

THE VIRGINIA REGISTER

OF REGULATIONS

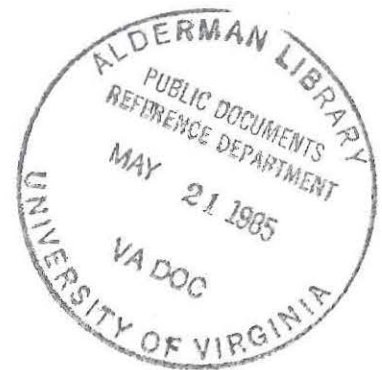
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INFORMATION ABOUT THE VIRGINIA REGISTER OF REGULATIONS

VIRGINIA REGISTER

The *Virginia Register* is an official state publication issued every other week throughout the year. Indexes are published quarterly, and the last index of the year is cumulative.

The *Virginia Register* has several functions. The full text of all regulations, both as proposed and as finally adopted or changed by amendment are required by law to be published in the *Virginia Register of Regulations*.

In addition, the *Virginia Register* is a source of other information about state government, including all Emergency Regulations issued by the Governor, and Executive Orders, the Virginia Tax Bulletin issued monthly by the Department of Taxation, and notices of all public hearings and open meetings of state agencies.

ADOPTION, AMENDMENT, AND REPEAL OF REGULATIONS

An agency wishing to adopt, amend, or repeal regulations must first publish in the *Virginia Register* a notice of proposed action; a basis, purpose, impact and summary statement; a notice giving the public an opportunity to comment on the proposal, and the text of the proposed regulations.

Under the provisions of the Administrative Process Act, the Registrar has the right to publish a summary, rather than the full text, of a regulation which is considered to be too lengthy. In such case, the full text of the regulation will be available for public inspection at the office of the Registrar and at the office of the promulgating agency.

Following publication of the proposal in the *Virginia Register*, sixty days must elapse before the agency may take action on the proposal.

During this time, the Governor and the General Assembly will review the proposed regulations. The Governor will transmit his comments on the regulations to the Registrar and the agency and such comments will be published in the *Virginia Register*.

Upon receipt of the Governor's comment on a proposed regulation, the agency (i) may adopt the proposed regulation, if the Governor has no objection to the regulation; (ii) may modify and adopt the proposed regulation after considering and incorporating the Governor's suggestions, or (iii) may adopt the regulation without changes despite the Governor's recommendations for change.

The appropriate standing committee of each branch of the General Assembly may meet during the promulgation or final adoption process and file an objection with the *Virginia Registrar* and the promulgating agency. The objection will be published in the *Virginia Register*. Within twenty-one days after receipt by the agency of a legislative objection, the agency shall file a response with the Registrar, the objecting legislative Committee, and the Governor.

When final action is taken, the promulgating agency must again publish the text of the regulation, as adopted, highlighting and explaining any substantial changes in the final regulation. A thirty-day final adoption period will commence upon publication in the *Virginia Register*.

The Governor will review the final regulation during this time and if he objects, forward his objection to the Registrar and the agency. His objection will be published in the *Virginia Register*. If the Governor finds that changes made to the proposed regulation are substantial, he may suspend the regulatory process for thirty days and

require the agency to solicit additional public comment on the substantial changes.

A regulation becomes effective at the conclusion of this thirty-day final adoption period, or at any other later date specified by the promulgating agency, unless (i) a legislative objection has been filed, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the twenty-one day extension period; or (ii) the Governor exercises his authority to suspend the regulatory process for solicitation of additional public comment, in which event the regulation, unless withdrawn, becomes effective on the date specified which date shall be after the expiration of the period for which the Governor has suspended the regulatory process.

Proposed action on regulations may be withdrawn by the promulgating agency at any time before final action is taken.

EMERGENCY REGULATIONS

If an agency determines that an emergency situation exists, it then requests the Governor to issue an emergency regulation. The emergency regulation becomes operative upon its adoption and filing with the Registrar of Regulations, unless a later date is specified. Emergency regulations are limited in time and cannot exceed a twelve-months duration. The emergency regulations will be published as quickly as possible in the *Virginia Register*.

During the time the emergency status is in effect, the agency may proceed with the adoption of permanent regulations through the usual procedures (See "Adoption, Amendment, and Repeal of Regulations," above). If the agency does not choose to adopt the regulations, the emergency status ends when the prescribed time limit expires.

STATEMENT

The foregoing constitutes a generalized statement of the procedures to be followed. For specific statutory language, it is suggested that Article 2 of Chapter 1.1:1 (§§ 9-6.14:6 through 9-6.14:9) of the Code of Virginia be examined carefully.

CITATION TO THE VIRGINIA REGISTER

The *Virginia Register* is cited by volume, issue, page number, and date. 1:3 VA.R. 75-77 November 12, 1984 refers to Volume 1, Issue 3, pages 75 through 77 of the *Virginia Register* issued on November 12, 1984.

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Staff of the Virginia Register: Joan W. Smith, Registrar of Regulations; Ann M. Brown, Assistant Registrar of Regulations.

Citizen Participation in the Rule-Making Process

As required by the Administrative Process Act, each agency of the Commonwealth is required to develop, adopt and utilize public participation guidelines for soliciting the input of interested parties in the formation and development of its regulations.

Citizens may participate in the process by which administrative regulations are adopted, amended, or repealed by submitting data or views on proposed regulations either orally or in writing, to the proposing agency (see General Notices and Calendar of Events section of the *Virginia Register*).

How to Follow State Agency Regulatory Action in the Virginia Register

Under the provisions of the Administrative Process Act, state agencies must publish in the *Virginia Register* the full text of proposed rules and regulations, if substantive, as well as a summary statement.

In addition, the agency is required to provide a public comment period and hold a public hearing. A notice of hearing will be published sixty days prior to the hearing. Such notices are published in the CALENDAR OF EVENTS section of the *Virginia Register*. Proposed regulations and adopted regulations are published in separate sections of the *Virginia Register*.

