Emergency Management, in consultation with the Secretary of Public Safety, which are needed to provide for the preservation of life, protection of property, and implementation of recovery activities.

C. The authorization to assume control over the Commonwealth's state-operated telecommunications systems, as required by the State Coordinator of Emergency Management, in coordination with the Virginia Information Technology Agency, and with the consultation of the Secretary of Public Safety, making all systems assets available for use in providing adequate communications, intelligence and warning capabilities for the event, pursuant to § 44-146.18 of the Code of Virginia.

D. The evacuation of areas threatened or stricken by flooding or other affects of the storm. Following a declaration of a local emergency pursuant to § 44-146.21 of the Code of Virginia, if a local governing body determines that evacuation is deemed necessary for the preservation of life or other emergency mitigation, response or recovery, pursuant to § 44-146.17 (1) of the Code of Virginia, I direct the evacuation of all or part of the populace therein from such areas and upon such timetable as the local governing body, in coordination with the Virginia Emergency Operations Center (VEOC), acting on behalf of the State Coordinator of Emergency Management, shall determine. Notwithstanding the foregoing, I reserve the right to direct and compel evacuation from the same and different areas and determine a different timetable both where local governing bodies have made such a determination and where local governing bodies have not made such a determination. Violations of any order to citizens to evacuate shall constitute a violation of this Executive Order and are punishable as a Class 1 misdemeanor.

E. The activation, implementation and coordination of appropriate mutual aid agreements and compacts, including the Emergency Management Assistance Compact, and the authorization of the State Coordinator of Emergency Management to enter into any other supplemental agreements, pursuant to §§ 44-146.17(5) and 44-146.28:1 of the Code of Virginia, to provide for the evacuation and reception of injured and other persons and the exchange of medical, fire, police, National Guard personnel and equipment, public utility, reconnaissance, welfare, transportation and communications personnel, and equipment

Governor

and supplies. The State Coordinator of Emergency Management is hereby designated as Virginia's authorized representative within the meaning of the Emergency Management Assistance Compact, § 44-146.28:1 of the Code of Virginia.

F. The authorization of the Departments of State Police, Transportation and Motor Vehicles to grant temporary overweight, overwidth, registration, or license exemptions to carriers transporting essential emergency relief supplies into and through the Commonwealth in order to support the disaster response and recovery.

The axle and gross weights shown below are the maximum allowed, unless otherwise posted.

<u>Axle Size</u>	<u>Max. Weight</u>
Any One Axle	24,000 Pounds
Tandem Axles (more than 40 inches but not more than 96 inches spacing between axle centers)	44,000 Pounds
Single Unit (2 Axles)	44,000 Pounds
Single Unit (3 Axles)	54,500 Pounds
Tractor-Semitrailer (4 Axles)	64,500 Pounds
Tractor-Semitrailer (5 or more Axles)	90,000 Pounds
Tractor-Twin Trailers (5 or more Axles)	90,000 Pounds
Other Combinations (5 or more Axles)	90,000 Pounds
Per Inch of Tire Width in Contact with Road Surface	850 Pounds

All overwidth loads, up to a maximum of 16 feet, must follow Virginia Department of Transportation (VDOT) hauling permit and safety guidelines.

In addition to described overweight/overwidth transportation privileges, carriers are also exempt from registration with the Department of Motor Vehicles. This includes the vehicles enroute and returning to their home base. The above-cited agencies shall communicate this information to all staff responsible for permit issuance and truck legalization enforcement.

This authorization shall apply to hours worked by any carrier when transporting passengers, property, equipment, food, fuel, construction materials and other critical supplies to or from any portion of the Commonwealth for purpose of providing relief or assistance as a result of this disaster, pursuant to § 52-8.4 A of the Code of Virginia.

The foregoing overweight/overwidth transportation privileges as well as the regulatory exemption provided by § 52-8.4 A of the Code of Virginia, and implemented in § 19 VAC 30-20-40 B of the "Motor Carrier Safety Regulations," shall remain in effect for 30 days from the onset of the disaster, or until emergency relief is no longer necessary, as determined by the Secretary of Public Safety in consultation with the Secretary of Transportation, whichever is earlier.

G. The discontinuance of provisions authorized in paragraph F above may be implemented and disseminated by publication of administrative notice to all affected and interested parties by the authority I hereby delegate to the Secretary of Public Safety, after consultation with other affected Cabinet-level Secretaries.

H. The authorization of appropriate oversight boards, commissions and agencies to ease building code restrictions, and to permit emergency demolition, hazardous waste disposal, debris removal, emergency landfill siting and operations and other activities necessary to address immediate health and safety needs without regard to time-consuming procedures or formalities and without regard to application or permit fees or royalties. This state of emergency constitutes a major medical emergency under the Rules and Regulations of the Board of Health Governing Emergency Medical Services, pursuant to Article 3.01 (§ 32.1-111.1 et seq.) of Chapter 4 of Title 32.1, of the Code of Virginia, Statewide Emergency Medical Services System and Services, and exemptions specified in the Rules and Regulations regarding patient transport and provider certification in disasters apply.

I. The authorization of a maximum of \$250,000 for matching funds for the Individuals and Household Program, authorized by The Stafford Act (when presidentially authorized), to be paid from state funds.

J. The implementation by public agencies under my supervision and control of their emergency assignments as directed in the COVEOP without regard to normal procedures pertaining to performance of public work, entering into contracts, incurring of obligations, or other logistical and support measures of the Emergency Services and Disaster Law, as provided in § 44-146.28 (b) of the Code of Virginia. Section 44-146.24 of the Code of Virginia also applies to the disaster activities of state agencies.

K. Designation of members and personnel of volunteer, auxiliary and reserve groups including search and rescue (SAR), Virginia Associations of Volunteer Rescue Squads (VAVRS), Civil Air Patrol (CAP), member organizations of the Voluntary Organizations Active in Disaster (VOAD), Radio Amateur Civil Emergency Services (RACES), volunteer fire fighters, and others identified and tasked by the State Coordinator of Emergency Management for specific disaster-related mission assignments as representatives of the Commonwealth engaged in emergency services activities within the meaning of the immunity provisions of § 44-146.23 (a) of the Code of Virginia, in the performance of their specific disaster-related mission assignments.

The following conditions apply to the deployment of the Virginia National Guard and the Virginia Defense Force:

1. The Adjutant General of Virginia, after consultation with the State Coordinator of Emergency Management, shall make available on state active duty such units and members of the Virginia National Guard and Virginia Defense Force and such equipment as may be necessary or desirable to assist in preparations and in alleviating the human suffering and damage to property.

2. Pursuant to § 52-6 of the Code of Virginia, I authorize and direct the Superintendent of State Police to appoint any and all such Virginia Army and Air National Guard personnel called to state active duty as additional police officers. These police officers shall have the same powers and perform the same duties as the regular State Police officers appointed by the Superintendent. However, they shall nevertheless remain members of the Virginia National Guard, subject to military command as members of the State Militia. Any bonds and/or insurance required by § 52-7 of the Code of Virginia shall be provided for them at the expense of the Commonwealth.

3. In all instances, members of the Virginia National Guard and Virginia Defense Force shall remain subject to military command as prescribed by § 44-78.1 of the Code of Virginia and not subject to the civilian authorities of county or municipal governments. This shall not be deemed to prohibit working in close cooperation with members of the Virginia Departments of State Police or Emergency Management or local law enforcement or emergency management authorities or receiving guidance from them in the performance of their duties.

4. Should service under this Executive Order result in the injury or death of any member of the Virginia National Guard, the following will be provided to the member and the member's dependents or survivors:

(a) Workers Compensation benefits provided to members of the National Guard by the Virginia Workers Compensation Act, subject to the requirements and limitations thereof; and, in addition,

(b) The same benefits, or their equivalent, for injury, disability and/or death, as would be provided by the federal government if the member were serving on federal active duty at the time of the injury or death. Any such federal-type benefits due to a member and his or her dependents or survivors during any calendar month shall be reduced by any payments due under the Virginia Workers Compensation Act during the same month. If and when the time period for payment of Workers Compensation benefits has elapsed, the member and his or her dependents or survivors shall thereafter receive full federal-type benefits for as long as they would have received such benefits if the member had been serving on federal active duty at the time of injury or death. Any federal-type benefits due shall be computed on the basis of military pay grade E-5 or the member's military grade at the time of injury or death, whichever produces the greater benefit amount. Pursuant to § 44-14 of the Code of Virginia, and subject to the availability of future appropriations which may be lawfully applied to this purpose, I now approve of future expenditures out of appropriations to the Department of Military Affairs for such federal-type benefits as being manifestly for the benefit of the military service.

5. The costs incurred by the Department of Military Affairs and the Virginia Defense Force in performing these missions shall be paid from state funds.

The following conditions apply to service by the Virginia Defense Force:

1. Compensation shall be at a daily rate that is equivalent of base pay only for a National Guard Unit Training Assembly, commensurate with the grade and years of service of the member, not to exceed 20 years of service;

2. Lodging and meals shall be provided by the Adjutant General or reimbursed at standard state per diem rates;

3. All privately owned equipment, including, but not limited to, vehicles, boats, and aircraft, will be reimbursed for expense of fuel. Damage or loss of said equipment will be reimbursed, minus reimbursement from personal insurance, if said equipment was authorized for use by the Adjutant General in accordance with § 44-54.12 of the Code of Virginia; and

4. In the event of death or injury, benefits shall be provided in accordance with the Virginia Workers Compensation Act, subject to the requirements and limitations thereof.

Upon my approval, the costs incurred by state agencies and other agents in performing mission assignments through the VEOC of the Commonwealth as defined herein and in § 44-146.28 of the Code of Virginia, other than costs defined in Item 5 of the paragraphs above pertaining to the Virginia National Guard and the Virginia Defense Force, in performing these missions shall be paid from state funds.

This Executive Order shall be effective September 15, 2003, and shall remain in full force and effect until June 30, 2004, unless sooner amended or rescinded by further executive order. Termination of the Executive Order is not intended to terminate any Federal-type benefits granted or to be granted due to injury or death as a result of service under this Executive Order.

Given under my hand and under the Seal of the Commonwealth of Virginia, this 16th day of September 2003.

/s/ Mark R. Warner
Governor

GENERAL NOTICES/ERRATA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Total Maximum Daily Load (TMDL) for South Mayo River

The Department of Environmental Quality (DEQ) seeks written and oral comments from interested persons on the development of a Total Maximum Daily Load (TMDL) for bacteria on an approximate 6.52-mile segment of the South Mayo River. The South Mayo River impaired segment is located in Patrick County. The impairment begins at the Russell Creek confluence and ends 6.52 miles downstream at the Spoon Creek confluence. South Mayo River is identified in Virginia's 303(d) TMDL Priority List and Report as impaired due to violations of the state's water quality standard for bacteria.

Section 303(d) of the Clean Water Act and § 62.1-44.19:7 C of the Code of Virginia require DEQ to develop TMDLs for pollutants responsible for each impaired water contained in Virginia's 303(d) TMDL Priority List and Report.

A public meeting on the development of the South Mayo River bacteria TMDL will be held on Wednesday, November 19, 2003, at 7 p.m. in the Community Room at the Patrick County Community Center located at 212 Johnson Street, in Stuart, Virginia.

The public comment period will begin on November 20, 2003, and end on December 20, 2003. A fact sheet on the development of the TMDL for bacteria on the South Mayo River is available upon request. Questions or information requests should be addressed to Jason Hill. Written comments should include the name, address, and telephone number of the person submitting the comments and should be sent to Jason Hill, Department of Environmental Quality, 3019 Peters Creek Road, Roanoke, VA 24019, telephone (540) 562-6724, FAX (540) 562-6860, or e-mail jrhill@deq.state.va.us.

Total Maximum Daily Load (TMDL) for an Unnamed Tributary of Hurricane Branch

The Department of Environmental Quality (DEQ) seeks written and oral comments from interested persons on the development of a Total Maximum Daily Load (TMDL) for an unnamed tributary of Hurricane Branch. The unnamed tributary of Hurricane Branch was listed on the 1998 303 (d) TMDL Priority List and Report as impaired due to violations of the state's water quality standard for the General Standard (Benthic). The unnamed tributary of Hurricane Branch stream segment is located in Nottoway County and flows near Blackstone, Virginia. The impaired segment is 1.12 miles in length, beginning upstream at the Blackstone Municipal Sewage Treatment Plant discharge and continuing downstream to the mouth of the unnamed tributary at its confluence with Hurricane Branch.

Section 303(d) of the Clean Water Act and § 62.1-44.19:7 C of the Code of Virginia require DEQ to develop TMDLs for pollutants responsible for each impaired water contained in Virginia's 303(d) TMDL Priority List and Report.

The first public meeting on the development of the Unnamed Tributary of Hurricane Branch TMDL will be held on Thursday, November 13, 2003, 7 p.m. in Council Chambers of the Blackstone Town Office located at 100 West Elm Street in Blackstone, Virginia.

The public comment period for this phase of the TMDL development will end on December 15, 2003. A fact sheet on the development of the Unnamed Tributary of Hurricane Branch Benthic TMDL is available upon request or can be viewed at the DEQ website at <http://www.deq.state.va.us/tmdl>. Questions or information requests should be addressed to Kelly Wills. Written comments should include the name, address, and telephone number of the person submitting the comments and should be sent to Kelly J. Wills, Department of Environmental Quality, 7705 Timberlake Road, Lynchburg, VA 24502, telephone (434) 582-5120, FAX (434) 582-5125, or e-mail kjwills@deq.state.va.us.

Total Maximum Daily Loads (TMDLs) for the Upper Appomattox River Basin

The Department of Environmental Quality (DEQ) and the Department of Conservation and Recreation (DCR) seek written and oral comments from interested persons on the development of Total Maximum Daily Loads (TMDLs) to address multiple impairments in the Upper Appomattox River Basin and its tributaries. The subject stream segments are identified in Virginia's 1998 303(d) TMDL Priority List and Report as impaired due to violations of the state's water quality standards for bacteria, dissolved oxygen and/or exceedance of nutrient. These impairments include: 40.85 miles on the Appomattox River; 5.5 miles on Spring Creek; 5.0 miles on Bush River; 1.54 miles on Sandy River; 7.35 miles on Little Sandy Creek; 4.98 miles on Marrowbone Creek; 9.94 miles on Briery Creek; 850 acres of Briery Lake; 3.82 miles on Horsepen Creek; 9.71 miles on Angola Creek and 9.08 miles on Saylers Creek. These impairments are located in Amelia, Appomattox, Buckingham, Cumberland, and Prince Edward Counties.

Section 303(d) of the Clean Water Act and § 62.1-44.19:7 C of the Code of Virginia require DEQ to develop TMDLs for pollutants responsible for each impaired water contained in Virginia's 303(d) TMDL Priority List and Report.

The second public meeting on the development of the Upper Appomattox River TMDL will be held on Thursday, November 4, 2003, 7 p.m. in the Crawley Forum at Hampden-Sydney College, located in Hampden-Sydney, Virginia. Directions to the school and a map of campus are located on the web at <http://www.hsc.edu/visitors/> and <http://www.hsc.edu/map/>.

The public comment period for this phase of the TMDL development will end on December 4, 2003. A fact sheet on the development of the Upper Appomattox River TMDL is available upon request or can be viewed at the DEQ website at <http://www.deq.state.va.us/tmdl>. Questions or information requests should be addressed to Kelly Wills. Written comments should include the name, address, and telephone number of the person submitting the comments and should be sent to Kelly J. Wills, Department of Environmental Quality,

7705 Timberlake Road, Lynchburg, VA 24502, telephone (434) 582-5120, FAX (434) 582-5125, or e-mail kjwills@deq.state.va.us.

STATE WATER CONTROL BOARD

Proposed Consent Special Order Aquasource Utility, Inc. and Lake Monticello Service Company, STP

The State Water Control Board proposes to enter into a consent special order with Lake Monticello Service Company (Lake Monticello) to resolve violations of the State Water Control Law and regulations at Lake Monticello sewage treatment plant in Fluvanna County. The facility discharges treated wastewater to the Rivanna River in the Middle James River basin.

Lake Monticello has experienced effluent limitation violations and numerous unpermitted discharges of partially treated or untreated sewage from the collection system resulting from excessive inflow and infiltration into the system since November 2002.

The proposed consent special order settles the outstanding notices of violation and incorporates a schedule of compliance to correct an inflow and infiltration problem in the collection system and upgrade and expand the sewage treatment plant. The order also assesses a civil charge for the violations.

The board will receive written comments relating to the proposed consent special order for 30 days from the date of publication of this notice. Comments should be addressed to Steven W. Hetrick, Department of Environmental Quality, Post Office Box 3000, Harrisonburg, Virginia 22801, and should refer to the consent special order. Comments may also be submitted via electronic mail to swhetrick@deq.state.va.us. In order to be considered, electronic comments must be received prior to the close of the comment period and must include the name, address, and telephone number of the person making the comment.

