
VDOT
Virginia Department of Transportation

PERIODIC REGULATORY REVIEW

Rules and Regulations Controlling Outdoor Advertising and Directional and Other Signs and Notices

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Periodic Regulatory Review – APA Requirement

The Administrative Process Act requires any agency that adopts regulations to periodically review those regulations, including consideration of:

- **the extent to which regulations remain supported by statutory authority/do not duplicate/overlap/conflict with state or federal law;**
- **the nature of complaints/comments received from the public;**
- **whether the regulations are necessary for the protection of public health, safety and welfare;**
- **whether the regulations are clearly written and easily understandable;**
- **whether the regulations' economic impacts on small businesses and families are minimized as much as possible; and**
- **the length of time since the regulation has been evaluated.**

See § 2.2-407.1 and § 2.2-4017 of the *Code of Virginia*

Periodic Regulatory Review – Process Authorities

Executive Order (EO) 19 – Issued June 30, 2022

- Created the Office of Regulatory Management (ORM) to, among other things, work with each regulatory agency to review all existing regulations, required once every four years, to reduce the overall regulatory burden on the public.

ORM Procedures

- Outline the periodic review requirements, including a new economic analysis comprised of a benefit-cost analysis, consideration of local government impact and economic impacts on families and small businesses, and the count of regulatory requirements embedded in the regulation.

Chapter 444 of the 2018 Acts of Assembly

- Requires the Department of Planning and Budget (DPB) to track and report to the General Assembly annually which agencies are complying with the periodic review requirements.

Regulatory Reduction Program

ORM's guidance on EO 19 requires each agency to reduce the agency's discretionary regulatory burden on the public by 25%.

- **The CTB has already met its 25% reduction goal due to previous actions adopted by this Board.**
- **Additional reductions or streamlining of requirements would be consistent with the Governor's objectives to reduce regulatory burdens on the public.**

2025 CTB Periodic Review – 24VAC30-120

- VDOT staff have initiated periodic review and performed a preliminary review of 24VAC30-120, Rules and Regulations Controlling Outdoor Advertising and Directional and Other Signs and Notices.
  - Preliminary review has identified opportunities for updating and streamlining the regulation.
- A more detailed review will be conducted in the coming months to identify specific amendments.
  - Regulatory reduction efforts will be included as part of this periodic review process.

2025 CTB Periodic Review – 24VAC30-120

Periodic Reviews are initiated by posting Notice on Town Hall

- Can be a Notice of Periodic Review Action, or
- Can be a Notice of Intended Regulatory Action (NOIRA), if it appears that an amendment of a regulation will be warranted—initiates the regulatory process and expedites the overall process.
- Regulatory process typically includes:

  1) a Notice of Intended Regulatory Action (NOIRA), followed by executive branch review and 30 days public comment;

  2) a Proposed stage where actual amendments to regulatory language are drafted, followed by executive branch review and 60 days public comment; and

  3) a Final stage, where the agency considers the previous public comment(s) and adopts final amendments to the regulatory language, followed by executive branch review and 30 days public comment

2025 CTB Periodic Review – 24VAC30-120

If authorized by CTB, VDOT staff will file a NOIRA for 24VAC30-120, Rules and Regulations Controlling Outdoor Advertising and Directional and Other Signs and Notices.

VDOT staff will fully review the regulation and present and seek CTB approval of periodic review results and proposed amendments in Fall 2025.

- **Proposed stage projected for filing in late 2025 or early 2026 (after CTB approval)**
- **Final stage projected for filing in mid or late 2026**

Questions?