All executive orders and comments on regulations issued by the Governor are published under the GOVERNOR section.

The CALENDAR OF EVENTS section not only contains the notices of public comment periods and hearings but also all notices of meetings required to be open under the provisions of the Freedom of Information Act.

VIRGINIA REGISTER OF REGULATIONS PUBLICATION DEADLINES AND SCHEDULES

ISSUE DATE	MATERIAL SUBMITTED BY 4:30 p.m. Friday	Will be included in PUBLICATION MAILED on Friday
Feb. 4	Jan. 18	Feb. 1
Feb. 18	Feb. 1	Feb. 15
Mar. 4	Feb. 15	Mar. 1
Mar. 18	Mar. 1	Mar. 15
Apr. 1	Mar. 15	Mar. 29
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Apr. 29	Apr. 12	Apr. 26
May 13	Apr. 26	May 10
May 27	May 10	May 24
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Aug. 19	Aug. 2	Aug. 16
Sept. 2	Aug. 16	Aug. 30
Sept. 16	Aug. 30	Sept. 13
Sept. 30	Sept. 13	Sept. 27
		Index
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Oct. 28	Oct. 11	Oct. 25
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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.

STATE BOARD FOR CONTRACTORS

Title of Regulations: VR 220-01-2. Rules and Regulations of the Board of Contractors.

Statutory Authority: Chapters 1.1 and 7 of Title 54, of the Code of Virginia.

Public Hearing Date: July 17, 1985
(Please refer to Calendar of Events section for further information).

Summary:

Chapters 1.1 and 7 of Title 54, of the Code of Virginia, provide the statutory basis for promulgation of regulations governing the practice of contracting in Virginia. The Board proposes to amend its existing regulations to set the amount of fee for a Class A and Class B initial license and recodify existing regulations. The revisions address application fees and recodify regulations to conform to new forms and style requirements for regulations.

VR 220-01-2. Rules and Regulations of the Board of Contractors.

Section One PART I GENERAL

§ 1.1. Class A License Specialty Classifications – (§§ 54-129.1 and 54-1.28 of the Code of Virginia).

~~1-1-1~~ A. "Building Contractors" are those whose contracts include construction for others of commercial, industrial, and institutional buildings and single or multiple-family residential buildings, including accessory use structures and the remodeling, repair or improvement of any size building. (§ 54-129.1)

~~1-1-2~~ B. "Highway/Heavy Contractors" are those whose contracts include construction of roads, streets, bridges, railroads, public transit systems, runways, dams, parking lots, demolition, clearing, grading, excavating, paving, pile driving, foundations and miscellaneous drainage structures. Also included are those whose contracts include the installation or maintenance of power systems for the generation and primary and secondary distribution of electric current ahead of the customer's meter; the installation or maintenance of telephone, telegraph or signal systems for public utilities; and the installation of

water, gas, and sewer lines, pumping stations, and treatment plants. (§ 54-129.1)

~~1-1-3~~ C. "Services Contractors" are those whose contracts are for specialty services which do not substantially fall within the scope of any other classification within these regulations. (§ 54-129.1)

~~1-1-4~~ D. "Special Services - Electrical Contractors" are those whose contracts include construction which falls within the provisions of the National Electrical Code. (§ 54-129.1)

~~1-1-5~~ E. "Special Services - Plumbing Contractors" are those whose contracts include the installation, maintenance, extension, or alteration of all piping, fixtures, appliances, and appurtenances in connection with any of the following: sanitary or storm drainage facilities; the venting system and the public or private water supply systems within or adjacent to any building, structure or conveyance; also the practice and materials used in the installation, maintenance, extension, or alteration of storm-water, liquid waste, or sewerage, and water supply systems of any premises to their connection with any point of public disposal or other acceptable terminal. (§ 54-129.1)

~~1-1-6~~ F. "Special Services - HVAC Contractors" are those whose work includes the installation of heating systems, ventilating systems, cooling systems, steam and hot water heating systems, boilers, and mechanical refrigeration systems. (§ 54-129.1)

~~1-1-7~~ G. "Special Services - HVAC (Refrigeration) Contractors" are those whose work includes the installation, alteration, or repair of mechanical refrigeration systems. (§ 54-129.1)

§ 1.2. Renewal of License – (§§ 54-131, 54-119 and 54-1.28 of the Code of Virginia).

~~1-2-1~~ A. All licenses expiring on January 31, 1985, for individuals licensed as a Class A Contractor, and all licenses expiring on December 31, 1985, for individuals licensed as a Class B Contractor, will be renewed in a manner to implement a staggered renewal system whereby approximately an equal number of licenses will be renewed each month during a biennium. (§ 54-131)

~~1-2-1-1~~ 1. Licenses expiring on these dates will be renewed for a period of time ranging from 6 to 30 months based on a random selection. (§ 54-131)

~~1-2-1-2~~ 2. Renewal notices will be mailed approximately 45 days prior to the expiration of these

licenses and these notices will indicate the amount of fee due and the next expiration date. The amount of fees charged to each licensee will be determined based on the following schedule. (This fee schedule is to be used on a one-time basis only.) (§ 54-131)

<u>Expiration Date</u>	<u>Amount of Fee</u>	<u>Expiration Date</u>	<u>Amount of Fee</u>
<u>Class A</u>		<u>Class B</u>	
July 31, 1985	\$ 23	July 31, 1986	\$ 6
August 31, 1985	26	August 31, 1986	7
September 30, 1985	30	September 30, 1986	8
October 31, 1985	34	October 31, 1986	9
November 30, 1985	38	November 30, 1986	10
December 31, 1985	41	December 31, 1986	11
January 31, 1986	45	January 31, 1987	12
February 28, 1986	49	February 28, 1987	13
March 31, 1986	53	March 31, 1987	14
April 30, 1986	56	April 30, 1987	15
May 31, 1986	60	May 31, 1987	16
June 30, 1986	64	June 30, 1987	17
July 31, 1986	68	July 31, 1987	18
August 31, 1986	71	August 31, 1987	19
September 30, 1986	75	September 30, 1987	20
October 31, 1986	79	October 31, 1987	21
November 30, 1986	83	November 30, 1987	22
December 31, 1986	86	December 31, 1987	23
January 31, 1987	90	January 31, 1988	24
February 28, 1987	94	February 28, 1988	25
March 31, 1987	98	March 31, 1988	26
April 30, 1987	101	April 30, 1988	27
May 31, 1987	105	May 31, 1988	28
June 30, 1987	109	June 30, 1988	29