The proposed order may be examined at the Department of Environmental Quality, Valley Regional Office, 4411 Early Road, Harrisonburg, VA 22801. A copy of the order may be obtained in person or by mail from this office.

Proposed Consent Special Order Glenn M. Koogler

The State Water Control Board proposes to enter into a consent special order with Glenn M. Koogler to resolve violations of the State Water Control Law and regulations at the Koogler sewage treatment plant in Rockbridge County, Virginia. The facility discharges to Moores Creek in the Upper James River basin.

Since February 2000 the facility has experienced periods of difficulty complying with the permit's effluent limitations for ammonia.

The proposed consent special order settles outstanding notices of violation and incorporates a schedule of compliance

to either connect to a county sewage collection system or upgrade the plant to ensure consistent compliance with all the permit requirements. The order also assesses a civil charge for the violations.

The board will receive written comments relating to the proposed consent special order for 30 days from the date of publication of this notice. Comments should be addressed to Steven W. Hetrick, Department of Environmental Quality, Post Office Box 3000, Harrisonburg, Virginia 22801, and should refer to the Consent Special Order. Comments may also be submitted via electronic mail to swhetrick@deq.state.va.us. In order to be considered, electronic comments must be received prior to the close of the comment period and must include the name, address, and telephone number of the person making the comment.

The proposed order may be examined at the Department of Environmental Quality, Valley Regional Office, 4411 Early Road, Harrisonburg, VA 22801. A copy of the order may be obtained in person or by mail from this office.

Proposed Consent Special Order Pilgrim's Pride, Inc., WWTP

The State Water Control Board proposes to enter into a consent special order with Pilgrim's Pride, Inc. to resolve violations of the State Water Control Law and regulations at the Pilgrim's Pride, Inc. - Hinton wastewater treatment plant in Rockingham County. The facility discharges treated wastewater to Muddy Creek in the Shenandoah River subbasin, Potomac River basin.

Pilgrim's Pride, Inc. has experienced ammonia, BOD and TRC effluent limitation violations since November 2002. The company recently completed plant upgrades to address the problems.

The proposed consent special order settles the outstanding notices of violation and incorporates a schedule of compliance to monitor plant performance and to address further problems within the monitoring period. The order also assesses a civil charge for the violations.

The board will receive written comments relating to the proposed consent special order for 30 days from the date of publication of this notice. Comments should be addressed to Steven W. Hetrick, Department of Environmental Quality, Post Office Box 3000, Harrisonburg, Virginia 22801, and should refer to the Consent Special Order. Comments may also be submitted via electronic mail to swhetrick@deq.state.va.us. In order to be considered, electronic comments must be received prior to the close of the comment period and must include the name, address, and telephone number of the person making the comment.

The proposed order may be examined at the Department of Environmental Quality, Valley Regional Office, 4411 Early Road, Harrisonburg, VA 22801. A copy of the order may be obtained in person or by mail from this office.

General Notices/Errata

Consent Special Order Royal Mobile Homes, Inc.

The Department of Environmental Quality, on behalf of the State Water Control Board, and Royal Mobile Homes, Inc. have agreed to a consent special order in settlement of a civil enforcement action under the Virginia State Water Control Law permit regulation 9 VAC 25-31 regarding the wastewater treatment plant at Evergreen Mobile Home Park in Campbell County, Virginia. The department will consider written comments relating to this order for 30 days, until 5 p.m. on November 20, 2003. Comments must include the name, address, and telephone number of the commenter and can be e-mailed to hfwaggoner@deq.state.va.us or mailed to Harry F. Waggoner, DEQ, South Central Regional Office, 7705 Timberlake Road, Lynchburg, VA 24502.

The order is available at www.deq.state.va.us/enforcement/notices.html and at the above office during regular business hours. You may request copies from Mr. Waggoner by calling him at (434) 582-5120.

Consent Special Order S&S Construction, LLC

The State Water Control Board (SWCB) proposes to issue a consent special order to S&S Construction, LLC, regarding settlement of a civil enforcement action related to compliance with the State Storm Water Program. On behalf of the SWCB, the department will consider written comments relating to this settlement for 30 days after the date of publication of this notice. Comments should be addressed to Steven B. Wright, Department of Environmental Quality, West Central Regional Office, 3019 Peters Creek Road, NW, Roanoke, VA 24019.

The consent special order may be examined at the department during regular business hours. Copies are available from Mr. Wright at the address above or by calling him at (540) 562-6792.

STATE WATER CONTROL BOARD

Settlement Action Town of Bluefield - Westside Sewage Treatment Plant

The State Water Control Board proposes to settle violations of a consent decree entered in 1985 for the Bluefield Westside Sewage Treatment Plant. The violations were of court ordered requirements to meet permit effluent limits. The violations were resolved by a 1995 Federal Consent Order requiring the correction of design defects at the sewage treatment plant and the payment of a \$25,000 civil charge.

On behalf of the State Water Control Board, the Department of Environmental Quality will receive comments relating to the settlement action for 30 days after the date of publication of this notice. Comments should be addressed to Dallas Sizemore, Department of Environmental Quality, Southwest Regional Office, P.O. Box 1688, Abingdon, Virginia 24212, and should refer to the proposed settlement action. Comments can also be sent by e-mail to

drsizemore@deq.state.va.us. Comments must include the name, address and phone number of the person making the comment and must be received before the end of the comment period.

The 1995 Federal Consent Order may be examined at the Department of Environmental Quality, 355 Deadmore Street, Abingdon, Virginia. A copy of the order may be obtained in person or by mail from the above office.

VIRGINIA CODE COMMISSION

Notice to State Agencies

Mailing Address: Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219, FAX (804) 692-0625.

Forms for Filing Material for Publication in *The Virginia Register of Regulations*

All agencies are required to use the appropriate forms when furnishing material for publication in the Virginia Register of Regulations. The forms may be obtained from: Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591.

Internet: Forms and other Virginia Register resources may be printed or downloaded from the Virginia Register web page: <http://register.state.va.us>

FORMS:

NOTICE of INTENDED REGULATORY ACTION-RR01
NOTICE of COMMENT PERIOD-RR02
PROPOSED (Transmittal Sheet)-RR03
FINAL (Transmittal Sheet)-RR04
EMERGENCY (Transmittal Sheet)-RR05
NOTICE of MEETING-RR06
AGENCY RESPONSE TO LEGISLATIVE OBJECTIONS-RR08
PETITION FOR RULEMAKING-RR13

CALENDAR OF EVENTS

Symbol Key

† Indicates entries since last publication of the *Virginia Register*

♿ Location accessible to persons with disabilities

☎ Teletype (TTY)/Voice Designation

NOTICE

Only those meetings which are filed with the Registrar of Regulations by the filing deadline noted at the beginning of this publication are listed. Since some meetings are called on short notice, please be aware that this listing of meetings may be incomplete. Also, all meetings are subject to cancellation and the *Virginia Register* deadline may preclude a notice of such cancellation. If you are unable to find a meeting notice for an organization in which you are interested, please check the Commonwealth Calendar at www.vipnet.org or contact the organization directly.

For additional information on open meetings and public hearings held by the standing committees of the legislature during the interim, please call Legislative Information at (804) 698-1500 or Senate Information and Constituent Services at (804) 698-7410 or (804) 698-7419/TTY☎, or visit the General Assembly web site's Legislative Information System (<http://leg1.state.va.us/lis.htm>) and select "Meetings."

VIRGINIA CODE COMMISSION

EXECUTIVE

BOARD OF ACCOUNTANCY

October 31, 2003 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Accountancy intends to repeal regulations entitled **18 VAC 5-30, Continuing Professional Education Sponsor Registration Rules and Regulations**. The purpose of the proposed action is to repeal the existing regulations because the board deemed them no longer necessary to fulfill their statutory mandate, as well as being repetitious and unnecessarily burdensome on continuing professional education sponsors in the Commonwealth in light of programs on the national level.

Statutory Authority: §§ 54.1-4403 and 54.1-4410 of the Code of Virginia.

Contact: Nancy Taylor Feldman, Executive Director, Board of Accountancy, 3600 W. Broad St., Suite 696, Richmond Virginia 23230, telephone (804) 367-8505, FAX (804) 367-2174, (804) 367-9753/TTY☎, e-mail boa@boa.state.va.us.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Consumer Affairs Advisory Committee

† **November 5, 2003 - 9 a.m.** -- Open Meeting
Department of Agriculture and Consumer Services, Washington Building, 1100 Bank Street, 2nd Floor, Board Room, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

The advisory committee communicates the views and interests of Virginians on issues related to the Department of Agriculture and Consumer Services' consumer education and fraud prevention programs and their availability to citizens. Members will review the consumer education

outreach efforts for the past six months and assist with planning for events in the remainder of 2003. The committee will also make nominations from the floor to elect a chairperson for 2004. The committee will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact Evelyn A. Jez at least five days before the meeting date so that suitable arrangements can be made.

Contact: Evelyn A. Jez, Consumer Affairs Specialist, Department of Agriculture and Consumer Services, 1100 Bank St., Room, Suite 1101, Richmond, VA, telephone (804) 786-1308, FAX (804) 786-5112, toll-free (800) 552-9963, (800) 828-1120/TTY☎, e-mail ejez@vdacs.state.va.us.

ALCOHOLIC BEVERAGE CONTROL BOARD

October 27, 2003 - 9 a.m. -- Open Meeting
November 10, 2003 - 9 a.m. -- Open Meeting
November 24, 2003 - 9 a.m. -- Open Meeting
December 8, 2003 - 9 a.m. -- Open Meeting
December 22, 2003 - 9 a.m. -- Open Meeting
Department of Alcoholic Beverage Control, 2901 Hermitage Road, Richmond, Virginia ♿

A meeting to receive and discuss reports and activities from staff members. Other matters are not yet determined.

Contact: W. Curtis Coleburn, III, Secretary to the Board, Alcoholic Beverage Control Board, P.O. Box 27491, Richmond, VA 23261, telephone (804) 213-4409, FAX (804) 213-4442, e-mail wccolen@abc.state.va.us.

ALZHEIMER'S DISEASE AND RELATED DISORDERS COMMISSION

December 3, 2003 - 10 a.m. -- Open Meeting
Department for the Aging, 1600 Forest Avenue, Richmond, Virginia ♿ (Interpreter for the deaf provided upon request)

A regular meeting.

Calendar of Events

Contact: Janet L. Honeycutt, Director of Grant Operations, Alzheimer's Disease and Related Disorders Commission, 1600 Forest Ave., Suite 102, Richmond, VA, telephone (804) 662-9333, FAX (804) 662-9354, toll-free (800) 554-3402, (804) 662-9333/TTY ☎, e-mail jlhoneycutt@vdh.state.va.us.

BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS AND LANDSCAPE ARCHITECTS

† **November 4, 2003 - 9 a.m.** -- Open Meeting
Department of Professional and Occupational Regulations, 3600 West Broad Street, Richmond, Virginia ♿ (Interpreter for the deaf provided upon request)

A meeting of the Professional Engineers Section to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least 10 days prior to this meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Executive Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail APELSCIDLA@dpor.state.va.us.

† **November 10, 2003 - 9 a.m.** -- Open Meeting
Department of Professional and Occupational Regulations, 3600 West Broad Street, Richmond, Virginia ♿ (Interpreter for the deaf provided upon request)

A meeting of the Landscape Architects Section to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least 10 days prior to this meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Executive Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail APELSCIDLA@dpor.state.va.us.

† **November 12, 2003 - 9 a.m.** -- Open Meeting
Department of Professional and Occupational Regulations, 3600 West Broad Street, Richmond, Virginia ♿ (Interpreter for the deaf provided upon request)

A meeting of the Land Surveyors Section to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Persons desiring to participate in the meeting and

requiring special accommodations or interpreter services should contact the department at least 10 days prior to this meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Executive Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail APELSCIDLA@dpor.state.va.us.

† **November 13, 2003 - 9 a.m.** -- Open Meeting
Department of Professional and Occupational Regulations, 3600 West Broad Street, Richmond, Virginia ♿ (Interpreter for the deaf provided upon request)

A meeting of the Certified Interior Designers Section to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least 10 days prior to this meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Executive Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail APELSCIDLA@dpor.state.va.us.

ART AND ARCHITECTURAL REVIEW BOARD

November 7, 2003 - 10 a.m. -- Open Meeting
December 5, 2003 - 10 a.m. -- Open Meeting
Science Museum of Virginia, 2500 West Broad Street, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A monthly meeting to review projects submitted by state agencies. AARB submittal forms and submittal instructions can be downloaded by visiting the DGS forms center at www.dgs.state.va.us. Request Submittal Form # DGS-30-905 or Submittal Instructions form # DGS-30-906.

Contact: Richard L. Ford, AIA, Chairman, Art and Architectural Review Board, 1011 E. Main Street, Room 221, Richmond, VA 23219, telephone (804) 643-1977, FAX (804) 643-1981, (804) 786-6152/TTY ☎, e-mail rlfiaia@aol.com.

VIRGINIA BOARD FOR ASBESTOS, LEAD, AND HOME INSPECTORS

November 4, 2003 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia ♿

A meeting to conduct board business.

Contact: David Dick, Executive Director, Virginia Board for Asbestos, Lead, and Home Inspectors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8507, FAX (804) 367-6128, (804) 367-9753/TTY ☎, e-mail asbestos@dpor.state.va.us.

COMPREHENSIVE SERVICES FOR AT-RISK YOUTH AND FAMILIES

State Executive Council

October 29, 2003 - 9 a.m. -- Open Meeting
November 26, 2003 - 9 a.m. -- Open Meeting
December 31, 2003 - 9 a.m. -- Open Meeting
Department of Social Services, 730 East Broad Street, Lower Level Room 3, Richmond, Virginia ☎

A monthly council meeting. For traveling directions, please call (804) 692-1100.

Contact: Alan G. Saunders, Director, Office of Comprehensive Services, 1604 Santa Rosa Rd., Richmond, VA 23229, telephone (804) 662-9815, FAX (804) 662-9831, e-mail ags992@central.dss.state.va.us.

BOARD OF AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY

November 6, 2003 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia ☎ (Interpreter for the deaf provided upon request)

A quarterly business meeting to include regulatory and disciplinary matters as may be presented on the agenda. Public comment will be received at the beginning of the meeting.

Contact: Elizabeth Young, Executive Director, Board of Audiology and Speech-Language Pathology, Alcoa Building, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9111, FAX (804) 662-9523, (804) 662-7197/TTY ☎, e-mail elizabeth.young@dhp.state.va.us.

VIRGINIA AVIATION BOARD

† **October 21, 2003 - 3 p.m.** -- Open Meeting
† **October 22, 2003 - 9 a.m.** -- Open Meeting
Ivor Massey Building, Richmond International Airport, Richmond, Virginia ☎

A regular bimonthly meeting. Applications for state funding will be presented to the board and other matters of interest to the Virginia aviation community will be discussed. Individual with disabilities should contact Carolyn Toth at least 10 days prior to meeting if assistance is needed.

Contact: Carolyn Toth, Administrative Assistant, Virginia Aviation Board, 5702 Gulfstream Rd., Richmond, VA 23250, telephone (804) 236-3637, FAX (804) 236-3635, toll-free (800) 292-1034, (804) 236-3624/TTY ☎, e-mail toth@doav.state.va.us.

† **October 21, 2003 - 6 p.m.** -- Open Meeting
The Twenty Three Hundred Club, 2218 East Grace Street, Richmond, Virginia ☎

A continuation of the bimonthly workshop meeting to discuss matters of interest to the Virginia aviation community. Individual with disabilities should contact Carolyn Toth at least 10 days prior to meeting if assistance is needed.

Contact: Carolyn Toth, Administrative Assistant, Virginia Aviation Board, 5702 Gulfstream Rd., Richmond, VA 23250, telephone (804) 236-3637, FAX (804) 236-3635, toll-free (800) 292-1034, (804) 323-3624/TTY ☎, e-mail toth@doav.state.va.us.

BOARD FOR BARBERS AND COSMETOLOGY

October 24, 2003 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board for Barbers and Cosmetology intends to adopt regulations entitled **18 VAC 41-40, Wax Technician Regulations**. The purpose of the proposed action is to promulgate regulations governing the licensure and practice of wax technicians under the Board for Barbers and Cosmetology as directed by Chapter 797 of 2002 Acts of the Assembly.

Statutory Authority: § 54.1-201 of the Code of Virginia.

Contact: William H. Ferguson, II, Executive Director, Board for Barbers and Cosmetology, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-6295, (804) 367-9753/TTY ☎, e-mail barbercosmo@dpor.state.va.us.

October 27, 2003 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Room 453, Richmond, Virginia. ☎

A meeting to conduct an informal fact-finding conference.

Contact: William H. Ferguson, II, Assistant Director, Board for Barbers and Cosmetology, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8575, FAX (804) 367-2474, (804) 367-9753/TTY ☎, e-mail barbercosmo@dpor.state.va.us.