~~1-2-1-3~~ 3. Thereafter, all Class A licenses expiring on or after July 31, 1985, and all Class B licenses expiring on or after July 31, 1986, will be renewed for a two-year period. The amount of renewal fee will be \$90 for a Class A license and \$20 for a Class B license. (§ 54-131)

~~1-2-1-4~~ 4. Beginning on July 1, 1984, all new licenses will be issued in a manner to expire two years from the last day of the month in which they were issued. (§ 54-131)

~~1-2-2~~ B. The Department of Commerce will mail a renewal notice to the licensee outlining procedures for renewal. Failure to receive this notice, however, shall not relieve the licensee of the obligation to renew. If the licensee fails to receive the renewal notice, a copy of the license may be submitted with the required fee. (§ 54-131)

~~1-2-3~~ C. For any licensee failing to renew the license within one month following the date it expires, a penalty fee of \$90 for Class A Contractors and \$20 for Class B Contractors will be required in addition to the regular renewal fee. Any licensee failing to renew their license within six months after it expires must apply for reinstatement for the license, as no renewals will be accepted. (§ 54-131)

~~1-2-4~~ D. The date a fee is received by the Department of Commerce, or its agent, will be used to determine whether a penalty fee or the requirement for reinstatement of a license is applicable for each fee received. (§ 54-131)

§ 1.3. Fee Payments.

Each check or money order shall be made payable to the Treasurer of Virginia. All fees are nonrefundable. (§§ 54-129.1 and 54-129.3 of the Code of Virginia)

§ 1.4. Class A Fee.

The fee for a Class A license (initial license) shall be ~~\$60~~ \$100. (§ 54-129.1)

§ 1.5. Class B Fee.

The fee for a Class B license (initial license) shall be ~~\$20~~ \$100. (§ 54-129.3)

§ 1.6. Examination Fee.

The examination fee shall be \$25 per examinee for each examination. (§ 54-129.1)

Section Two PART II ENTRY

§ 2.1. Class A License – (§§ 54-129.1, 54-1.28 and 54-119 of the Code of Virginia)

Applicants for licensure must submit an application completed in accordance with the application instructions, and meet or exceed the following criteria prior to licensure:

~~2-1-1~~ 1. Attainment of a passing grade on the appropriate examination when an examination is required by these regulations. (§ 54-129.1)

~~2-1-2~~ 2. Three current satisfactory credit references from suppliers of building materials on a form prescribed by the Board. (§ 54-129.1)

~~2-1-3~~ 3. Three current satisfactory experience references from persons familiar with the knowledge, skills and abilities of the applicant, relating to the performance of contracting services to the public, on a form prescribed by the Board. (§ 54-129.1)

~~2-1-4~~ 4. One current satisfactory reference from the bank which maintains the applicant's depository account, on a form prescribed by the Board. (§ 54-129.1)

~~2-1-5~~ 5. A financial statement dated not more than 15 months prior to application evidencing a net worth of at least \$25,000 for an individual or partnership, excluding any jointly owned residence, or a net equity of at least \$25,000 for a corporation. (§ 54-129.1)

~~2-1-5-1~~ a. Financial statements dated more than 90 days prior to application must be accompanied by an affidavit certifying that the current financial condition is substantially as good as or better than that shown

Proposed Regulations

on the financial statement furnished. (§ 54-129.1)

§ 2.2. Temporary Class A License.

The Board may issue a temporary license for a specific project if the project's owner requests such action in writing and the application demonstrates to the Board's satisfaction that the applicant is able to complete satisfactorily the contract to be undertaken under authority of the temporary license. (§ 54-129.2 of the Code of Virginia)

§ 2.3. Class B License.

Applicants for licensure must submit an application stating the name, place of business, place of residence, name of the registered agent, and evidence of holding a current local license pursuant to local ordinances adopted under authority of § 54-145.2 of the Code of Virginia. (§ 54-129.3 of the Code of Virginia)

§ 2.4. Examinations required for Class A "Special Services" classifications - (§§ 54-129.1, 54-1.28 and 54-119 of the Code of Virginia).

~~2.4.1~~ A. The electrical examination shall be administered by the Board; shall be open book and based upon the pertinent provisions of the National Electrical Code. (§ 54-129.1)

~~2.4.2~~ B. The plumbing examination shall be administered by the Board; shall be closed book and based upon the pertinent provisions of the BOCA Basic Plumbing Code, BOCA Mechanical Code, National Level Gas Code and NFPA No. 54, 1974, and includes five questions on gas fitting. (§ 54-129.1)

~~2.4.3~~ C. The HVAC examination shall be administered by the Board; shall be open book and based upon the pertinent provisions of the BOCA Basic Mechanical Code. (§ 54-129.1)

~~2.4.4~~ D. The refrigeration examination shall be administered by the Board; shall be open book and based upon the pertinent provisions of the BOCA Basic Mechanical Code. (§ 54-129.1)

§ 2.5. Waiver of examination by reciprocity.

The Board may waive examination by reciprocity to any person holding a license in good standing in any jurisdiction of the United States, or any foreign country, provided, that the applicant satisfactorily demonstrates to the Board that the examination passed in the other licensing jurisdiction is at least equal to the examination required to obtain licensure from this Board. (§ 54-129.1 of the Code of Virginia)

Section Three PART III STANDARDS OF PRACTICE

§ 3.1. Change in Management Personnel.

When there has been a change in the management personnel of a licensed business, the licensee shall report the change in writing to the Board within ~~thirty~~ 30 days. The report shall designate in resume' form the qualifications and experience of the replacement management personnel. The Board shall promptly notify the licensee in writing that continuation of the license has been granted, or it shall set forth reasons for disapproval. For the purpose of this regulation, "Management Personnel" means the responsible managing employee, qualifying plumbing, electrical, HVAC or refrigeration examinee or officer of any corporation. (§ 54-119 of the Code of Virginia)

§ 3.2. Transfer of License Prohibited.

No license issued by the Board shall be assigned or otherwise transferred. Licenses are issued to legal business entities whether they be individuals, proprietorships, partnerships, corporations, joint ventures or other legal entities. Whenever there is any change in the ownership of the legal entity licensed, whether in a proprietorship or change of partner in partnership or the creation of a corporation, a new license is required. (§ 54-119 of the Code of Virginia)

§ 3.3. Name Changes.

A licensee must do business under the name in which the license is issued. As long as there is no change in the legal entity, a licensee may secure a name change by submitting a written request to the Board for such a change. The request must show the name as it then appears on the license and the new name, and must be accompanied by a copy of a name change authorization from the State Corporation Commission if the licensee is a corporation, or by authorization from the appropriate local court, if the licensee is not a corporation. (§ 54-119 of the Code of Virginia)

§ 3.4. Classification Change.

A licensee may obtain additional classifications by filing a written request with appropriate fee, a detailed resume' of qualifications and experience in the classifications requested, and three letters of recommendation attesting to those qualifications. An examination fee is required when the additional classifications requested are "Special Services - HVAC" or "Special Services - Refrigeration." (§ 54-129.1 of the Code of Virginia)

§ 3.5. Classification Change Fee.

The fee for classification change shall be \$10. (§ 54-119 of the Code of Virginia)

§ 3.6. Change of Address.

Licensees shall report any change of address to the Board in writing within 30 days of the change. (§ 54-119 of the Code of Virginia)

§ 3.7. Prohibited Acts. — (§§ 54-132.1, 54-1.28 and 54-119 of the Code of Virginia). The following acts constitute cause for disciplinary action:

3-7-1 1. Furnishing substantially inaccurate or incomplete financial information to the Board in obtaining or renewing a license. (§ 54-132.1)

3-7-2 2. Disciplinary action by any county, city, town, or any state or federal governing body, which action shall be reviewed by the Board before it takes any disciplinary action of its own. (§ 54-132.1)

3-7-3 3. Failure in any material way to comply with the provisions of the rules and regulations of the Board. (§ 54-132.1)

3-7-4 4. Publishing or causing to be published any advertisement relating to contracting which contains an assertion, representation, or statement of fact that is false, deceptive, or misleading. (§ 54-132.1)

3-7-5 5. Gross negligence, or continued incompetence, or misconduct in the practice of his profession. (§ 54-132.1)

3-7-6 6. Failure to comply with the Virginia Uniform Statewide Building Code; which is administered by the Board of Housing and Community Development. (§ 54-132.1)

3-7-7 7. Willful violation or cooperation with others to violate any provisions of Chapters 1.1 or 7 of Title 54, of the Code of Virginia, or these regulations. (§ 54-132.1)

3-7-8 8. Abandonment without legal excuse of a contract or construction project engaged in or undertaken by the licensee. (§ 54-132.1)

3-7-9 9. Diversion of funds or property received for prosecution or completion of a specified construction project or operation, or for a specific purpose in the prosecution, or for the completion of a construction project or operation. (§ 54-132.1)

3-7-10 10. Failure to honor, within 10 days of receiving formal notice from the Board, any bad checks submitted in payment of a fee required by these regulations. (§ 54-1.2:1)

3-7-11 11. Making a substantial misrepresentation or making a false promise of a character likely to influence, persuade, or induce. (§ 54-132.1)

3-7-12 12. Failure to notify the Board in writing within 30 days after the change of the address of record of

the licensee. (§ 54-132.1)

3-7-13 13. Failure of a licensee to notify the Board in writing within 30 days after a change in the control or direction of the business of the licensee resulting from a change in the licensee's partners, directors, officers, management personnel, responsible managing employee or examinee, or after a change in the control or direction of the business of the licensee resulting from another occurrence or event (§ 54-132.1)

3-7-14 14. Aiding or abetting an unlicensed person to violate any provision of Chapters 1.1 or 7 of Title 54, of the Code of Virginia, or these regulations; or combining or conspiring with or acting as agent, partner, or associate for an unlicensed person; or allowing one's license to be used by an unlicensed person; or acting as or being an ostensible licensee for undisclosed persons who do or will control or direct, directly or indirectly, the operations of the licensee's business. (§ 54-132.1)

3-7-15 15. Failure to comply with the provisions of the Virginia Fair Housing Law §§ 36-86 through 36-96, of the Code of Virginia. (§ 54-132.1)

3-7-16 16. Offering, giving or promising anything of value or benefit to any federal, state, or local employee for the purpose of influencing that employee to circumvent, in the performance of his duties, any federal, state, or local law, regulation, or ordinance governing the construction industry. (§ 54-132.1)

DEPARTMENT OF MINES, MINERALS, AND ENERGY

Title of Regulations: VR 480-03-19. Chapter 19, Coal Surface Mining Reclamation Regulations.

Statutory Authority: § 45.1-230 of the Code of Virginia.

Public Hearing Date: July 15, 1985
(Please refer to the Calendar of Events section for further information.)

Notice:

Due to its length, the proposed amendments to the existing Coal Surface Mining Reclamation Regulations, filed by the Department of Mines, Minerals and Energy, is not being published. However, in accordance with § 9-6.14:22 of the Code of Virginia, the summary is being published in lieu of the full text. The full text of the regulation is available for public inspection at the office of the Registrar of Regulations and the Department of Mines, Minerals and Energy.