DEPARTMENT FOR THE BLIND AND VISION IMPAIRED

October 28, 2003 - 6:30 p.m. -- Open Meeting
Department for the Blind and Vision Impaired, 401 Azalea Avenue, Richmond, Virginia ☎ (Interpreter for the deaf provided upon request)

October 31, 2003 - 4:30 p.m. -- Open Meeting
Holiday Inn - Fair Oaks, 11787 Lee Jackson Memorial Highway, Fairfax, Virginia ☎ (Interpreter for the deaf provided upon request)

Calendar of Events

A meeting to obtain input from blind and visually impaired consumers, vendors of services, and other interested parties regarding vocational rehabilitation services (VR) provided by the Department of the Blind and Vision Impaired. All comments will be considered when the state plan is amended for FY 2004 as required by the Rehabilitation Services Administration. Public input is also considered when developing agency policies and operational procedures for the VR program.

Contact: James G. Taylor, Chief Deputy Commissioner, Department for the Blind and Vision Impaired, 397 Azalea Ave., Richmond VA 23227, telephone (804) 371-3111, FAX (804) 371-3390, toll-free (800) 622-2155, (804) 371-3140/TTY ☎, e-mail taylorjg@dbvi.state.va.us.

BOARD FOR BRANCH PILOTS

† **November 3, 2003 - 8:30 a.m.** -- Open Meeting
Virginia Pilot Association, 3329 Shore Drive, Virginia Beach, Virginia ☎

A meeting to conduct examinations. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Executive Director, Board for Branch Pilots, 3600 W. Broad St. Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail branchpilots@dpor.state.va.us.

† **November 3, 2003 - 10 a.m.** -- Open Meeting
Virginia Port Authority, 600 World Trade Center, Board Room, Norfolk, Virginia ☎

A meeting to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at least 10 days prior to this meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Executive Director, Board for Branch Pilots, 3600 W. Broad St. Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail branchpilots@dpor.state.va.us.

CEMETERY BOARD

November 5, 2003 - 9 a.m. -- CANCELED
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.

A meeting to conduct board business has been canceled.

Contact: Karen W. O'Neal, Regulatory Programs Coordinator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230,

telephone (804) 367-8537, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail oneal@dpor.state.va.us.

CHESAPEAKE BAY LOCAL ASSISTANCE BOARD

October 28, 2003 - 10 a.m. -- Open Meeting
Chesapeake Bay Local Assistance Department, James Monroe Building, 101 North 14th Street, 17th Floor, Conference Room, Richmond, Virginia ☎ (Interpreter for the deaf provided upon request)

A meeting of the Northern Area Review Committee to conduct general business, including a review of local Chesapeake Bay Preservation Area programs.

Contact: Carolyn J. Elliott, Administrative Assistant, Chesapeake Bay Local Assistance Board, James Monroe Bldg., 101 N. 14th St., 17th Floor, Richmond, VA 23219, telephone (804) 371-7505, FAX (804) 225-3447, toll-free (800) 243-7229, (800) 243-7229/TTY ☎, e-mail celliott@cblad.state.va.us.

October 28, 2003 - 2 p.m. -- Open Meeting
Chesapeake Bay Local Assistance Department, James Monroe Building, 101 North 14th Street, 17th Floor, Conference Room, Richmond, Virginia ☎ (Interpreter for the deaf provided upon request)

A meeting of the Southern Area Review Committee to conduct general business, including a review of local Chesapeake Bay Preservation Area programs.

Contact: Carolyn J. Elliott, Administrative Assistant, Chesapeake Bay Local Assistance Board, James Monroe Bldg., 101 N. 14th St., 17th Floor, Richmond, VA 23219, telephone (804) 371-7505, FAX (804) 225-3447, toll-free (800) 243-7229, (800) 243-7229/TTY ☎, e-mail celliott@cblad.state.va.us.

STATE CHILD FATALITY REVIEW TEAM

November 14, 2003 - 10 a.m. -- Open Meeting
Office of the Chief Medical Examiner, 400 East Jackson Street, Richmond, Virginia ☎

The business portion of the State Child Fatality Review Team meeting, from 10 a.m. to 10:30 a.m., is open to the public. At the conclusion of the open meeting, the team will go into closed session for confidential case review.

Contact: Virginia Powell, Coordinator, State Child Fatality Review Team, 400 East Jackson St., Richmond, VA 23219, telephone (804) 786-6047, FAX (804) 371-8595, toll-free (800) 447-1708, e-mail vpowell@vdh.state.va.us.


COMPENSATION BOARD

† **October 21, 2003 - 11 a.m.** -- Open Meeting
Compensation Board, 202 North 9th Street, 10th Floor, Richmond, Virginia ☎

A monthly board meeting.

Contact: Cindy P. Waddell, Administrative Assistant, Compensation Board, P.O. Box 710, Richmond, VA 23218, telephone (804) 786-0786, FAX (804) 371-0235, e-mail cwaddell@scb.state.va.us.


BOARD OF CONSERVATION AND RECREATION

† **October 23, 2003 - 10 a.m.** -- Open Meeting
Pocahontas State Park, Ecology Camp Dining Hall, Chesterfield, Virginia 

The first organizational meeting of the newly structured Board of Conservation and Recreation.

Contact: Leon E. App, Acting Deputy Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-6124, FAX (804) 786-6141, e-mail leonapp@dcr.state.va.us.


DEPARTMENT OF CONSERVATION AND RECREATION

† **November 6, 2003 - 1 p.m.** -- Open Meeting
Office of Senator Frederick Quayle, 3808 Poplar Hill Road, Suite E, Chesapeake, Virginia 

A meeting of the Executive Ad Hoc Committee to continue discussion of the Chippokes merger plan.

Contact: Leon E. App, Acting Deputy Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-6124, FAX (804) 786-6141, e-mail leonapp@dcr.state.va.us.

State Scenic River Advisory Board

† **November 13, 2003 - 10 a.m.** -- Open Meeting
Pocahontas State Park, Ecology Camp Dining Hall, Chesterfield, Virginia 

The first organizational meeting of the new State Scenic River Advisory Board.

Contact: Leon E. App, Acting Deputy Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-6124, FAX (804) 786-6141, e-mail leonapp@dcr.state.va.us.


Goose Creek Scenic River Advisory Board

† **November 18, 2003 - 1 p.m.** -- Open Meeting
Loudoun Parks and Recreation Office, Mickie Gordon Room, Leesburg, VA.

A regular business meeting of the Goose Creek Scenic River Advisory Board.

Contact: Leon E. App, Acting Deputy Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-6124, FAX (804) 786-6141, e-mail leonapp@dcr.state.va.us.

BOARD FOR CONTRACTORS

November 19, 2003 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia 

A regular meeting to address policy and procedural issues, review and render decisions on applications for contractors' licenses, and review and render case decisions on matured complaints against licensees. The meeting is open to the public; however, a portion of the board's business may be conducted in closed session.

Contact: Eric L. Olson, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-2474, (804) 367-9753/TTY , e-mail contractors@dpor.state.va.us.


October 21, 2003 - 9 a.m. -- Open Meeting

October 29, 2003 - 1:30 p.m. -- Open Meeting

November 4, 2003 - 9 a.m. -- Open Meeting

December 2, 2003 - 9 a.m. -- Open Meeting

December 9, 2003 - 9 a.m. -- Open Meeting


Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia  (Interpreter for the deaf provided upon request)

Informal fact-finding conferences. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at (804) 367-0946 at least 10 days prior to the meeting so that suitable arrangements can be made for appropriate accommodations. The department fully complies with the Americans with Disabilities Act.


Contact: Sharon Martin, Legal Assistant, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8582, FAX (804) 367-0194, (804) 367-9753/TTY , e-mail martin@dpor.state.va.us.

October 28, 2003 - 9 a.m. -- Open Meeting

October 29, 2003 - 1:30 p.m. -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia  (Interpreter for the deaf provided upon request)

Informal fact-finding conferences for the Contractor Recovery Fund. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at 804-367-0946 at least 10 days prior to this meeting so that suitable arrangements can be made for appropriate accommodations. The department fully complies with the Americans with Disabilities Act.

Contact: Sharon Martin, Legal Assistant, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8562, FAX (804) 367-0194, (804) 367-9753/TTY , e-mail martin@dpor.state.va.us.

Calendar of Events

October 29, 2003 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia ☎

A regular meeting of the Tradesman/Education Committee to consider items of interest relating to the tradesmen, backflow workers, education and other appropriate matters relating to tradesmen and the Board for Contractors.

Contact: Eric L. Olson, Assistant Director, Board for Contractors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-2474, (804) 367-9753/TTY ☎, e-mail contractors@dpor.state.va.us.

BOARD OF CORRECTIONS

† **November 18, 2003 - 10 a.m.** -- Open Meeting
Department of Corrections, 6900 Atmore Drive, Board Room,
Richmond, Virginia ☎

A meeting of the Liaison Committee to discuss correctional matters that may be presented to the board.

Contact: Barbara Woodhouse, Administrative Staff Assistant, Board of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3124, FAX (804) 674-3509, e-mail woodhousebl@vadoc.state.va.us.

† **November 18, 2003 - 1 p.m.** -- Open Meeting
Department of Corrections, 6900 Atmore Drive, Board Room,
Richmond, Virginia ☎

A meeting of the Correctional Services/Policy and Regulations Committee to discuss correctional matters to be presented to the board.

Contact: Barbara Woodhouse, Administrative Staff Assistant, Board of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3124, FAX (804) 674-3509, e-mail woodhousebl@vadoc.state.va.us.

† **November 19, 2003 - 9:30 a.m.** -- Open Meeting
Department of Corrections, 6900 Atmore Drive, Room 3065,
Richmond, Virginia ☎

A meeting of the Administration Committee to discuss correctional matters to be presented to the board.

Contact: Barbara Woodhouse, Administrative Staff Assistant, Board of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3124, FAX (804) 674-3509, e-mail woodhousebl@vadoc.state.va.us.

† **November 19, 2003 - 10 a.m.** -- Open Meeting
Department of Corrections, 6900 Atmore Drive, Board Room,
Richmond, Virginia ☎

A meeting to review and discuss all matters considered by board committees and require presentation to and action by the board.

Contact: Barbara Woodhouse, Administrative Staff Assistant, Board of Corrections, 6900 Atmore Drive Richmond, VA 23225, telephone (804) 674-3124, FAX (804) 674-3509, e-mail woodhousebl@vadoc.state.va.us.

BOARD OF COUNSELING

October 24, 2003 - 10 a.m. -- Open Meeting
Department of Health Professions, ALCOA Building, 6603
West Broad Street, 5th Floor, Conference Room 4, Richmond,
Virginia 23116. ☎

A meeting of the Regulatory Standards Subcommittee to discuss possible Standards of Practice regulatory changes to current regulations.

Contact: Benjamin Foster, Deputy Executive Director, Board of Counseling, Alcoa Bldg., 6603 W. Broad St., 6th Floor, Richmond, VA 23230-1712, telephone (804) 662-9575, FAX (804) 662-7250, (804) 662-7197/TTY ☎, e-mail Benjamin.foster@dhp.state.va.us.

† **November 14, 2003 - 10 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Richmond, Virginia ☎

Informal conferences will be held pursuant to § 2.2-4019 of the Code of Virginia. The committee will meet in open and closed sessions.

Contact: Evelyn B. Brown, Executive Director, Board of Counseling, 6603 W. Broad St., 6th Floor, Richmond, VA 23230, telephone (804) 662-9912, FAX (804) 662-7250, (804) 662-7197/TTY ☎, e-mail coun@dhp.state.va.us.

November 21, 2003 - 10 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Richmond, Virginia ☎

A business meeting to include reports from standing committees and any other disciplinary or regulatory matters as may be presented on the agenda. Public comment will be received at the beginning of the meeting.

Contact: Evelyn B. Brown, Executive Director, Board of Counseling, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9912, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail evelyn.brown@dhp.state.va.us.

CRIMINAL JUSTICE SERVICES BOARD

December 11, 2003 - 9 a.m. -- Public Hearing
General Assembly Building, 9th and Broad Streets, House
Room D, Richmond, Virginia ☎

The Committee on Training will hold a public hearing on Regulations for the Implementation of the Law Permitting DNA Analysis Upon Arrest for All Violent Felonies and Certain Burglaries.

Contact: Judith Kirkendall, Regulatory Coordinator, Department of Criminal Justice Services, Eighth Street Office Bldg., 805 E. Broad St., 10th Floor, Richmond, VA 23219, telephone (804) 786-8003, FAX (804) 786-0410, e-mail jkirkendall@dcjs.state.va.us.

DEPARTMENT FOR THE DEAF AND HARD-OF-HEARING

† **November 6, 2003 - 9:30 a.m.** -- Open Meeting
Department for the Deaf and Hard-of-Hearing, 1602 Rolling Hills Drive, 2nd Floor, Conference Room, Richmond, Virginia (Interpreter for the deaf provided upon request)

A regular quarterly meeting.

Contact: Leslie Hutcheson Prince, Policy and Planning Manager, Department for the Deaf and Hard-of-Hearing, 1602 Rolling Hills Dr., Suite 203, Richmond, VA 23235, telephone (804) 662-9703, FAX (804) 662-9718, toll-free (800) 552-7917, (804) 662-9703/TTY, e-mail princeh@ddhh.state.va.us.

BOARD OF DENTISTRY

† **October 31, 2003 - 9 a.m.** -- Open Meeting
† **November 21, 2003 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Room 1, Richmond, Virginia (Interpreter for the deaf provided upon request)

A special conference committee will conduct informal hearings. There will be no public comment period.

Contact: JeAnne Marshall, Administrative Assistant, Board of Dentistry, 6603 W. Broad Street, 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9906, FAX (804) 662-7246, (804) 662-7197/TTY, e-mail JeAnne.Marshall@dhp.state.va.us.

† **November 13, 2003 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Room 1, Richmond, Virginia (Interpreter for the deaf provided upon request)

Formal hearings will be conducted.

Contact: Sandra Reen, Executive Director, Board of Dentistry, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9906, FAX (804) 662-9943, (804) 662-7197/TTY, e-mail sandra_reen@dhp.state.va.us.

† **November 14, 2003 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Room 1, Richmond, Virginia (Interpreter for the deaf provided upon request)

A meeting to discuss board business.

Contact: Sandra Reen, Executive Director, Board of Dentistry, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9906, FAX (804) 662-9943, (804) 662-7197/TTY, e-mail sandra_reen@dhp.state.va.us.

DESIGN-BUILD/CONSTRUCTION MANAGEMENT REVIEW BOARD

November 20, 2003 - 11 a.m. -- Open Meeting
December 18, 2003 - 11 a.m. -- Open Meeting
Department of General Services, 8th Street Office Building, 3rd Floor, Richmond, Virginia (Interpreter for the deaf provided upon request)

A meeting to review requests submitted by localities to use design-build or construction management type contracts. Contact the Division of Engineering and Buildings to confirm the meeting. Board rules and regulations can be obtained online at www.dgs.state.va.us under the DGS Forms, Form # DGS-30-904.

Contact: Freddie M. Adcock, Administrative Assistant, Department of General Services, 805 E. Broad St., Room 101, Richmond, VA 23219, telephone (804) 786-3263, FAX (804) 371-7934, (804) 786-6152/TTY, e-mail fadcock@dgs.state.va.us.

BOARD OF EDUCATION

October 30, 2003 - 9:30 a.m. -- Open Meeting
Richmond, Virginia area (Interpreter for the deaf provided upon request)

A meeting to review the public input from the public hearings held on October 14 and 16 and to adjust the written report as needed.

Contact: Dr. Karen Trump, Director, Office of State Schools and State Operated Programs Department of Education, P.O. Box 2120, Richmond, VA 23218-2120, telephone (804) 225-2702.

November 17, 2003 - 9 a.m. -- Open Meeting
Sheraton Richmond West, 6624 West Broad Street, Richmond, Virginia (Interpreter for the deaf provided upon request)

A meeting of the Advisory Board for Teacher Education and Licensure. The public is urged to confirm arrangements prior to each meeting by viewing the Department of Education's public meeting calendar at <http://www.pen.k12.va.us/VDOE/meetings.html>. This site will contain the latest information on the meeting arrangements and will note any last-minute changes in time or location. Please note that persons requesting the services of an interpreter for the deaf are asked to do so at least 72 hours in advance so that the appropriate arrangements may be made.

Contact: Dr. Margaret N. Roberts, Office of Policy and Public Affairs, Department of Education, P.O. Box 2120, 101 N. 14th St., 25th Floor, Richmond, VA 23219, telephone (804) 225-2540, FAX (804) 225-2524, e-mail mroberts@mail.vak12ed.edu.

October 22, 2003 - 9 a.m. -- Open Meeting
November 19, 2003 - 9 a.m. -- Open Meeting
James Monroe Building, 101 North 14th Street, Main Lobby, Rooms D and E, Richmond, Virginia.

A regular business meeting of the board. Persons who wish to speak or who require the services of an interpreter for the deaf should contact the agency 72 hours in advance. Public comment will be received.