Proposed Regulations

Summary:

These regulations consisting of Parts V700-V882, establish the procedures and requirements through which the Department of Mines, Minerals and Energy and its Division of Mined Land Reclamation will implement the Virginia Coal Surface Mining Control and Reclamation Act of 1979, Chapter 19, Title 45.1, of the Code of Virginia, and the Federal Surface Mining Control and Reclamation Act of 1977, (P.L. 95-87, 91 Stat. 445, 30 U.S.C. SS 1201 et seq.), pursuant to the Virginia permanent regulatory program, as approved by the United States Secretary of the Interior.

These Regulations are divided into the following nine Subchapters:

1. Subchapter VA contains introductory information intended to serve as a guide to the rest of the Chapter and to the regulatory requirements and definitions generally applicable to the programs and persons covered by the Act.
2. Subchapter VD identifies the procedures that apply to surface coal mining and reclamation operations conducted on federal lands rather than state or private lands and incorporates by reference the applicable requirements of the state regulatory program: Subchapters VG, VJ, VK, and VL.
3. Subchapter VF implements the requirements of the Act for (i) designating lands which are unsuitable for all or certain types of surface coal mining operations; (ii) terminating designation no longer found to be appropriate; and (iii) prohibiting surface coal mining and reclamation operations on those lands or areas where the Act states that surface coal mining operations should not be permitted or should be permitted only after specified determinations are made.
4. Subchapter VG governs applications for and decisions on permits for surface coal mining and reclamation operations within the Commonwealth. It also governs coal exploration and permit application and decisions on permits for special categories of coal mining on non-Indian and non-federal lands in the Commonwealth. Regulations implementing the experimental practices provision of the Act are also included in Subchapter VG.
5. Subchapter VJ sets forth requirements for performance bonds and public liability insurance for surface mining, underground mining and coal exploration permits.
6. Subchapter VK sets forth the environmental and other performance standards which apply to coal exploration and to surface coal mining and reclamation operations, as well as to special mining situations involved with steep slope mining, mountaintop removal mining, auger mining and prime farmlands.

7. Subchapter VL sets forth the inspection, enforcement, and civil penalty provisions.

8. Subchapter VM sets forth the requirements for the training, examination, and certification of blasters.

9. Subchapter VR sets forth the regulations for the Abandoned Mine Land Program.

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 substantial change from the proposed text of the regulations.

DEPARTMENT OF MINES, MINERALS AND ENERGY

Division of Mines

Title of Regulation: VR 480-05-9.2. Rules and Regulations Governing the Use of Diesel Powered Equipment in Underground Coal Mines.

Statutory Authority: § 45.1-90 (b) of the Code of Virginia.

Effective Date: June 16, 1985.

Summary:

The regulation addresses the mandate of § 45.1-90 (b) of the Code of Virginia, and provides guidelines necessary to maintain a safe and healthful working environment where diesel equipment is utilized in underground coal mines.

VR 480-05-9.2. Rules and Regulations Governing the Use of Diesel Powered Equipment in Underground Coal Mines.

PART I GENERAL REQUIREMENTS

§ 1.1. A. Diesel powered equipment will not be permitted underground without the written approval of the Chief of the Virginia Division of Mines. The approval of use shall incorporate all the requirements of these regulations.

B. If at any time the Chief determines that any condition or practice permitted under this approval may threaten the health or safety of the employees, he may impose additional requirements for the purpose of eliminating the condition or practice.

C. The operator shall submit to the Virginia Division of Mines [~~an amendment to their mining plan~~ a plan] which shall contain the ventilation plans as to the quantities of air in the area where the diesel units are to be operating and the number of diesel units which the operator plans to operate. (If, in the future, the operator exceeds the projected number of units, another amendment must be submitted.) Also, this plan must contain the projected quantities of diesel fuel to be used in a 24-hour period. (Adjustments to the quantities of fuel may be amended by the Chief of the Division.)

§ 1.2. No diesel powered equipment shall be placed in initial operation underground without a check for approval

by the state mine inspector. The mine inspector shall report to the Chief in writing as to the permissibility, ventilation, air quality of toxic gases, the mine operator's name, type of equipment, serial number, and MSHA certification number [where applicable].

§ 1.3. All [~~mobile nonface~~] diesel powered equipment used underground shall [~~be approved in accordance with the requirements of 30 CFR, Part 31, Part 32, or Part 36.~~ meet the requirements and be maintained and operated in accordance with the requirements of the Code of Federal Regulations, Title 30, Chapter I, Part 32, revised as of July 1, 1983.]

§ 1.4. All [~~mobile~~] diesel powered equipment operated inby the last open crosscut and in return air courses shall be permissible and shall be maintained and operated in a permissible condition as defined by [~~30 CFR, Part 31 and Part 36.~~ the Code of Federal Regulations, Title 30, Chapter I, Part 36, revised as of July 1, 1983.]

§ 1.5. Engine adjustments shall be verified [by a statement] by the engine manufacturer [or by the manufacturer's stamped nameplate] as being correct before each diesel powered machine is initially operated in a coal mine.

§ 1.6. [~~Alternation~~ Alteration] in design, substitution of components or assemblies, or changes in conditions of operating diesel powered machines shall not be made without prior concurrence of the Virginia Division of Mines. When such changes are permitted, additional engine tests and adjustments shall be required as necessary to ensure the safe operation of the particular machine in a coal mine.

§ 1.7. The engine of diesel powered equipment shall not be left idling unattended.

§ 1.8. All employees working in mines where diesel powered equipment is used shall be furnished with a filter type self-rescuer [or equivalent] which they shall carry at all times while on duty in the mine.

§ 1.9. The operation of any diesel powered machine in any manner or under any condition that does not comply with the requirements of these regulations may result in [~~an order of closure~~ the machine being taken out of service] until such condition or practice is corrected. Upon review of the violations, the Chief of the Division of Mines may void the approval for use of diesel powered equipment for underground use.

§ 1.10. The engine of any diesel powered machine shall

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not [~~attempt to start~~ be capable of starting] unless the transmission controls are in the neutral position.

[§ 1.11. Stationery diesel powered equipment or installations shall not be permitted underground without a plan submitted by the operator and the written approval of the Chief of the Division of Mines. The plan shall address ventilation, fire protection, and fuel storage and handling.]

PART II PROPER VENTILATION

§ 2.1. The use of diesel powered machines underground shall be restricted to haulageways and working places where positive ventilation is maintained by mechanical means.

§ 2.2. The ventilating air in all mine workings where diesel powered machines are operated shall not contain combustible or other contaminating gases in such concentration that will affect combustion in the diesel engine by materially increasing production of toxic, poisonous or other objectionable constituents in the engine exhaust.

§ 2.3. Each set of producing entries in which diesel powered equipment is used shall be placed on a separate split of air.

§ 2.4. The air supplied for ventilation where diesel powered machines are used shall contain not less than 19.5% by volume of oxygen (dry basic) and not more than 1.00% by volume of methane.

§ 2.5. The quantity of ventilating air to be maintained in the last open crosscut where multiple units are operating in a working section shall be at least 100% of the air quantity specified on the approval plate of the first diesel unit (the unit requiring the highest air quantity on its approval plate) plus 75% of the approval plate air quantity for the second diesel unit and 50% of the approval plate air quantity of each additional diesel unit operating in that split of air. [The quantity of ventilating air in the last open crosscut in working sections where diesel powered equipment is used, shall be measured and recorded daily.]

§ 2.6. The quantity of ventilating air supplied to the working face must be adequate to dilute all toxic and objectionable constituents of the engine exhaust to such extent that the composition of the air meets the air quality standards stipulated in § 2.8 [and § 2.15].

§ 2.7. The quantity of ventilating air to be maintained along haulageways for outby diesel powered equipment must be adequate to dilute all toxic and objectionable constituents of the engine exhaust to such extent that the composition of the air meets the air quality standards stipulated in § 2.8 [and § 2.15. The quantity of ventilating air along haulageways where diesel powered equipment is

used shall be measured and recorded daily].

§ 2.8. The air quality in which diesel powered equipment is operated shall be sampled to determine that the composition of the air is within safe limits with respect to CO, NO, and NO₂. These safe limits are currently defined as being equal to or less than the following Threshold Limit Values (TLV):

	TLV
Carbon Monoxide (CO)	50 ppm
Nitrogen Dioxide (NO ₂)	3 ppm
Nitric Oxide (NO)	25 ppm

§ 2.9. Air quality measurements for each diesel powered machine shall be taken at least once per shift when it is in operation. The measurements must be taken on the downwind side of the machine not closer than five feet and not greater than [~~20~~ 10] feet from the exhaust [in the middle of the entry midway between the mine roof and the mine floor]. Machine(s) exceeding the TLV must be repaired, removed from service or the quantity of air coursed over the machine(s) be increased to reduce gas concentrations to levels at or below the TLV.

§ 2.10. Air quality measurements shall also be taken in the immediate return for each working section at least two times per shift, (once during the first two hours of the shift and once in the last two hours of the shift) while the unit(s) of diesel powered equipment being employed in that section during the shift are in normal operation. Where test results show levels above the established TLV, the diesel powered equipment shall be shut down until the problem is corrected. When the diesel powered equipment is returned to service, air quality tests shall be made to determine that the equipment is in compliance.

§ 2.11. If the engine exhausts becomes more noticeable than normal, required air quality tests shall be made. If the results of the air quality tests are not in compliance, the equipment shall be shut down until the problem is corrected. When the equipment is returned to service, air quality tests shall be made to determine that the equipment is in compliance.

§ 2.12. Frequency of air quality [or quantity] measurements may be reduced [or increased] by written notice from the Chief if he feels that the performance and compliance records of the operator warrant such action.

§ 2.13. Air quality measurements may be taken by several recognized methods such as, gas concentration indicator tubes [; vacuum bottle sample and subsequent gas analysis] ; or direct readout instruments approved for such use or other such methods as may be developed and subsequently approved in the future for taking such measurements. These testers shall be provided and maintained by the operator.

§ 2.14. All tests required in Part II of these regulations shall be taken by a competent person designated by the operator and the results of these tests shall be permanently recorded and kept in a designated place for at least [three years one year] . When test results show excursions above the TLV, the corrective measures taken to attain compliance shall also be recorded. These records will be made available for inspection by interested persons during normal working hours.

§ 2.15. The air quality in which diesel powered equipment operates may be affected by constituents other than those stipulated in § 2.8. The operator shall [periodically at least once per month] perform air quality measurements to ensure safe limits with respect to Carbon Dioxide (CO₂), Sulfur Dioxide (SO₂) and Formaldehyde. These safe limits are currently defined as being equal to or less than the following Threshold Limit Values (TLV):

	TLV
Carbon Dioxide (CO ₂)	5000 ppm
Sulfur Dioxide (SO ₂)	5 ppm
Formaldehyde	2 ppm

PART III FIRE PROTECTION FOR DIESEL POWERED EQUIPMENT

§ 3.1. Each mobile diesel powered machine shall be equipped with a self-contained dry chemical or liquid carbon dioxide system or no less effective system approved by the Virginia Division of Mines.

§ 3.2. Stationary diesel powered equipment must be equipped with an automatically activated dry chemical or carbon dioxide system or no less effective system approved by the Virginia Division of Mines.

§ 3.3. Nozzles and reservoirs shall be placed in accordance with the manufacturer's specifications to provide maximum protection to the fuel tank compartment, motor compartment, battery compartment and hydraulic tanks.

PART IV MAINTENANCE OF DIESEL MACHINES

§ 4.1. Maintenance of diesel powered machines shall be performed by competent persons designated by the operator.

§ 4.2. A. Engine intake and exhaust systems shall be inspected visually at least once each working shift.

B. [Other diesel powered machine Permissible and emission] components [of diesel powered machines] shall be inspected in accordance with the instructions of the manufacturer [or applicable requirements of the law] .

C. Records shall be kept of the inspections for at least [three years one year] and shall be made available for inspection by interested persons.