Contact: Dr. Margaret N. Roberts, Office of Policy and Public Affairs, Department of Education, P.O. Box 2120, James Monroe Bldg., 101 N. 14th St., 25th Floor, Richmond, VA

Calendar of Events

23219, telephone (804) 225-2540, FAX (804) 225-2524, e-mail mroberts@mail.vak12ed.edu.

DEPARTMENT OF EMPLOYMENT DISPUTE RESOLUTION

† **October 24, 2003 - 10 a.m.** -- Open Meeting
State Capitol, House Room 1, Richmond, Virginia.

Planning for the upcoming months. Agenda forthcoming.

Contact: Marsha Heath, Administrative and Program Specialist, Department of Employment Dispute Resolution, 830 E. Main St., Suite 400, Richmond, VA 23219, telephone (804) 225-3715, e-mail mheath@edr.state.va.us.

DEPARTMENT OF ENVIRONMENTAL QUALITY

October 20, 2003 - 7 p.m. -- Open Meeting
R.T. Arnold Library, 110 East Danville Street, South Hill, Virginia ☒

The first public meeting on the development of a bacteria and a benthic TMDL for Flat Creek located in Mecklenburg County. The public notice is published in the General Notices Section in the Virginia Register on October 6, 2003. The public comment period closes on November 19, 2003.

Contact: Kelly J. Wills, Department of Environmental Quality, 7705 Timberlake Road, Lynchburg, VA 24502, telephone (434) 582-5120, FAX (434) 583-5125, e-mail kjwills@deq.state.va.us.

October 21, 2003 - 9:30 a.m. -- Open Meeting
Department of Environmental Quality, 629 East Main Street, Richmond, Virginia ☒

The second meeting of the task force assisting the department in developing program funding and permit fee strategies for solid waste programs.

Contact: Kathy Frahm, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4376, FAX (804) 698-4346, e-mail krfrahm@deq.state.va.us.

October 21, 2003 - 1:30 p.m. -- Open Meeting
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia ☒

A meeting of persons interested in the current status of leaking storage tank (regulated underground, aboveground and heating oil) cleanups in Virginia as well as the status of the Virginia Petroleum Storage Tank Fund. To ensure adequate meeting space, please email tvhowell@deq.state.va.us or call 804-698-4010 if you plan to attend.

Contact: Elizabeth R. Lamp, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4322, FAX (804) 698-4266, e-mail erlamp@deq.state.va.us.

October 21, 2003 - 7 p.m. -- Open Meeting
County Administration Building, Suite A, 250 LeGrande Avenue, Charlotte Court House, Virginia.

The first public meeting on the development of a benthic TMDL for Twitty's Creek in Charlotte County. The public notice was published in the General Notices section of the Virginia Register on October 6, 2003. The public comment period closes on November 20, 2003.

Contact: Kelly J. Wills, Department of Environmental Quality, 7705 Timberlake Road, Lynchburg, VA 24502, telephone (434) 582-5120, FAX (434) 583-5125, e-mail kjwills@deq.state.va.us.

October 22, 2003 - 7 p.m. -- Open Meeting
Brookneal Community Center, 261 Main Street, Brookneal, Virginia ☒

The first public meeting on the development of a bacteria TMDL for Falling River located in Campbell County. The public notice was published in the General Notices section of the Virginia Register on October 6, 2003. The public comment period closes on November 21, 2003.

Contact: Kelly J. Wills, Department of Environmental Quality, 7705 Timberlake Road, Lynchburg, VA 24502, telephone (434) 582-5120, FAX (434) 583-5125, e-mail kjwills@deq.state.va.us.

October 23, 2003 - 7 p.m. -- Open Meeting
Mary Bethune Office Complex, 1030 Cowford Road, Halifax, Virginia ☒

The first public meeting on the development of a bacteria TMDL for Birch Creek in Halifax County, Virginia. The public notice was published in the General Notices section of the Virginia Register on October 6, 2003. The public comment period closes on November 24, 2003.

Contact: Kelly J. Wills, Department of Environmental Quality, 7705 Timberlake Road Lynchburg, VA 24502, telephone (434) 582-5120, FAX (434) 583-5125, e-mail kjwills@deq.state.va.us.

October 23, 2003 - 7 p.m. -- Open Meeting
Nokesville Elementary School, 12625 Fitzwater Drive, Nokesville, Virginia ☒

The second public meeting on the development of the bacterial TMDL for Cedar Run and Licking Run in Fauquier and Prince William Counties. The public notice was published in the General Notices section of the Virginia Register on October 6 and the public comment period closes on November 21, 2003.

Contact: Katherine Bennett, Department of Environmental Quality, 13901 Crown Court, Woodbridge, VA 22193, telephone (703) 583-3896, FAX (703) 583-3841, e-mail kebennett@deq.state.va.us.

† **November 4, 2003 - 7 p.m.** -- Open Meeting
Hampton-Sydney College, Crawley Forum, Hampden Sydney, Virginia ☒

The second public meeting on the development of the Upper Appomattox River TMDLs to address multiple

impairments in segments located in Amelia, Appomattox, Buckingham, Cumberland and Prince Edward Counties. The public notice is published in the General Notices section of the October 20 issue of the Virginia Register. The public comment period closes on December 4, 2003.

Contact: Kelly J. Wills, Department of Environmental Quality, 7705 Timberlake Rd., Lynchburg, VA 24502, telephone (434) 582-5120, FAX (434) 583-5125, e-mail kjwills@deq.state.va.us.

November 6, 2003 - 7 p.m. -- Open Meeting
Chesterfield Police Department, 10031 Iron Bridge Road, Public Meeting Room, Chesterfield, Virginia ☎

The second public meeting on the development of TMDLs for bacteria, benthics, dissolved oxygen and/or pH for the lower Appomattox River Basin and its tributaries located in Amelia, Chesterfield, Dinwiddie, Nottoway, Powhatan and Prince George Counties. The public notice was published in the General Notices section of the Virginia Register on October 6, 2003. The public comment period closes on December 6, 2003.

Contact: Mark Alling, Department of Environmental Quality, 4949-A Cox Rd., Glen Allen, VA 23060, telephone (804) 527-5021, FAX (804) 527-5106, e-mail msalling@deq.state.va.us.

November 13, 2003 - 10 a.m. -- Open Meeting
Henrico Training Center, 7701 East Parham Road, Glen Allen, Virginia ☎

A regular meeting of the Recycling Markets Development Council.

Contact: G. Steven Coe, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4029, FAX (804) 698-4224, e-mail gscoe@deq.state.va.us.

† **November 13, 2003 - 7 p.m.** -- Open Meeting
Blackstone Town Office, Council Chambers, 100 West Elm Street, Blackstone, Virginia ☎

The first public meeting on the development of a benthic TMDL for the unnamed tributary of Hurricane Branch located in Nottoway County that flows near the Blackstone municipal sewage treatment plant discharge. The public notice is published in the General Notices section of the October 20 issue of the Virginia Register. The public comment period closes on December 15, 2003.

Contact: Kelly J. Wills, Department of Environmental Quality, 7705 Timberlake Rd., Lynchburg, VA 24502, telephone (434) 582-5120, FAX (434) 582-5120, e-mail kjwills@deq.state.va.us.

VIRGINIA FIRE SERVICES BOARD

† **November 19, 2003 - 10:30 a.m.** -- Open Meeting
† **December 17, 2003 - 10:30 a.m.** -- Open Meeting
State Forestry Building, Fontaine Business Park, Charlottesville, Virginia ☎ (Interpreter for the deaf provided upon request)

A meeting of the Code Change and Development Subcommittee. For more details please contact Jennifer Cole at the Virginia Department of Fire Programs.

Contact: Jennifer Cole, VFSB Clerk, Virginia Department of Fire Programs, 101 N. 14th St., 18th Floor, Richmond, VA 23219, telephone (804) 371-0220, FAX (804) 371-0219, e-mail jcole@vdfp.state.va.us.

BOARD OF FUNERAL DIRECTORS AND EMBALMERS

† **October 28, 2003 - 8:30 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia ☎

A meeting to hear possible violations of the laws and regulations governing the practice of funeral service.

Contact: Elizabeth Young, Executive Director, Board of Funeral Directors and Embalmers, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9907, FAX (804) 662-9523, (804) 662-7197/TTY ☎, e-mail elizabeth.young@dhp.state.va.us.

November 26, 2003 - 9 a.m. -- Open Meeting
Department of Health Profession, 6603 West Broad Street, 5th Floor, Richmond, Virginia ☎

The Legislative/Regulatory Committee will review and amend current regulations.

Contact: Elizabeth Young, Executive Director, Board of Funeral Directors and Embalmers, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9907, FAX (804) 662-9523, (804) 662-7197/TTY ☎, e-mail elizabeth.young@dhp.state.va.us.

December 10, 2003 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia ☎

A quarterly business meeting to include regulatory and disciplinary matters as may be presented on the agenda. Public comment will be received at the beginning of the meeting.

Contact: Elizabeth Young, Executive Director, Board of Funeral Directors and Embalmers, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9907, FAX (804) 662-9523, (804) 662-7197/TTY ☎, e-mail elizabeth.young@dhp.state.va.us.

BOARD OF GAME AND INLAND FISHERIES

October 23, 2003 - 9 a.m. -- Open Meeting
Department of Game and Inland Fisheries, 4000 West Broad Street, Richmond, Virginia ☎ (Interpreter for the deaf provided upon request)

A meeting to discuss general and administrative issues. The board may hold a closed session at some time during the meeting.

Calendar of Events

Contact: Phil Smith, Policy Analyst and Regulatory Coordinator, Department of Game and Inland Fisheries, 4016 W. Broad St., Richmond, VA 23230, telephone (804) 367-8341, FAX (804) 367-0488, e-mail regcomments@dgif.state.va.us.

CHARITABLE GAMING BOARD

December 2, 2003 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia

Agenda to be posted.

Contact: Frances C. Jones, Office Manager, Department of Charitable Gaming, 101 N. 14th St., 17th Floor, Richmond, VA 23219, telephone (804) 786-3014, FAX (804) 786-1079, e-mail fjones@dgc.state.va.us.

BOARD FOR GEOLOGY

November 20, 2003 - 9 a.m. -- Open Meeting
NOTE: CHANGE IN MEETING DATE.

January 7, 2004 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia

A meeting to conduct board business.

Contact: David E. Dick, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8595, FAX (804) 367-6128, (804) 367-9753/TTY, e-mail geology@dpor.state.va.us.

GEORGE MASON UNIVERSITY

November 19, 2003 - 9 a.m. -- Open Meeting
George Mason University, Mason Hall, Fairfax, Virginia

A meeting of the Board of Visitors. The agenda will be published 10 days prior to the meeting.

Contact: Mary Roper, Secretary, pro tem, George Mason University, MSN 3A1, George Mason University, 4400 University Dr., Fairfax, VA 22030, telephone (703) 993-8703, (703) 993-8707/TTY, e-mail mroper@gmu.edu.

OFFICE OF GOVERNOR

† **November 6, 2003 - 10 a.m.** -- Open Meeting
Hampton History Museum, 120 Old Hampton Lane, Hampton, Virginia.

† **December 9, 2003 - 10 a.m.** -- Open Meeting
Northern Virginia (location to be announced).

A meeting of the Urban Policy Task Force.

Contact: Kelly Spraker, Special Assistant to the Commissioner, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1902, FAX (804) 692-1964, e-mail kelly.spraker@governor.virginia.gov.

STATE BOARD OF HEALTH

October 24, 2003 - 9 a.m. -- Open Meeting
Department of Health, Main Street Station, 1500 East Main St., 3rd Floor Conference Room, Richmond, Virginia

A general business meeting.

Contact: Rene Cabral-Daniels, Department of Health, 1500 E. Main St., Richmond, VA 23219, telephone (804) 786-3561.

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October 31, 2003 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Health intends to amend regulations entitled **12 VAC 5-90, Regulations for Disease Reporting and Control**. The purpose of the proposed action is to bring the regulations into compliance with recent changes to the Code of Virginia and with recent changes in the field of communicable disease control and emergency preparedness that need to be implemented to protect the health of the citizens of Virginia. The Regulations for Disease Reporting and Control provide information about what diseases must be reported, who must report them, and how reporting is conducted. The proposed amendment includes the addition and clarification of several definitions, updates to the reportable disease list and the list of diseases requiring rapid reporting, the addition of a requirement to report diseases that may be due to a biologic agent used as a weapon, the addition of information about how laboratories shall report their inventories of dangerous microbes and pathogens, the addition of a section about the reporting and control of tuberculosis, an update to the list of conditions reportable by laboratories and the tests used to confirm those conditions, and the addition of a requirement for private laboratories to submit designated specimens to the state laboratory for confirmation and further testing. Due to the need for information in order to act to protect the public, an amendment is proposed to require the reporting of diseases within three days instead of seven days.

Statutory Authority: §§ 32.1-12 and 32.1-35 of the Code of Virginia.

Contact: Diane Woolard, Ph.D., M.P.H., Director, Surveillance and Investigation, Department of Health, P.O. Box 2448, Room 113, Richmond, VA 23218, telephone (804) 786-6261, FAX (804) 371-4050 or e-mail dwoolard@vdh.state.va.us.

DEPARTMENT OF HEALTH

December 12, 2003 - 10:30 a.m. -- Open Meeting
Virginia Hospital and Health Care Association, 4200 Innslake Dr., Glen Allen, VA.

A meeting of an advisory committee to the Virginia Early Hearing Detection and Intervention program regarding implementing the program.

Contact: Pat Dewey, Program Manager, Department of Health, 1500 E. Main St., Richmond VA, telephone (804) 786-1964, e-mail pdewey@vdh.state.va.us.

Biosolids Use Regulations Advisory Committee

† **November 20, 2003 - 10 a.m.** -- Open Meeting
Natural Resources Building, 900 Natural Resources Drive, Fontaine Research Park, Charlottesville, Virginia ☎

This meeting is a rescheduling of the September 18, 2003, meeting that was canceled due to Hurricane Isabel. The meeting agenda will include discussions of the status of future amendments to the regulations including site management practices.

Contact: C. M. Sawyer, P.E., Director, Division of Wastewater Engineering, Department of Health, 1500 E. Main St., Room 109, Richmond, VA 23219, telephone (804) 786-1755, FAX (804) 786-5567, e-mail csawyer@vdh.state.va.us.

Emergency Medical Services Advisory Board

November 14, 2003 - 1 p.m. -- Open Meeting
The Place at Innsbrook, 4036-C Cox Road, Glen Allen, Virginia.

A quarterly meeting of the State EMS Advisory Board.

Contact: Gary R. Brown, Director, Department of Health, 1538 E. Parham Rd., Richmond, VA 23228, telephone (804) 371-3500, FAX (804) 371-3543, toll-free (800) 523-6019, e-mail gbrown@vdh.state.va.us.

Sewage Handling and Disposal Advisory Committee

November 20, 2003 - 10 a.m. -- Open Meeting
Department of Health, 1500 East Main Street, Room 115, Richmond, Virginia.

A meeting to discuss regulations, new technologies and new products to recommend for approval to the State Health Commissioner for use in Virginia.

Contact: Donald J. Alexander, Division Director, Department of Health, 1500 E. Main St., Room 115, Richmond, VA 23219, telephone (804) 225-4030, FAX (804) 225-4003, e-mail dalexander@vdh.state.va.us.

Sewage Handling and Disposal Appeal Review Board

October 22, 2003 - 10 a.m. -- Open Meeting
Henrico Government Center, Henrico County Board Room, 8600 Dixon Powers Dr., Richmond, Virginia 23228.

A meeting of the Sewage Handling and Disposal Appeal Review Board to hear appeals of health department denials of septic tank permits.

Contact: Susan C. Sherertz, Business Manager, Department of Health, 1500 East Main Street, Room 115, Richmond, VA, telephone (804) 371-4236, FAX (804) 225-4003, or e-mail ssherertz@vdh.state.va.us.

BOARD OF HEALTH PROFESSIONS

October 22, 2003 - 9 a.m. -- Open Meeting
Department of Health Professions, Alcoa Building, 6603 West Broad Street, 5th Floor, Room 1, Richmond, Virginia ☎

The Regulatory Research Committee will discuss and make recommendations to the full board regarding the development of regulations that approve organizations to examine and credential dialysis care technicians and consideration of continuing competency requirements. The committee will begin the study of the feasibility of regulating directors of assisted living facilities.

Contact: Elizabeth A. Carter, Ph.D., Executive Director, Board of Health Professions, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-7691, FAX (804) 662-7098, (804) 662-7197/TTY ☎, e-mail elizabeth.carter@dhp.state.va.us.

October 22, 2003 - 10:30 a.m. -- Open Meeting
Department of Health Professions, Alcoa Building, 6603 West Broad Street, 5th Floor, Room 1, Richmond, Virginia ☎

The Executive Committee will review and report to the full board on the 2004 department budget. Public comment will be received at the beginning of the meeting.