§ 4.3. Maintenance [inspection] and repair work [on permissible and emission components] shall be done in accordance with the instructions of the manufacturer [or applicable requirements of the law] . Records of maintenance [inspection] and repair work [on permissible and emission components] shall be recorded in a permanent notebook and shall be maintained for a minimum of [three years one year] in a designated location open for inspection by interested persons.

§ 4.4. Maintenance manuals shall be made available for review by interested persons.

PART V FUEL USAGE; SPECIFICATIONS

§ 5.1. The fuel for diesel engines of machines approved for service in underground mines shall [be of a low sulfur type and shall] conform to the equipment manufacturer's specifications.

§ 5.2. Fuel filters on diesel engines shall be cleaned regularly, replaced or repaired promptly as conditions require.

PART VI FUEL USAGE; STORAGE AND HANDLING

§ 6.1. Fuel taken underground shall be transported only in strong metal type containers that are provided with efficient closing devices [or other suitable methods approved by the Chief] .

§ 6.2. Fuel taken underground and awaiting transfer to diesel powered machine fuel tanks shall be stored in a closed compartment or container constructed of incombustible material and shall be kept in a well-ventilated location.

§ 6.3. Fuel shall be transferred from the storage compartment to a machine fuel tank through [a spout] flexible hose that is fitted with a self-closing valve. However, this does not apply to portable hand held containers of five gallons or less.

§ 6.4. The fuel handling system in the diesel powered machine shall be frame grounded when fuel is being transferred from the storage compartment to the machine fuel tank [provided] . However, this does not apply to portable hand held containers of five gallons or less.

§ 6.5. The air vents on fuel handling equipment shall be flameproof. However, this does not apply to portable hand held containers of five gallons or less.

§ 6.6. When fuel is being transferred from a storage compartment to the machine fuel tank, the diesel engine

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[on the piece of equipment being fueled] shall be stopped.

§ 6.7. A supply of sand or other suitable incombustible material shall be available during the transfer of fuel from a storage compartment to the machine fuel tank for absorbing spilled fuel. Fuel spilled shall be cleaned up immediately.

§ 6.8. [In order to prevent unintentional opening,] all drain plugs in the fuel handling system shall be threaded and sealed, [or] locked in the "closed" position [to prevent unintentional opening , or protected by location]

§ 6.9. Only persons designated by the operator shall be permitted to handle fuel for diesel powered machines.

§ 6.10. In fuel handling operations precautions shall be observed to keep the fuel clean and free from contamination by foreign material such as dirt, sediment and water.

§ 6.11. Diesel fuel storage and handling in a working section shall comply with the following:

1. Only one diesel fuel center will be permitted to be in permanent residence;
2. Diesel fuel may be stored in combination with and/or in the same area as hydraulic oil, lubricating oil, and greases;
3. One [30 20] pound approved ABC fire extinguisher and 200 pounds of rock dust per 100 gallons of diesel fuel stored shall be maintained at the storage area;
4. The storage area shall be vented directly to the return;
5. Storage shall be limited to a typical 24-hour supply not to exceed 500 gallons.

§ 6.12. Diesel fuel storage for the [mines mine] shall comply with the following:

1. The underground storage area shall be vented directly to the return;
2. One [30 20] pound approved ABC type fire extinguisher and no less than 200 pounds of rock dust per 100 gallons of fuel storage shall be available at the underground mine storage area;
3. Storage underground shall be limited to a typical 48-hour supply for all normally operating diesel units in the mine.

VIRGINIA DEPARTMENT OF MOTOR VEHICLES

Title of Regulation: VR 485-50-8502. Rules and Regulations

for Motorcycle Rider Safety Training Center Program.

Statutory Authority: § 46.1-567 of the Code of Virginia.

Effective Date: June 12, 1985.

Summary:

The Rules and Regulations for the Motorcycle Rider Safety Training Center Program govern the organization and administration of regional motorcycle rider safety training centers. This involves (i) training center proposal approval and award of contract funds; (ii) curricula requirements and approval; (iii) facilities and equipment requirements and approval; (iv) instructor qualification and approval requirements; and (v) administrative and reporting requirements.

VR 485-50-8502. Rules and Regulations for Motorcycle Rider Safety Training Center Program.

§ 1. Definitions.

The following words and terms, when used in these regulations, shall have the following meaning unless the context clearly indicates otherwise:

"Administrator" means the individual responsible for organizing and administering the training center.

"Commissioner" means the Commissioner of the Virginia Department of Motor Vehicles.

"Course" means a motorcycle rider safety training course.

"DMV" means the Virginia Department of Motor Vehicles.

"Instructor" means an individual who has been [approved by DMV certified] to conduct a Virginia motorcycle rider safety training course.

"MSF" means Motorcycle Safety Foundation.

"Participant" means a person enrolled in a course in motorcycle rider safety training under the Program.

"Program" means the Virginia Motorcycle Rider Safety Training Center Program, as established by § 46.1-564 et seq. of the Code of Virginia and these regulations.

"Range" means a practice area set aside for the operation of motorcycles as part of the course curriculum and marked and/or otherwise delineated for that use on a temporary or permanent basis.

"Training center" means any public or private agency, organization, school, partnership, corporation, or individual under contract to DMV to provide motorcycle rider safety training.

§ 2. Purpose.

The following rules and regulations are applicable to all program activities carried out by DMV with funds provided by the Motorcycle Rider Safety Training Program Fund, for the purpose of carrying out the Virginia Motorcycle Rider Safety Training Center Program (herein referred to as "the Program").

The rules and regulations set forth herein are intended to provide a general description of the Program and are not intended to include all actions involved or required in the administration of contract funds. These rules and regulations may be supplemented by policies or procedures and contract requirements adopted by DMV in respect to the Program. These rules and regulations are adopted pursuant to §§ 46.1-564 through 46.1-570 of the Code of Virginia. The effective date of the rules and regulations is June 11, 1985.

§ 3. General Program Description.