Contact: Elizabeth A. Carter, Ph.D., Executive Director, Board of Health Professions, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-7691, FAX (804) 662-7098, (804) 662-7197/TTY ☎, e-mail elizabeth.carter@dhp.state.va.us.

October 22, 2003 - 12:30 p.m. -- Open Meeting
Department of Health Professions, Alcoa Building, 6603 West Broad Street, 5th Floor, Room 1, Richmond, Virginia ☎

A meeting to (i) receive an update on the Sanction Reference Study, (ii) receive a report on enforcement activities, (iii) develop a workplan and finalize committee structures, (iv) receive reports from the Regulatory Review and Executive Committees, and (v) set the 2004 calendar. Public comment will be received at the beginning of the meeting.

Contact: Elizabeth A. Carter, Ph.D., Executive Director, Board of Health Professions, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-7691, FAX (804) 662-7098, (804) 662-7197/TTY ☎, e-mail elizabeth.carter@dhp.state.va.us.

DEPARTMENT OF HEALTH PROFESSIONS

December 12, 2003 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia ☎

A bimonthly meeting of the Intervention Program Committee for the Health Practitioners' Intervention Program.

Contact: Donna P. Whitney, Intervention Program Manager, Department of Health Professions, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9424, FAX (804) 662-7358, e-mail donna.whitney@dhp.state.va.us.

Calendar of Events

VIRGINIA HIGHER EDUCATION TUITION TRUST FUND

November 5, 2003 - 2 p.m. -- Open Meeting
James Monroe Building, Virginia College Savings Plan Board Room, 101 North 14th Street, 5th Floor, Richmond, VA. (Interpreter for the deaf provided upon request)

A quarterly meeting of the Board of the Virginia College Savings Plan.

Contact: Lee Hall, Special Projects Assistant, Virginia Higher Education Tuition Trust Fund, P.O. Box 607, Richmond, VA 23218, telephone (804) 786-3605, FAX (804) 786-2453, toll-free (888) 567-0540, (804) 786-2766/TTY, e-mail lhall@virginia529.com.

BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

† November 12, 2003 - 12:15 p.m. -- Open Meeting
Norfolk Waterside Marriott, 235 East Main Street, Norfolk, Virginia.

A regular business to be held at the location of the Governor's Housing Conference.

Contact: Stephen W. Calhoun, Regulatory Coordinator, Department of Housing and Community Development, The Jackson Center, 501 N. 2nd St., Richmond, VA 23219-1321, telephone (804) 371-7000, FAX (804) 371-7090, (804) 371-7089/TTY, e-mail scalhoun@dhcd.state.va.us.

DEPARTMENT OF HUMAN RESOURCE MANAGEMENT

October 31, 2003 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Human Resource Management intends to amend regulations entitled **1 VAC 55-20, Commonwealth of Virginia Health Benefits Program**. The purpose of the proposed action is to conform 1 VAC 55-20 to state and federal law. 1 VAC 55-20 regulates the administration of the health benefit plans offered to state employees and employees of local municipalities who provide health benefit coverage through The Local Choice (TLC) program. These proposed regulations reflect changes made to the Code of Virginia as well as federal laws and regulations that are applicable to the state and TLC program.

Statutory Authority: §§ 2.2-1204 and 2.2-2818 of the Code of Virginia.

Contact: Charles Reed, Associate Director, Department of Human Resource Management, James Monroe Bldg., 101 N. 14th St., Richmond, VA 23219, telephone (804) 786-3214, FAX (804) 371-0231 or e-mail creed@hrm.state.va.us.

VIRGINIA INFORMATION TECHNOLOGIES AGENCY

Virginia Geographic Information Network Advisory Board

November 6, 2003 - 1:30 p.m. -- Open Meeting
Richmond Plaza Building, 110 South 7th Street, 3rd Floor Training Room, Richmond, Virginia.

A regular board meeting.

Contact: Bill Shinar, VGIN Coordinator, Virginia Information Technologies Agency, 110 S. 7th Street, Suite 135, Richmond, VA 23219, telephone (804) 786-8175, FAX (804) 371-2795, e-mail bshinar@vgin.state.va.us.

Wireless E-911 Services Board

November 12, 2003 - 9 a.m. -- Open Meeting
Richmond Plaza Building, 110 South 7th Street, 3rd Floor Conference Room, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting of the CMRS subcommittee. A request will be made to hold the meeting in closed session.

Contact: Steven Marzolf, Public Safety Communications Coordinator, Virginia Information Technologies Agency, 110 South 7th Street, Richmond, VA 23219, telephone (804) 371-0015, e-mail smarzolf@ntp.state.va.us.

November 12, 2003 - 10 a.m. -- Open Meeting
Richmond Plaza Building, 110 South 7th Street, 3rd Floor Conference Room, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A regular monthly meeting.

Contact: Steven Marzolf, Public Safety Communications Coordinator, Virginia Information Technologies Agency, 110 South 7th Street, Richmond, VA 23219, telephone (804) 371-0015, e-mail smarzolf@ntp.state.va.us.

VIRGINIA ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

† October 22, 2003 - 10 a.m. -- Open Meeting
Library of Virginia, 800 East Broad Street, Meeting Room C, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A regular meeting to consider such matters as may be presented.

Contact: Ted McCormack, Associate Director, Virginia Advisory Commission on Intergovernmental Relations, The Jackson Center, 501 N. 2nd St., Richmond, VA 23219, telephone (804) 786-6508, FAX (804) 371-7090, (804) 371-7089/TTY, e-mail tmccormack@dhcd.state.va.us.

JAMESTOWN-YORKTOWN FOUNDATION

November 5, 2003 - 2 p.m. -- Open Meeting
The College of William and Mary, University Center, Tidewater Room B, 2nd Floor, Williamsburg, Virginia (Interpreter for the deaf provided upon request)

A meeting of the Jamestown 2007 Steering Committee's Executive Committee.

Contact: Stacey Ruckman, Jamestown 2007 Executive Assistant, Jamestown-Yorktown Foundation, P.O. Box 1607, Williamsburg, VA 23187, telephone (757) 253-4659, FAX (757) 253-5299, toll-free (888) 593-4682, (757) 253-7236/TTY (757) 253-7236, e-mail sruckman@jyf.state.va.us.

November 17, 2003 - 9 a.m. -- Open Meeting
November 18, 2003 - 8 a.m. -- Open Meeting
Williamsburg Hospitality House, 415 Richmond Road, Williamsburg, Virginia (Interpreter for the deaf provided upon request)

Board of Trustees' semiannual meeting. Committee meetings will also be held. Specific schedule not yet confirmed. Public comment will not be heard.

Contact: Laura W. Bailey, Executive Assistant to the Boards, Jamestown-Yorktown Foundation, P.O. Box 1607, Williamsburg, VA 23187, telephone (757) 253-4840, FAX (757) 253-5299, toll-free (888) 593-4682, (757) 253-7236/TTY (757) 253-7236, e-mail lwbailey@jyf.state.va.us.

December 10, 2003 - Noon -- Open Meeting
Location to be determined (Interpreter for the deaf provided upon request)

A meeting of the Jamestown 2007 Steering Committee.

Contact: Stacey Ruckman, Jamestown 2007 Executive Assistant, Jamestown-Yorktown Foundation, P.O. Box 1607, Williamsburg, VA 23187, telephone (757) 253-4659, FAX (757) 253-5299, toll-free (888) 593-4682, (757) 253-7236/TTY (757) 253-7236, e-mail sruckman@jyf.state.va.us.

STATE BOARD OF JUVENILE JUSTICE

October 31, 2003 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Juvenile Justice intends to adopt regulations entitled **6 VAC 35-170, Minimum Standards for Research Involving Human Subjects or Records of the Department of Juvenile Justice**. The purpose of the proposed action is to establish a process for reviewing and approving research proposals involving human subjects to effectuate the provisions of Chapter 5.1 (§ 32.1-162.16 et seq.) of Title 32.1 of the Code of Virginia, regarding human research.

Statutory Authority: § 66-10.1 of the Code of Virginia.

Contact: Donald R. Carignan, Regulatory Coordinator, Department of Juvenile Justice, P.O. Box 1110, Richmond, VA 23208-1110, telephone (804) 371-0743, FAX (804) 371-0773 or e-mail carigndr@djj.state.va.us.

November 12, 2003 - 9 a.m. -- Public Hearing
James River Detention Center, Beaumont Road (adjacent to Beaumont Juvenile Correctional Center), Goochland, Virginia.

December 5, 2003 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Juvenile Justice intends to adopt regulations entitled **6 VAC 35-30, Regulations for State Reimbursement of Local Juvenile Residential Facility Costs**. The purpose of the proposed action is to make proper provision for review of reimbursement actions by the Governor as represented by the Secretary of Public Safety. Amendments are needed to clarify the sequence for submitting and approving materials at various stages of a construction project, and to clarify how construction projects can be completed and reimbursed in phases. Finally, amendments are proposed to establish the regulatory basis upon which the board may act in exercising its statutory responsibility to approve certain juvenile residential facilities, even when those facilities have been constructed without financial assistance from the Commonwealth.

Statutory Authority: §§ 16.1-313, 16.322.5 through 16.1-322.7 and 66-10 of the Code of Virginia.

Contact: Donald R. Carignan, Regulatory Coordinator, Department of Juvenile Justice, P.O. Box 1110, Richmond, VA 23208-1110, telephone (804) 371-0743, FAX (804) 371-0773 or e-mail carigndr@djj.state.va.us.

November 12, 2003 - 9 a.m. -- Open Meeting
James River Detention Center, adjacent to Beaumont Juvenile Correctional Center, Beaumont Road, Goochland, Virginia

Committees of the board (Secure Services and Nonsecure Services) meet at 9 a.m. to receive certification audit reports. The full board meets at 10 a.m. to take certification action, to consider revisions to Regulations for Reimbursement of Juvenile Residential Facility Costs (6 VAC 35-30), to hear from detention homes seeking authorization to use pepper spray under certain conditions, and to consider such other matters as may come before the board.

Contact: Donald Carignan, Regulatory Coordinator, State Board of Juvenile Justice, 700 Centre, 700 E. Franklin St., 4th Floor, Richmond, VA 23219, telephone (804) 371-0743, FAX (804) 371-0773, e-mail carigndr@djj.state.va.us.

DEPARTMENT OF LABOR AND INDUSTRY

Virginia Apprenticeship Council

October 23, 2003 - 9:45 a.m. -- Open Meeting
New Horizons Regional Education Center, 520 Butler Farm Road, Hampton, Virginia (Interpreter for the deaf provided upon request)

The meeting scheduled for September 18, 2003, has been rescheduled due to uncertainties surrounding Hurricane

Calendar of Events

Isabel. Exemption from Examination Subcommittee meets at 9:45 a.m. and a quarterly meeting of the council occurs at 10 a.m.

Contact: Beverley Donati, Assistant Program Director, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-2382, FAX (804) 786-8418, (804) 786-2376/TTY ☎, e-mail bgd@doli.state.va.us.

Virginia Migrant and Seasonal Farmworkers Board

October 29, 2003 - 10 a.m. -- Open Meeting
State Capitol, House Room 1, Richmond, Virginia ♿
(Interpreter for the deaf provided upon request)

A regular quarterly meeting.

Contact: Betty B. Jenkins, Board Administrator, Department of Labor and Industry, Powers-Taylor Building, 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-2391, FAX (804) 371-6524, (804) 786-2376/TTY ☎, e-mail bbj@doli.state.va.us.

Safety and Health Codes Board

November 5, 2003 - 10 a.m. -- Open Meeting
Tyler Building (State Corporation Commission Building), 1300 East Main Street, Second Floor, Courtroom A, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting.

Contact: Regina P. Cobb, Agency Management Analyst Senior, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-0610, FAX (804) 786-8418, (804) 786-2376/TTY ☎, e-mail rlc@doli.state.va.us.

STATE LIBRARY BOARD

November 17, 2003 - 8:15 a.m. -- Open Meeting
The Library of Virginia, 800 East Broad Street, Richmond, Virginia ♿

Meetings of the board to discuss matters pertaining to the Library of Virginia and the board. Committees of the board will meet as follows:

8:15 a.m. - Public Library Development Committee, Floor 2M
Publications and Educational Services Committee, Conference Room B;
Records Management Committee

9:30 a.m. - Archival and Information Services Committee
Collection Management Services Committee
Legislative and Finance Committee

10:30 a.m. - Library Board

Contact: Jean H. Taylor, Executive Secretary to the Librarian, The Library of Virginia, 800 E. Broad St., Richmond, VA 23219-2000, telephone (804) 692-3535, FAX (804) 692-3594, (804) 692-3976/TTY ☎, e-mail jtaylor@lva.lib.va.us.

COMMISSION ON LOCAL GOVERNMENT

November 10, 2003 - 10 a.m. -- Open Meeting
The Jackson Center, 501 North 2nd Street, First Floor Conference Room, Richmond, Virginia ♿ (Interpreter for the deaf provided upon request)

A regular meeting to consider such matters as may be presented.

Contact: Ted McCormack, Associate Director, Commission on Local Government, 501 N. 2nd St., Richmond, VA 23219, telephone (804) 786-6508, FAX (804) 371-7090, (804) 828-1120/TTY ☎, e-mail tmccormack@dhcd.state.va.us.

LONGWOOD UNIVERSITY

† **November 3, 2003 - 9:30 a.m.** -- Open Meeting
Capital Club, 1051 East Cary St., 4th Floor, Richmond, Virginia ♿

A meeting to conduct routine business of the Executive Committee.

Contact: Jeanne Hayden, Administrative Staff Assistant, Office of the President, Longwood University, 201 High St., Farmville, VA 23909, telephone (434) 395-2004, FAX (434) 395-2821, e-mail jhayden@longwood.edu.

MARINE RESOURCES COMMISSION

October 28, 2003 - 9:30 a.m. -- Open Meeting
† **November 25, 2003 - 9:30 a.m.** -- Open Meeting
Marine Resources Commission, 2600 Washington Avenue, 4th Floor, Newport News, Virginia ♿ (Interpreter for the deaf provided upon request)

A monthly commission meeting.

Contact: Kathy Leonard, Executive Secretary, Marine Resources Commission, 2600 Washington Ave., 3rd Floor, Newport News, VA 23607, telephone (757) 247-2120, FAX (757) 247-8101, toll-free (800) 541-4646, (757) 247-2292/TTY ☎, e-mail kleonard@mrc.state.va.us.

BOARD OF MEDICAL ASSISTANCE SERVICES

December 9, 2003 - 10 a.m. -- Open Meeting
Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, Virginia ♿

A routine quarterly meeting.

Contact: Nancy Malczewski, Board Liaison, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-8096, FAX (804) 371-4981, (800) 343-0634/TTY ☎, e-mail nmalczew@dmas.state.va.us.

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

October 20, 2003 - 10 a.m. -- Open Meeting
Dumbarton Library, 6800 Staples Mill Road, Richmond, Virginia ☎

October 30, 2003 - 10:30 a.m. -- Open Meeting
Alexandria Library, 5005 Duke Street, Alexandria, Virginia ☎

Quarterly Case Managers meetings to establish and maintain productive communication between Medicaid providers, case managers and the Medicaid contracted MCOs. The DMAS Division of Health Care Services convenes a case manager's meeting on a quarterly basis with Medicaid-participating MCOs and facility-based case managers. These meetings provide additional opportunities for collaboration and discussion of special needs issues among professionals who provide case management services to MCO enrollees with special needs. Previous quarterly meetings have focused on topics such as high risk prenatal services, the Lead Safe Virginia program, implementation of children's health insurance programs, services for children with special health care needs, expansion of Medallion II, transition of medical care for recipients from MEDALLION to Medallion II, the MCO referral and prior authorization process, HIV/AIDS, the homeless, individuals with disabilities, EPSDT, and the Part C process and exclusion.

Contact: Queen Green, Managed Care Case Manager, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 225-4789, FAX (804) 786-5799, (800) 343-0634/TTY ☎, e-mail Qgreen2@dmass.state.va.us.

December 5, 2003 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 that the Department of Medical Assistance Services intends to amend regulations entitled **12 VAC 30-120, Waiver Services**. The purpose of the proposed action is to add coverage of consumer-directed personal assistance services and consumer-directed respite care services to the HIV/AIDS waiver program.

Statutory Authority: §§ 32.1-324 and 32.1-325 of the Code of Virginia.

Public comments may be submitted until December 5, 2003, to Vivian Horn, LTC Analyst, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.

Contact: Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-7959, FAX (804) 786-1680 or e-mail vsimmons@dmass.state.va.us.

Medicaid Transportation Advisory Committee

December 17, 2003 - 1 p.m. -- Open Meeting
Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, Virginia ☎

A meeting to provide a forum for ongoing input and communication with transportation providers, health care providers, and recipients regarding the Medicaid nonemergency brokerage transportation program.

Contact: Robert Knox, Transportation Supervisor, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-8854, FAX (804) 786-1680, (800) 343-0634/TTY ☎, e-mail Rknox@dmass.state.va.us.

BOARD OF MEDICINE

† November 7, 2003 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia ☎

A panel of the board consisting of at least five members will convene a formal hearing to inquire into allegations that a certain practitioner may have violated laws and regulations governing the practice of medicine. Further, the board may review cases with staff regarding case disposition, including the consideration of consent orders for settlement in lieu of proceeding to an administrative proceeding. The board will meet in open and closed sessions pursuant to the Code of Virginia. Public committee will not be received.

Contact: Renee S. Dixson, Discipline Case Manager, Board of Medicine, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-7009, FAX (804) 662-9517, (804) 662-7197/TTY ☎, e-mail renee.dixson@dhp.state.va.us.

Informal Conference Committee

October 22, 2003 - 8:45 a.m. -- Open Meeting
November 19, 2003 - 9 a.m. -- Open Meeting
December 3, 2003 - 9 a.m. -- Open Meeting
Williamsburg Marriott, 50 Kingsmill Road, Williamsburg, Virginia.

October 29, 2003 - 9:15 a.m. -- Open Meeting
November 12, 2003 - 9:15 a.m. -- Open Meeting
Clarion Hotel, 3315 Ordway Drive, Roanoke, Virginia.

October 30, 2003 - 9:15 a.m. -- Open Meeting
Holiday Inn Select, 2801 Plank Road, Fredericksburg, Virginia.

December 17, 2003 - 9:15 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, Richmond, Virginia.

A meeting to inquire into allegations that certain practitioners may have violated laws and regulations governing the practice of medicine and other healing arts in Virginia. The committee will meet in open and closed sessions pursuant to the Code of Virginia. Public comment will not be received.

Calendar of Events

Contact: Peggy Sadler or Renee Dixon, Staff, Department of Health Professions, 6603 W. Broad St., Richmond, VA 23230, telephone (804) 662-7332, FAX (804) 662-9517, (804) 662-7197/TTY ☎, e-mail Peggy.Sadler@dhp.state.va.us.

STATE MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES BOARD

October 29, 2003 - 1 p.m. -- Open Meeting

October 30, 2003 - 9 a.m. -- Open Meeting

Courtland Center, 620 Court Street, Lynchburg, Virginia ♿ (Interpreter for the deaf provided upon request)

A regular meeting of the board.

Contact: Marlene Butler, Executive Secretary to the Board, State Mental Health, Mental Retardation and Substance Abuse Services Board, Jefferson Bldg., 1220 Bank St., 13th Floor, Richmond, VA 23219, telephone (804) 786-7945, FAX (804) 371-2308, e-mail mbutler@dmhmrsas.state.va.us.

STATE MILK COMMISSION

December 16, 2003 - 10:30 a.m. -- Open Meeting

Department of Agriculture and Consumer Services, 1100 Bank Street, 1st Floor Board Room, Richmond, Virginia ♿

A regular meeting of the commission to consider industry issues, distributor licensing, base transfers, and reports from staff. The commission offers anyone in attendance an opportunity to speak at the conclusion of the agenda. Those persons requiring special accommodations should notify the agency meeting contact at least five working days prior to the meeting date so that suitable arrangements can be made.

Contact: Edward C. Wilson, Jr., Deputy Administrator, State Milk Commission, Washington Bldg., 1100 Bank Street, Suite 1019, Richmond, VA 23219, telephone (804) 786-2013, FAX (804) 786-3779, or e-mail ewilson@smc.state.va.us.

DEPARTMENT OF MINES, MINERALS AND ENERGY

† **November 6, 2003 - 7 p.m.** -- Public Hearing

Wytheville Community College, Grayson Hall Commons, Wythe County, Virginia ♿ (Interpreter for the deaf provided upon request)

The Virginia Division of Mineral Mining (DMM) will hold an informal public hearing to receive comments regarding a proposed mining operation in Wythe County. Persons attending the hearing may present written and/or oral statements, photographs, or other evidence to the hearing officer. The hearing will be recorded. This public hearing will be an informal "information-gathering" forum pertaining to the application for a mining permit administered by the division. A hearing officer appointed by DMM will conduct the hearing. The permit applicant, Salem Stone Corporation, has submitted a complete application package, which is available for review in the DMM office located at 900 Natural Resources Drive, Charlottesville, Virginia. There will also be an opportunity to review the application

package at the site of the hearing between 6 p.m. and 7 p.m. on November 6, 2003. Anyone needing special accommodations should contact the Department of Mines, Minerals and Energy at least seven days prior to the hearing date.

Contact: Mark S. Goff, Engineering Manager, Department of Mines, Minerals and Energy, 900 Natural Resources Dr., Charlottesville, VA 22903, telephone (434) 951-6313, FAX (434) 951-6325, (800) 828-1120/TTY ☎, e-mail Mark.Goff@dmme.virginia.gov.

Virginia Gas and Oil Board

† **October 21, 2003 - 9 a.m.** -- Open Meeting

Virginia Highlands Community College, Southwest Virginia Higher Education Center, Abingdon, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular meeting to consider petitions filed by applicants. The public may address the board on individual items as they are called for hearing. Special accommodations for the disabled will be made available at the hearing on request. Anyone needing special accommodations for the hearing should contact the Department of Mines, Minerals and Energy, Division of Gas and Oil, at the numbers provided below by October 14.

Contact: Bob Wilson, Division Director, Department of Mines, Minerals and Energy, 230 Charwood Dr., Abingdon, VA 24212, telephone (276) 676-5423, FAX (276) 676-5459, (800) 828-1120/TTY ☎, e-mail bxw@mme.state.va.us.

MOTOR VEHICLE DEALER BOARD

† **November 10, 2003 - 8:30 a.m.** -- Open Meeting

Department of Motor Vehicles, 2300 West Broad Street, Room 702, Richmond, Virginia ♿ (Interpreter for the deaf provided upon request)

Committees will meet as follows:

Dealer Practices Committee - 8:30 a.m.

Franchise Law Committee - To be scheduled as needed

Licensing Committee - Immediately following Dealer Practices


Advertising Committee - 9:30 a.m. or immediately following Licensing

Transaction Recovery Fund Committee - Immediately following Advertising

The full board will meet at 10:30 a.m. Meetings may begin later, but not earlier than scheduled. Meeting end times are approximate. Any person who needs any accommodation in order to participate in the meeting should contact the board at least 10 days before the meeting so that suitable arrangements can be made.

Contact: Alice R. Weedon, Administrative Assistant, Motor Vehicle Dealer Board, 2201 W. Broad St., Suite 104, Richmond, VA 23220, telephone (804) 367-1100, FAX (804) 367-1053, toll-free (877) 270-0203, e-mail dboard@mvb.state.va.us.


DEPARTMENT OF MOTOR VEHICLES

October 23, 2003 - 10 a.m. -- Open Meeting
Department of Motor Vehicles, 2300 West Broad Street, 7th Floor, Executive Conference Room, Richmond, Virginia 


A meeting of the Legal Presence Panel.

Contact: Vivian R. Cheatham, Confidential Assistant, Department of Motor Vehicles, 2300 W. Broad St., Richmond, VA 23220, telephone (804) 367-6606, FAX (804) 367-2296, e-mail dmvrc@dmv.state.va.us.


Medical Advisory Board

November 12, 2003 - 8 a.m. -- Open Meeting
Department of Motor Vehicles, 2300 West Broad Street, Richmond, Virginia  (Interpreter for the deaf provided upon request)


A regular business meeting.


Contact: J. C. Branche, R. N., Division Manager, Department of Motor Vehicles, 2300 W. Broad St., Richmond, VA 23220, telephone (804) 497-7188, FAX (804) 367-1604, toll-free (866) 368-5463, (800) 272-9268/TTY , e-mail dmvj3b@dmv.state.va.us.

VIRGINIA MUSEUM OF FINE ARTS

November 4, 2003 - 8 a.m. -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue, Main Lobby, Conference Room, Richmond, Virginia 


A monthly meeting of the Executive Committee. Public comment will not be received.

Contact: Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY , e-mail sbroyles@vmfa.state.va.us.


November 19, 2003 - 8 a.m. -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue, Richmond, Virginia 


The following committees will meet:
Finance - 9 a.m. - Main Lobby Conference Room
Collections - 10 a.m. - Auditorium
Expansion - 11 a.m. - CEO Parlor

Public comment will not be received.


Contact: Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1401/TTY , e-mail sbroyles@vmfa.state.va.us.

VIRGINIA MUSEUM OF NATURAL HISTORY


October 20, 2003 - 10 a.m. -- Open Meeting
December 10, 2003 - 10 a.m. -- Open Meeting
LeClair Ryan Consulting, 1010 First Union Building, 213 South Jefferson Avenue, Roanoke, Virginia 

November 14, 2003 - 3 p.m. -- Open Meeting
Virginia Museum of Natural History, 1001 Douglas Avenue, Martinsville, Virginia 


A meeting of the Executive Committee to discuss the management and direction of the museum.


Contact: Cindy Rorrer, Administrative Assistant, Virginia Museum of Natural History, 1001 Douglas Ave., Martinsville, VA 24112, telephone (276) 666-8616, FAX (276) 632-6487, (276) 666-8638/TTY , e-mail crorrer@vmnh.net.

BOARD OF NURSING


October 21, 2003 - 9 a.m. -- Open Meeting
October 23, 2003 - 9 a.m. -- Open Meeting
October 28, 2003 - 9 a.m. -- Open Meeting
December 3, 2003 - 9 a.m. -- Open Meeting
December 4, 2003 - 9 a.m. -- Open Meeting
December 9, 2003 - 9 a.m. -- Open Meeting
December 16, 2003 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia 


A Special Conference Committee, comprised of two or three members of the Virginia Board of Nursing, will conduct informal conferences with licensees and certificate holders. Public comment will not be received.

Contact: Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, 6603 West Broad Street, 5th Floor, Richmond, VA 23230, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY , e-mail nursebd@dhp.state.va.us.


November 17, 2003 - 9 a.m. -- Open Meeting
November 19, 2003 - 9 a.m. -- Open Meeting
November 20, 2003 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia 

A panel of the board will conduct formal hearings with licensees or certificate holders. Public comment will not be received.

Contact: Jay P. Douglas, M.S.M., C.S.A.C., Executive Director, Board of Nursing, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY , e-mail nursebd@dhp.state.va.us.


November 18, 2003 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, Board Room 2, 5th Floor, Richmond, Virginia 

A general business meeting including committee reports, consideration of regulatory action, and disciplinary case decisions as presented on the agenda. Public comment will be received at 11 a.m.

Contact: Jay P. Douglas, R.N., Executive Director, Board of Nursing, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY , e-mail jay.douglas@dhp.state.va.us.


Calendar of Events

BOARD OF OPTOMETRY


† **October 24, 2003 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Room 4, Richmond, Virginia 

A special conference hearing. This is a public meeting;
however, public comment will not be received.


Contact: Elizabeth Carter, Ph.D., Executive Director, Board
of Optometry, 6603 W. Broad St., 5th Floor, Richmond, VA
23230, telephone (804) 662-9910, FAX (804) 662-7098, e-
mail elizabeth.carter@dhp.state.va.us.

† **October 24, 2003 - 11 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Room 3, Richmond, Virginia 

The board will hold elections and fill committee vacancies
for 2003-2004, establish 2004 calendar and review the CPT
codes. Further, discussion will be held regarding third party
vision plans and any other general board business as
needed. Public comment will be received at the beginning of
the meeting.


Contact: Elizabeth A. Carter, Ph.D., Executive Director,
Board of Optometry, Alcoa Bldg., 6603 W. Broad St., 5th
Floor, Richmond, VA 23230-1712, telephone (804) 662-9910,
FAX (804) 662-7098, (804) 662-7197/TTY , e-mail
elizabeth.carter@dhp.state.va.us.

VIRGINIA BOARD FOR PEOPLE WITH DISABILITIES


October 21, 2003 - 9 a.m. -- Open Meeting
Williamsburg Marriott Hotel, 50 Kingsmill Road, Williamsburg,
Virginia  (Interpreter for the deaf provided upon request)

A two-day planning retreat.

Contact: Sandra Smalls, Executive Assistant to the Director,
Virginia Board for People with Disabilities, 202 N. 9th St., 9th
Floor, Richmond, VA, telephone (804) 786-9368, FAX (804)
786-1118, toll-free (800) 846-4464, e-mail
smallsse@vbpd.state.va.us.

December 2, 2003 - 1 p.m. -- Open Meeting
Virginia Board for People with Disabilities Conference Room,
202 North 9th St, Richmond, Virginia  (Interpreter for the
deaf provided upon request)

An Executive Committee meeting.

December 3, 2003 - 9 a.m. -- Open Meeting
Virginia Housing Development Authority, Richmond,
Virginia  (Interpreter for the deaf provided upon request)

A full board meeting.

Contact: Sandra Smalls, Assistant to the Director, Virginia
Board for People with Disabilities, 202 N. 9th St., Richmond,
VA, telephone (804) 786-9368, FAX (804) 786-1118, toll-free
(800) 866-4464, e-mail smallsse@vbpd.state.va.us.

PESTICIDE CONTROL BOARD


November 26, 2003 - Public comments may be submitted
until this date.

Notice is hereby given in accordance with § 2.2-4007 of the
Code of Virginia that the Pesticide Control Board intends to
amend regulations entitled **2 VAC 20-30, Rules and
Regulations Governing the Pesticide Fees Charged by
the Department of Agriculture and Consumer Services
Under the Virginia Pesticide Control Act.** The purpose of
the proposed action is to review the regulation for
effectiveness and continued need. The proposed
regulations set fees for (i) pesticide products offered for sale
in the Commonwealth; (ii) commercial pesticide applicators
providers providing pest control services to citizens of the
Commonwealth; (iii) registered technician applicators
providing pest control services to citizens of the
Commonwealth; and (iv) pesticide businesses operating in
the Commonwealth. In addition to the fee structure, these
regulations establish renewal deadlines and late fees.

Statutory Authority: § 3.1-249.30 of the Code of Virginia.


Contact: Marvin A. Lawson, Director, Pesticide Control Board,
1100 Bank St., Room 401, Richmond, VA 23219, telephone
(8904) 786-3534, FAX (804) 786-5112, toll-free 1-800-552-
9963, e-mail@vdacs.state.va.us.

BOARD OF PHARMACY

† **October 21, 2003 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Conference Room 2, Richmond, Virginia 

A Special Conference Committee will meet to discuss
disciplinary matters. Public comments will not be received.


Contact: Elizabeth Scott Russell, Executive Director, Board
of Pharmacy, 6603 W. Broad St., 5th Floor, Richmond, VA
23230, telephone (804) 662-9911, FAX (804) 662-9313.

† **October 30, 2003 - 1 p.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Conference Room 4, Richmond, Virginia 

A meeting of an Informal Conference Committee to approve
a pilot program application.

Contact: Elizabeth Scott Russell, Executive Director, Board
of Pharmacy, 6603 W. Broad St., 5th Floor, Richmond, VA
23230, telephone (804) 662-9911, FAX (804) 662-9313, e-
mail pharmbd@dhp.state.va.us.

BOARD OF PHYSICAL THERAPY

October 24, 2003 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Richmond, Virginia 

A quarterly business meeting to include regulatory and
disciplinary matters as may be presented on the agenda.
Public comment will be received at the beginning of the
meeting.

Contact: Elizabeth Young, Executive Director, Board of Physical Therapy, Alcoa Bldg., 6603 West Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9924, FAX (804) 662-9523, (804) 662-7197/TTY ☎, e-mail elizabeth.young@dhp.state.va.us.

† **October 24, 2003 - 1 p.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia ☎

A meeting to hear possible violations of the laws and regulations governing the practice of physical therapy.

Contact: Elizabeth Young, Executive Director, Board of Physical Therapy, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9907, FAX (804) 662-9523, (804) 662-7197/TTY ☎, e-mail elizabeth.young@dhp.state.va.us.

POLYGRAPH EXAMINERS ADVISORY BOARD

December 3, 2003 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia ☎

A meeting to conduct board business. The department fully complies with the Americans with Disabilities Act.

Contact: Eric Olson, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-2474, (804) 367-9753/TTY ☎, e-mail olson@dpor.state.va.us.

BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION

November 15, 2003 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia ☎

A meeting of the Professional Boxing and Wrestling Advisory Task Force to discuss proposed wrestling regulations.

Contact: Karen W. O'Neal, Regulatory Programs Coordinator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail oneal@dpor.state.va.us.

BOARD OF PSYCHOLOGY

October 21, 2003 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, Board Room 4, 5th Floor, Richmond, Virginia ☎

A meeting to hear possible violations of the laws and regulations that govern the practice of psychology.

Contact: Evelyn B. Brown, Executive Director, Board of Psychology, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9913, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail evelyn.brown@dhp.state.va.us.

VIRGINIA PUBLIC GUARDIAN AND CONSERVATOR ADVISORY BOARD

December 11, 2003 - 10 a.m. -- Open Meeting
Department for the Aging, 1600 Forest Avenue, Suite 102, Richmond, Virginia ☎

A regular quarterly meeting.

Contact: Terry Raney, Guardianship Coordinator, Department for the Aging, 1600 Forest Ave., Suite 102, Richmond, VA 23229, telephone (804) 662-7049, FAX (804) 662-9354, toll-free (800) 552-3402, (804) 662-9333/TTY ☎, e-mail traney@vdh.stat.va.us.

VIRGINIA RACING COMMISSION

November 7, 2003 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Virginia Racing Commission intends to amend regulations entitled **11 VAC 10-20, Regulations Pertaining to Horse Racing with Pari-Mutuel Wagering**. The purpose of the proposed action is to update the criteria for unlimited horse racing facilities in Virginia.

Statutory Authority: § 59.1-369 of the Code of Virginia.

Contact: William H. Anderson, Director of Policy and Planning, Virginia Racing Commission, P.O. Box 208, New Kent, VA 23124, telephone (804) 966-7404, FAX (804) 966-7418 or e-mail Anderson@vrc.state.va.us.

November 7, 2003 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Virginia Racing Commission intends to amend regulations entitled **11 VAC 10-20, Regulations Pertaining to Horse Racing with Pari-Mutuel Wagering**. The purpose of the proposed action is to update requests for racing days in Virginia.

Statutory Authority: § 59.1-369 of the Code of Virginia.

Contact: William H. Anderson, Director of Policy and Planning, Virginia Racing Commission, P.O. Box 208, New Kent, VA 23124, telephone (804) 966-7404, FAX (804) 966-7418 or e-mail Anderson@vrc.state.va.us.

November 7, 2003 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Virginia Racing Commission intends to amend regulations entitled **11 VAC 10-20, Regulations Pertaining to Horse Racing with Pari-Mutuel Wagering**. The purpose of the proposed action is to update the assignment of racing days within Virginia.

Calendar of Events

Statutory Authority: § 59.1-369 of the Code of Virginia.

Contact: William H. Anderson, Director of Policy and Planning, Virginia Racing Commission, P.O. Box 208, New Kent, VA 23124, telephone (804) 966-7404, FAX (804) 966-7418 or e-mail Anderson@vrc.state.va.us.

REAL ESTATE APPRAISER BOARD

November 18, 2003 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia.

A meeting to conduct board business.

Contact: Karen W. O'Neal, Regulatory Programs Coordinator, Real Estate Appraiser Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail oneal@dpor.state.va.us.

REAL ESTATE BOARD

† **October 20, 2003 - 10 a.m.** -- Open Meeting
† **October 21, 2003 - 9 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, 4th Floor, Room 453, Richmond,
Virginia ☎

An informal fact-finding conference.

Contact: Karen W. O'Neal, Regulatory Programs Coordinator, Real Estate Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail oneal@dpor.state.va.us.

October 22, 2003 - 1 p.m. -- Open Meeting
November 12, 2003 - 9 a.m. -- Open Meeting
November 13, 2003 - 9 a.m. -- Open Meeting
December 17, 2003 - 9 a.m. -- Open Meeting
December 18, 2003 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia ☎ (Interpreter for the deaf provided upon request)

A meeting to conduct informal fact-finding conferences. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Ilona LaPaglia, Legal Assistant, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2394, FAX (804) 367-0194, (804) 367-9753/TTY ☎, e-mail amaker@dpor.state.va.us.

October 22, 2003 - 4 p.m. -- Open Meeting
December 3, 2003 - 4 p.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia.

A meeting of the Education Committee to review education applications.

Contact: Karen W. O'Neal, Regulatory Programs Coordinator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail oneal@dpor.state.va.us.

October 23, 2003 - 8:30 a.m. -- Open Meeting
December 4, 2003 - 8:30 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia.

A meeting of the Fair Housing Board to review fair housing cases.

Contact: Karen W. O'Neal, Regulatory Programs Coordinator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail oneal@dpor.state.va.us.

October 23, 2003 - 9 a.m. -- Open Meeting
December 4, 2003 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia.

A meeting of the board to conduct board business.

Contact: Karen W. O'Neal, Regulatory Programs Coordinator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail oneal@dpor.state.va.us.

DEPARTMENT OF REHABILITATIVE SERVICES

November 12, 2003 - 3:30 p.m. -- Open Meeting
Piedmont Geriatric Hospital, 5001 East Patrick Henry Highway, Burkeville, Virginia ☎ (Interpreter for the deaf provided upon request)

November 13, 2003 - 3:30 p.m. -- Open Meeting
Southside Virginia Training Center, 26317 West Washington Street, Petersburg, Virginia ☎ (Interpreter for the deaf provided upon request)

November 17, 2003 - 4 p.m. -- Open Meeting
Woodrow Wilson Rehabilitation Center, William Cashett Chapel, Route 250, Fishersville, Virginia ☎ (Interpreter for the deaf provided upon request)

November 19, 2003 - 3:30 p.m. -- Open Meeting
Southwestern Virginia Mental Health Institute, 340 Bagley Circle, Marion, Virginia ☎ (Interpreter for the deaf provided upon request)

November 19, 2003 - 3:30 p.m. -- Open Meeting
Southwestern Virginia Training Center, State Route 707, Hillsville, Virginia ☎ (Interpreter for the deaf provided upon request)

November 20, 2003 - 3:30 p.m. -- Open Meeting
Northern Virginia Training Center, 9901 Braddock Road, Fairfax, Virginia ☎ (Interpreter for the deaf provided upon request)

Public forums to seek input regarding vocational rehabilitation and supported employment services provided to Virginians with disabilities. The State Plan may be reviewed at www.vadrs.org or www.va-src.org.

Contact: Rhonda Earman, Department of Rehabilitative Services, 8004 Franklin Farms Drive, P.O. Box K-300, Richmond, VA 23288-0300, telephone (804) 662-7611, FAX (804) 662-7696, toll-free (800) 552-5019, (804) 662-9040/TTY ☎, e-mail srcweb@dsa.state.va.us.

VIRGINIA RESOURCES AUTHORITY

November 13, 2003 - 9 a.m. -- Open Meeting
Eighth and Main Building, 707 East Main Street, 2nd Floor, Richmond, Virginia. ♿

A regular meeting of the Board of Directors to (i) review and, if appropriate, approve the minutes from the most recent monthly meeting; (ii) review the authority's operations for the prior month; (iii) review applications for loans submitted to the authority for approval; (iv) consider loan commitments for approval and ratification under its various programs; (v) approve the issuance of any bonds; (vi) review the results of any bond sales; and (vii) consider such other matters and take such other actions as it may deem appropriate. Various committees of the Board of Directors may also meet immediately before or after the regular meeting and consider matters within their purview. The planned agenda of the meeting and any committee meetings will be available at the offices of the authority one week prior to the date of the meeting. Any person who needs any accommodation in order to participate in the meeting should contact the authority at least 10 days before the meeting so that suitable arrangements can be made.

Contact: Bonnie R. C. McRae, Executive Assistant, Virginia Resources Authority, 707 East Main Street, Richmond, VA 23219, telephone (804) 644-3100, FAX (804) 644-3109, e-mail bmcr@vra.state.va.us.

SCIENCE MUSEUM OF VIRGINIA

October 22, 2003 - Noon -- Open Meeting
Science Museum of Virginia, 2500 West Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A quarterly meeting of the Finance Committee.

Contact: Nina Johnson, Administrative Assistant, Science Museum of Virginia, 2500 W. Broad St., Richmond, VA, telephone (804) 864-1493, FAX (804) 864-1560, toll-free (800) 659-1727, (804) 828-1140/TTY ☎, e-mail njohnson@smv.org.

† **October 23, 2003 - 1:30 p.m.** -- Open Meeting
Science Museum of Virginia, 2500 West Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A quarterly meeting of the Education Committee.

Contact: Nina Johnson, Administrative Assistant, Science Museum of Virginia, 2500 W. Broad St., Richmond, VA,

telephone (804) 864-1493, FAX (804) 864-1560, toll-free (800) 659-1727, (804) 828-1140/TTY ☎, e-mail njohnson@smv.org.

† **October 23, 2003 - 3 p.m.** -- Open Meeting
Science Museum of Virginia, 2500 West Broad Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A quarterly meeting of the Board of Trustees.

Contact: Karen Raham, Administrative Assistant, Science Museum of Virginia, 2500 W. Broad St., Richmond, VA, telephone (804) 864-1499, FAX (804) 864-1560, toll-free (800) 659-1727, (804) 828-1140/TTY ☎, e-mail kraham@smv.org.

VIRGINIA SMALL BUSINESS FINANCING AUTHORITY

October 28, 2003 - 11 a.m. -- Open Meeting
Department of Business Assistance, 707 East Main Street, 3rd Floor, Richmond, Virginia. ♿

A meeting to review applications for loans submitted to the authority for approval and to conduct general business of the board. Meeting time is subject to change depending upon the agenda of the board.

Contact: Scott E. Parsons, Executive Director, Department of Business Assistance, P.O. Box 446, Richmond, VA 23218-0446, telephone (804) 371-8256, FAX (804) 225-3384, toll-free (866) 248-8814, e-mail sparsons@dba.state.va.us.

STATE BOARD OF SOCIAL SERVICES

† **October 22, 2003 - 9 a.m.** -- Open Meeting
† **October 23, 2003 - 9 a.m.** -- Open Meeting
Department of Social Services, Western Office, 190 Patton Street, Abingdon, Virginia. ♿

A regular meeting of the board.

Contact: Pat Rengnerth, Board Liaison, State Board of Social Services, Office of Legislative and Regulatory Affairs, 730 E. Broad St., Room 930, Richmond, VA 23219-1849, telephone (804) 692-1826, FAX (804) 692-1962, (800) 828-1120/TTY ☎, e-mail pvr2@dss.state.va.us.


BOARD OF SOCIAL WORK

† **October 30, 2003 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. ♿


A meeting to hear possible violations of the laws and regulations governing the practice of social work.

Contact: Evelyn B. Brown, Executive Director, Board of Social Work, 6603 W. Broad St., 5th Floor, Richmond, VA, telephone (804) 662-9914, FAX (804) 662-7250, (804) 662-7197/TTY ☎, e-mail evelyn.brown@dhp.state.va.us.

Calendar of Events

† **October 31, 2003 - 10 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Conference Room 1, Richmond, Virginia 

A business meeting to include reports from standing committees and any disciplinary or regulatory matters as may be presented on the agenda. Public comment will be received at the beginning of the meeting.

Contact: Evelyn B. Brown, Executive Director, Board of Social Work, 6603 W. Broad St., 5th Floor, Richmond, VA, telephone (804) 662-9914, FAX (804) 662-7250, (804) 662-7197/TTY , e-mail evelyn.brown@dhp.state.va.us.

BOARD FOR PROFESSIONAL SOIL SCIENTISTS AND WETLAND PROFESSIONALS

October 24, 2003 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board for Professional Soil Scientists and Wetland Professionals intends to adopt regulations entitled **18 VAC 145-30, Wetland Delineators Certification Regulations**. The purpose of the proposed action is to promulgate regulations to implement a regulatory program for wetland professionals in accordance with Chapter 784 of the 2002 Acts of Assembly.

Statutory Authority: §§ 54.1-201 and 54.1-2203 of the Code of Virginia.


Contact: Mark N. Courtney, Executive Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8514, FAX (804) 367-2475 or e-mail SoilScientist@dpor.state.va.us.

COUNCIL ON TECHNOLOGY SERVICES

November 6, 2003 - 2 p.m. -- Open Meeting
December 4, 2003 - 2 p.m. -- Open Meeting
Department of Information Technology, 110 South 7th Street,
3rd Floor, Executive Conference Room, Richmond, Virginia.

A regular monthly meeting of the Executive Committee.
Agenda and meeting information available at
www.cots.state.va.us.


Contact: Jenny Hunter, COTS Executive Director, Council on Technology Services, Department of Technology Planning, 110 S. 7th St., Richmond, VA 23219, telephone (804) 786-9579, FAX (804) 786-9584, e-mail jhunter@gov.state.va.us.

November 12, 2003 - 9:30 a.m. -- Open Meeting
December 10, 2003 - 9:30 a.m. -- Open Meeting
Department of Motor Vehicles, 2300 West Broad Street, 7th
Floor, Executive Conference Room, Richmond, Virginia 

A regular monthly meeting of the Change Management Workgroup. Agenda and details available at
www.cots.state.va.us.

Contact: Jenny Hunter, COTS Executive Director, Council on Technology Services, 110 S. 7th St., Suite 135, Richmond, VA


23219, telephone (804) 786-9579, FAX (804) 786-9584, e-mail jhunter@gov.state.va.us.

November 20, 2003 - 3 p.m. -- Open Meeting
December 18, 2003 - 3 p.m. -- Open Meeting
Department of Rehabilitative Services, 8004 Franklin Farms Drive, Lee Building, Rooms 101, 103, and 105, Richmond, Virginia  (Interpreter for the deaf provided upon request)

A regular monthly meeting of the Security Workgroup.
Agenda and details can be found at www.cots.state.va.us.

Contact: Jenny Hunter, COTS Executive Director, Council on Technology Services, 110 S. 7th St., Suite 135, Richmond, VA 23219, telephone (804) 786-9579, FAX (804) 786-9584, e-mail jhunter@gov.state.va.us.


VIRGINIA TOBACCO SETTLEMENT FOUNDATION

† **October 23, 2003 - 1:30 p.m.** -- Open Meeting
Shenandoah Memorial Hospital, Woodstock, Virginia 

A meeting of the Northwest Region Advisory Board to discuss the process for the current request for proposal and an update by the Marketing Coordinator on the upcoming Y tour "Slam-n-Jam" events.


Contact: Henry Harper, Grants Program Administrator, Virginia Tobacco Settlement Foundation, 2878 James Madison Hwy., Brems Bluff, VA 23022, telephone (434) 842-9149, FAX (434) 842-9157, e-mail hharper@tsf.state.va.us.

COMMONWEALTH TRANSPORTATION BOARD

† **November 19, 2003 - 2 p.m.** -- Open Meeting
Department of Transportation, 1221 East Broad Street,
Central Auditorium, Richmond, Virginia 

A work session of the Commonwealth Transportation Board and the Department of Transportation and Department of Rail and Public Transportation staff.

Contact: Katherine Tracy, Assistant Secretary, Commonwealth Transportation Board, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-3090, FAX (804) 225-4700, e-mail Katherine.Tracy@VirginiaDOT.org.


† **November 20, 2003 - 9 a.m.** -- Open Meeting
Department of Transportation, 1221 East Broad Street,
Central Auditorium, Richmond, Virginia 

A meeting to vote on proposals presented regarding bids, permits, conveyances, and any other matters requiring board approval. Public comment will be received at the outset of the meeting on items on the meeting agenda for which the opportunity for public comment has not been afforded the public in another forum. Remarks will be limited to five minutes. Groups are asked to select one individual to speak for the group. The board reserves the right to amend these conditions. Separate committee meetings may be held on call of the chairman. Contact VDOT Public Affairs at (804) 786-3090 for schedule.

Contact: Katherine Tracy, Assistant Secretary, Commonwealth Transportation Board, 1401 E. Broad St.,

Richmond, VA 23219, telephone (804) 786-3090, FAX (804) 225-4700, e-mail Katherine.Tracy@VirginiaDOT.org.


TREASURY BOARD

† **November 19, 2003 - 9 a.m.** -- Open Meeting
James Monroe Building, 101 North 14th Street, 3rd Floor,
Treasury Board Room, Richmond, Virginia 


A regular meeting.

Contact: Melissa Mayes, Treasury Board Secretary,
Department of the Treasury, 101 N. 14th St., 3rd Floor,
Treasury Board Room, Richmond, VA 23219, telephone (804)
371-6011, FAX (804) 225-3187, e-mail
melissa.mayes@trs.state.va.us.

BOARD OF VETERINARY MEDICINE

† **November 13, 2003 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Conference Room 4, Richmond, Virginia 

Informal hearings (disciplinary hearings). These are public
meetings, but public comment will not be received.


Contact: Terri H. Behr, Administrative Assistant, Board of
Veterinary Medicine, 6603 W. Broad St., 5th Floor, Richmond,
VA 23230, telephone (804) 662-9915, FAX (804) 662-7098,
(804) 662-7197/TTY , e-mail terri.behr@dhp.state.va.us.

STATE WATER CONTROL BOARD

† **October 28, 2003 - 9:30 a.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, House
Room C, Richmond, Virginia.

A regular meeting.


Contact: Cindy Berndt, Regulatory Coordinator, Department
of Environmental Quality, P.O. Box 10009, Richmond, VA
23240, telephone (804) 698-4378, FAX (804) 698-4346, e-
mail cmb Berndt@deq.state.va.us.

November 12, 2003 - 11 a.m. -- Open Meeting
Department of Environmental Quality, Piedmont Regional
Office, 4949-A Cox Road, Glen Allen, Virginia 


A meeting of the technical advisory committee assisting the
department in the development of regulatory actions to
implement the federal confined animal feeding operation
regulations.

Contact: T. Scott Haley, Confined Animal Feeding
Operations, Department of Environmental Quality, P.O. Box
10009, Richmond, VA 23240, telephone (804) 698-4443, FAX
(804) 698-4032, e-mail tshaley@deq.state.va.us.

BOARD FOR WATERWORKS AND WASTEWATER WORKS OPERATORS


December 9, 2003 - 8:30 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia 

A meeting to conduct board business.

Contact: David E. Dick, Assistant Director, Board for
Waterworks and Wastewater Works Operators, 3600 W.
Broad St., Richmond, VA 23230, telephone (804) 367-8595,
FAX (804) 367-6128, (804) 367-9753/TTY , e-mail
waterwasteoper@dpor.state.va.us.

INDEPENDENT


STATE LOTTERY BOARD

† **November 5, 2003 - 9:30 a.m.** -- Open Meeting
State Lottery Department, 900 East Main Street, 13th Floor,
Richmond, Virginia 


A regular meeting to consider upcoming games and
conduct routine business.

Contact: Frank S. Ferguson, Director, Legislative and
Regulatory Affairs, State Lottery Department, 900 E. Main St.,
Richmond, VA 23219, telephone (804) 692-7901, FAX (804)
692-7603, e-mail fferguson@valottery.state.va.us.


VIRGINIA OFFICE FOR PROTECTION AND ADVOCACY

† **October 23, 2003 - 10 a.m.** -- Open Meeting
Hampton Inn and Suites, 900 West Main Street,
Charlottesville, Virginia  (Interpreter for the deaf provided
upon request)


A meeting of the Developmental Disabilities Advisory
Council. Public comment is welcome and will be received
at the beginning of the meeting. If reasonable
accommodations are required in order to attend the
meeting, please contact the office.

Contact: Kimberly Ware, Program Operations Coordinator,
Virginia Office for Protection and Advocacy, 202 N. 9th Street,
9th Floor, Richmond, VA 23219, telephone (804) 225-2061,
FAX (804) 225-3221, toll-free (800) 552-3962, (804) 225-
2042/TTY , e-mail wareka@vopa.state.va.us.

VIRGINIA RETIREMENT SYSTEM

October 30, 2003 - 10 a.m. -- Open Meeting
Virginia Retirement System Headquarters Building, 1200 East
Main Street, Richmond, Virginia 

A meeting of the Optional Retirement Plan Advisory
Committee. No public comment will be received at the
meeting.

Contact: LaShaunda B. King, Administrative Secretary,
Virginia Retirement System, 1200 E. Main St., Richmond, VA
23219, telephone (804) 344-3124, FAX (804) 786-1541, toll-
free (888) 827-3847, (804) 344-3190/TTY , e-mail
lking@vrs.state.va.us.

Calendar of Events

November 19, 2003 - 11 a.m. -- Open Meeting

December 17, 2003 - 3 p.m. -- Open Meeting

Bank of America Building, 1111 East Main Street, 4th Floor
Conference Room, Richmond, Virginia 23219

The regular meeting of the Investment Advisory Committee of the VRS Board of Trustees. No public comment will be received at the meeting.

Contact: Phyllis Henderson, Investment Department Administrative Assistant, Virginia Retirement System, 1111 East Main Street, Richmond, Virginia 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY, e-mail phenderson@vrs.state.va.us.

November 19, 2003 - 3 p.m. -- Open Meeting

VRS Headquarters, 1200 East Main Street, Richmond, Virginia

Regular meetings of the following committees:
Administration and Personnel - 3 p.m.
Benefits and Actuarial - 3 p.m.
Audit and Compliance - 4 p.m.

Contact: LaShaunda B. King, Acting Office Manager, Virginia Retirement System, P.O. Box 2500, Richmond, VA 23218, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY, e-mail lking@vrs.state.va.us.

November 20, 2003 - 9 a.m. -- Open Meeting

December 18, 2003 - 9 a.m. -- Open Meeting

VRS Headquarters, 1200 East Main Street, Richmond, Virginia

A regular meeting of the Board of Trustees. No public comment will be received.

Contact: Darla K. Glazier, Office Manager, Virginia Retirement System, P.O. Box 2500, Richmond, VA 23218, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY, e-mail dkestner@vrs.state.va.us.

LEGISLATIVE

VIRGINIA CODE COMMISSION

October 22, 2003 - 10 a.m. -- Open Meeting

November 19, 2003 - 10 a.m. -- Open Meeting

December 17, 2003 - 10 a.m. -- Open Meeting

General Assembly Bldg., 6th Floor, Speaker's Conference Room, Richmond, Virginia (Interpreter for the deaf provided upon request)

A meeting to continue with the recodification of Titles 1, 3.1 and 37.1 and to conduct any other business that may come before the commission. Public comment will be received at the end of the meeting.

Contact: Jane Chaffin, Registrar of Regulations, Virginia Code Commission, General Assembly Bldg., 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 692-0625, e-mail jchaffin@leg.state.va.us.

JOINT COMMISSION ON TECHNOLOGY AND SCIENCE

October 21, 2003 - 9:30 a.m. -- Open Meeting

General Assembly Building, 9th and Broad Streets, Senate Room A, Richmond, Virginia.

A meeting of the JCOTS Advisory Committee on Consumer Protection.

Contact: Mitchell Goldstein, Director, Joint Commission on Technology and Science, General Assembly Bldg., 2nd Floor, 910 Capitol St., Richmond, VA 23219, telephone (804) 786-3591.

October 22, 2003 - 1:30 p.m. -- Open Meeting

General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia

A meeting of the JCOTS Advisory Committee on the Hard Sciences.

Contact: Eric Link, Staff Attorney, Joint Commission on Technology and Science, General Assembly Bldg., 2nd Floor, 910 Capitol St., Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 371-0169, e-mail elink@leg.state.va.us.

December 2, 2003 - 10 a.m. -- Open Meeting

General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia

A meeting of the Joint Commission on Technology and Science. This meeting also will be teleconferenced from 510 Cumberland St., Suite 308, Bristol, Virginia.

Contact: Mitchell Goldstein, Director, Joint Commission on Technology and Science, General Assembly Building, 2nd Floor, 910 Capitol St., Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 371-0169.

CHRONOLOGICAL LIST

OPEN MEETINGS

October 20

Environmental Quality, Department of
Medical Assistance Services, Department of
Museum of Natural History, Virginia
- Executive Committee
† Real Estate Board

October 21

† Aviation Board, Virginia
† Compensation Board
Contractors, Board for
Environmental Quality, Department of
† Mines, Minerals and Energy, Department of
- Virginia Gas and Oil Board
Nursing, Board of
- Special Conference Committee
People with Disabilities, Virginia Board for
† Pharmacy, Board of
- Special Conference Committee
Psychology, Board of
† Real Estate Board

Technology and Science, Joint Commission on
 - Advisory Committee on Consumer Protection

October 22

† Aviation Board, Virginia
 Code Commission, Virginia
 Education, Board of
 Environmental Quality, Department of
 Health, Department of
 - Sewage Handling and Disposal Appeal Review Board
 Health Professions, Board of
 - Executive Committee
 - Regulatory Research Committee
 † Intergovernmental Relations, Virginia Advisory
 Commission on
 Medicine, Board of
 - Informal Conference Committee
 Real Estate Board
 - Education Committee
 Science Museum of Virginia
 - Finance Committee
 † Social Services, State Board of
 Technology and Science, Joint Commission on
 - Advisory Committee on The Hard Sciences

October 23

† Conservation and Recreation, Board of
 Environmental Quality, Department of
 Game and Inland Fisheries, Board of
 Labor and Industry, Department of
 - Virginia Apprenticeship Council
 Motor Vehicles, Department of
 Nursing, Board of
 - Special Conference Committee
 † Protection and Advocacy, Virginia Office for
 - Developmental Disabilities Advisory Council
 Real Estate Board
 - Fair Housing Board
 † Science Museum of Virginia
 - Science Education Committee
 - Board of Trustees
 † Social Services, State Board of
 † Tobacco Settlement Foundation, Virginia
 - Northwest Region Advisory Board

October 24

Counseling, Board of
 - Regulatory Standards Subcommittee
 † Employment Dispute Resolution, Department of
 Health, State Board of
 † Optometry, Board of
 - Special Conference Committee
 † Physical Therapy, Board of

October 27

Alcoholic Beverage Control Board
 Barbers and Cosmetology, Board for

October 28

Blind and Vision Impaired, Department for the
 Chesapeake Bay Local Assistance Board
 - Northern Area Review Committee Meeting
 - Southern Area Review Committee Meeting
 † Contractors, Board for
 - Contractor Recovery Fund
 † Funeral Directors and Embalmers, Board of
 Marine Resources Commission

Nursing, Board of
 - Special Conference Committee
 Small Business Financing Authority, Virginia
 † Water Control Board, State

October 29

At-Risk Youth and Families, Comprehensive Services for
 - State Executive Council
 Contractors, Board for
 - Contractor Recovery Fund
 - Informal Fact-Finding Conference
 - Tradesman and Education Committee
 Labor and Industry, Department of
 - Virginia Migrant and Seasonal Farmworkers Board
 Medicine, Board of
 - Informal Conference Committee
 Mental Health, Mental Retardation and Substance Abuse
 Services Board, State

October 30

Education, Board of
 - Consolidation Task Force
 Medical Assistance Services, Department of
 Medicine, Board of
 - Informal Conference Committee
 Mental Health, Mental Retardation and Substance Abuse
 Services Board, State
 † Pharmacy, Board of
 - Informal Conference Committee
 Retirement System, Virginia
 - Optional Retirement Plan Advisory Committee
 † Social Work, State Board

October 31

Blind and Vision Impaired, Department for the
 † Dentistry, Board of
 - Special Conference Committee
 † Social Work, Board of

November 3

† Branch Pilots, Board for
 † Longwood University
 - Executive Committee

November 4

† Architects, Professional Engineers, Land Surveyors,
 Certified Interior Designers and Landscape Architects,
 Board for
 - Professional Engineers Section
 Asbestos, Lead and Home Inspectors, Virginia Board for
 Contractors, Board for
 † Environmental Quality, Department of
 Museum of Fine Arts, Virginia
 - Executive Committee

November 5

† Agriculture and Consumer Services, Department of
 - Consumer Affairs Advisory Committee
 Higher Education Tuition Trust Fund, Virginia
 Jamestown-Yorktown Foundation
 - Jamestown 2007 Executive Committee
 Labor and Industry, Department of
 - Safety and Health Codes Board
 † Lottery Board, State

November 6

Audiology and Speech-Language Pathology, Board of
 † Conservation and Recreation, Department of
 † Deaf and Hard-of-Hearing, Department for the

Calendar of Events

- Environmental Quality, Department of
† Governor, Office of the
- Urban Policy Task Force
Information Technologies Agency, Virginia
- Virginia Geographic Information Network Advisory Board
Technology Services, Council on
- Executive Committee
- November 7**
Art and Architectural Review Board
† Medicine, Board of
- November 10**
Alcoholic Beverage Control Board
† Architects, Professional Engineers, Land Surveyors,
Certified Interior Designers and Landscape Architects,
Board for
- Landscape Architects Section
Local Government, Commission on
† Motor Vehicle Dealer Board
- Advertising Committee
- Dealer Practices Committee
- Franchise Law Committee
- Licensing Committee
- Transaction Recovery Fund Committee
- November 12**
† Architects, Professional Engineers, Land Surveyors,
Certified Interior Designers and Landscape Architects,
Board for
- Land Surveyors Section
† Housing and Community Development, Board of
Information Technologies Agency, Virginia
- Wireless E-911 Services Board
Juvenile Justice, State Board of
Medicine, Board of
- Informal Conference Committee
Motor Vehicles, Department of
- Medical Advisory Board
Real Estate Board
Rehabilitative Services, Department of
Technology Services, Council on
- Change Management Workgroup
† State Water Control Board
- November 13**
† Architects, Professional Engineers, Land Surveyors,
Certified Interior Designers and Landscape Architects,
Board for
- Certified Interior Designers Section
† Conservation and Recreation, Department of
- State Scenic River Advisory Board
† Dentistry, Board of
† Environmental Quality, Department of
- Recycling Markets Development Council
Real Estate Board
Rehabilitative Services, Department of
Resources Authority, Virginia
† Veterinary Medicine, Board of
- November 14**
Child Fatality Review Team, State
† Counseling, Board of
- Informal Conference Committee
† Dentistry, Board of
Health, Department of
- Emergency Medical Services Advisory Board
- Museum of Natural History, Virginia
- Executive Committee
- November 15**
Professional and Occupational Regulation, Department of
- Professional Boxing and Wrestling Advisory Task Force
- November 17**
Education, Board of
- Advisory Board for Teacher Education and Licensure
Jamestown-Yorktown Foundation
- Board of Trustees
The Library of Virginia
- Archival and Information Services Committee
- Collection and Management Services Committee
- Legislative and Finance Committee
- Library Board
- Publications and Educational Services Committee
- Public Library Development Committee
- Records Management Committee
Nursing, Board of
Rehabilitative Services, Department of
- November 18**
† Conservation and Recreation, Department of
- Goose Creek Scenic River Advisory Board
† Corrections, Board of
- Correctional Services/Policy and Regulations
Committee
- Liaison Committee
Jamestown-Yorktown Foundation
- Board of Trustees
Nursing, Board of
Real Estate Appraiser Board
- November 19**
Code Commission, Virginia
Contractors, Board for
† Corrections, Board of
- Administration Committee
Education, Board of
† Fire Services Board, Virginia
- Code Change and Development Subcommittee
George Mason University
Medicine, Board of
- Informal Conference Committee
Museum of Fine Arts, Virginia
- Collections Committee
- Expansion Committee
- Finance Committee
Nursing, Board of
Rehabilitative Services, Department of
Retirement System, Virginia
- Administration and Personnel Committee
- Audit and Compliance Committee
- Benefits and Actuarial Committee
- Investment Advisory Committee
† Transportation Board, Commonwealth
† Treasury Board
- November 20**
Design-Build/Construction Management Review Board
Geology, Board for
† Health, Department of
- Biosolids Use Regulations Advisory Committee
- Sewage Handling and Disposal Advisory Committee
Nursing, Board of

Rehabilitative Services, Department of
Retirement System, Virginia
- Board of Trustees
Technology Services, Council on
- Security Workgroup
† Transportation Board, Commonwealth

November 21

Counseling, Board of
† Dentistry, Board of
- Special Conference Committee

November 24

Alcoholic Beverage Control Board

November 25

† Marine Resources Commission

November 26

At-Risk Youth and Families, Comprehensive Services for
- State Executive Council
Funeral Directors and Embalmers, Board of
- Regulatory/Legislative Committee

December 2

Charitable Gaming Board
Contractors, Board for
People with Disabilities, Virginia Board for
Technology and Science, Joint Commission on

December 3

Alzheimer's Disease and Related Disorders Commission
Medicine, Board of
- Informal Conference Committee
Nursing, Board of
- Special Conference Committee
People with Disabilities, Virginia Board for
Polygraph Examiners Advisory Board
Real Estate Board
- Education Committee

December 4

Nursing, Board of
- Special Conference Committee
Real Estate Board
- Fair Housing Board
Technology Services, Council on
- Executive Committee

December 5

Art and Architectural Review Board

December 8

Alcoholic Beverage Control Board

December 9

Contractors, Board for
† Governor, Office of
- Urban Policy Task Force
Medical Assistance Services, Board of
Nursing, Board of
- Special Conference Committee
Waterworks and Wastewater Works Operators, Board for

December 10

Funeral Directors and Embalmers, Board of
Jamestown-Yorktown Foundation
- Steering Committee
Museum of Natural History
- Executive Committee
Technology Services, Council on
- Change Management Workgroup

December 11

Public Guardian and Conservator Advisory Board, Virginia

December 12

Health, Department of
- Early Hearing Detection and Intervention Program
Advisory Committee
Department of Health Professions

December 16

Milk Commission
Nursing, Board of
- Special Conference Committee

December 17

Code Commission, Virginia
† Fire Services Board, Virginia
- Code Change and Development Subcommittee
Medical Assistance Services, Department of
- Medicaid Transportation Advisory Committee
Medicine, Board of
- Informal Conference Committee
Real Estate Board
Retirement System, Virginia
- Investment Advisory Committee

December 18

Design-Build/Construction Management Review Board
Real Estate Board
Retirement System, Virginia
- Board of Trustees
Technology Services, Council on
- Security Workgroup

December 22

Alcoholic Beverage Control Board

December 31

At-Risk Youth and Families, Comprehensive Services for
- State Executive Council

January 7

† Geology, Board for

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November 6

† Mines, Minerals and Energy, Department of

November 12

Juvenile Justice, State Board of

December 11

Criminal Justice Services Board