Under the Program, DMV will [~~organize and administer~~ contract with] regional motorcycle rider safety training centers. The [~~distribution~~ location] of the centers will be in accordance with DMV [~~administrative~~] districts. Training centers will provide courses for beginning [~~motorcyclists~~, and may also provide courses for experienced ~~motorcyclists~~ and/or experienced motorcyclists].

Training centers will submit proposals to DMV for approval and award of contract funds [~~under the criteria established by the proposed rules and regulations. Curricula and facilities and equipment used in the Program shall be approved by DMV. Training centers will employ DMV-approved instructors to teach in the Program. Instructors must meet DMV qualifications and approval requirements established by the proposed rules and regulations.~~ DMV will enter into contracts with training centers whose curricula, facilities, equipment and instructors meet DMV approval, in accordance with the standards outlined in these rules and regulations.]

Training centers will submit all reports required by DMV for evaluation. Training centers must resubmit proposals and [~~negotiate~~ renegotiate] contracts annually. DMV will monitor and evaluate the performance of the [~~training centers, and the effectiveness of the program, in] training motorcyclists and in reducing motorcycle [~~deaths, injuries, and property damages~~ death, injury, and property damage accidents].~~

§ 4. Procedures for Approval of Training Centers.

A. Eligibility of Training Centers.

Any public or private agency, organization, school, partnership, corporation or individual that meets all

Program rules and regulations and contract requirements shall be eligible for participation in the Program.

B. Distribution of Training Centers.

Training centers shall be distributed throughout [~~DMV districts~~ the Commonwealth]. DMV shall determine the number of training centers that shall be approved for operation [~~in each district~~ and contracted with in each DMV administrative district].

C. Approval Process.

Applicants for training center approval shall submit a proposal to the DMV Commissioner in response to the request for proposal and the requirements outlined in these rules and regulations.

Proposals for training center approval shall include but not necessarily be limited to:

1. The address and detailed description of the facility or facilities where the course shall be conducted; including criteria outlined in § 6 and in the request for proposal;
2. The name, address, and telephone number of the individual who is authorized to obligate the training center;
3. The name, address, and telephone number of the administrator and/or the individual who is involved in the daily operation of the course;
4. The names, addresses, and social security numbers of the administrator, instructors, [~~range aides~~] and all other individuals who are likely to receive payment under the contract;
5. A planned course schedule including course type, dates, and [~~time periods~~ hours of course conduct];
6. The projected number of students to be trained in the Program during the calendar year;
7. Detailed specifications of the curricula, [~~to include criteria outlined in § 5 of the regulations intended for use, if other than the MSF Motorcycle Rider Course and the MSF Better Biking Program~~];
8. A planned course budget to include all estimated costs for course operation: administration, instructors' salaries; insurance; advertising; purchase of text books, equipment and materials; and other course related expenses;
9. Estimated course fees charged to participants;
10. Verification of adequate insurance coverage to protect both the Commonwealth and the training center and all instructors, aides and participants in

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any course conducted under the Program. The training center shall carry at least the minimum insurance coverage specified in the contract;

11. Verification of a sufficient number of training motorcycles for beginning rider courses;

12. Verification that the designated classroom(s), range(s), and [motorcycle and equipment] storage area(s) are available for all training courses and that they comply with all necessary zoning, health, and safety codes;

13. Copies of all forms used in the Program: participant registration; course recordkeeping; and any other forms used;

14. A statement as to the ability and willingness to meet all requirements set forth in the rules and regulations and in the contract.

D. Contract Award.

Upon review and [approval acceptance] of the proposal, DMV shall enter into a contract with the approved training center. Approval shall be valid for the [duration of the calendar year in which the contract is made period specified in the contract]. Approved training centers shall resubmit proposals and renegotiate contracts each year.

E. Contract Funds.

Approved training centers are eligible to receive Program funds for course operation. Costs eligible for reimbursement, [maximum allowable reimbursement method of payment], and required documentation shall be specified by DMV in the contract.

F. Advisory Board.

The Commissioner, at his discretion, may create an Advisory Board of [experts individuals experienced] in the field of motorcycle safety and education. Issues related to technical and educational aspects may be referred to the Board for advice. The Board may assist in reviewing regulations, [proposals and] curricula, [promotional materials,] as well as any other [procedures materials] and requirements under the Program. Members of the Advisory Board shall serve without compensation but shall be reimbursed for necessary expenses.

§ 5. Curricula Requirements and Approval.

[A. Curricula Approval.

The curricula intended for use by training centers shall be included for approval in the proposal to DMV.

Training centers shall request DMV approval of any changes, additions or deletions to approved curricula, prior

to use.

A. Beginning Rider Course.

The curriculum used to train potential and novice riders shall be the most current version of the Motorcycle Rider Course (MRC) developed by the MSF, or DMV-approved equivalent. Each participant enrolled in a beginning rider training course shall receive no less than the minimum number of hours of classroom and on-cycle instruction as specified in the current MRC curriculum guidelines.

1. All beginning rider courses shall include a module on the effects of alcohol and other drugs on motorcycle operation, and a thorough review of Virginia laws and rules of the road applicable to motorcycles.

2. All beginning rider course participants shall be provided one copy of the MRC textbook and one copy of the Virginia Motorcycle Operator Manual.

3. During the on-cycle instruction no more than six students may be under the supervision of any one instructor at any one time. No more than 12 students may operate motorcycles on the same range at the same time.

B. Curricula Requirements.

Training centers shall provide a description of the curricula intended for use, to include the following requirements:

1. All curricula shall include a module on the effects of alcohol and other drugs on motorcycle operation, and a thorough review of Virginia laws and rules of the road applicable to motorcycles.

2. The course for beginning motorcycle riders shall be no less than 15 hours in length. The curriculum shall include, as a minimum, motorcycle controls, riding the motorcycle, basic maneuvers, basic street riding, perceptual skills, and intermediate riding skills. Training centers shall submit for approval an outline of the content of each classroom and range exercise, to include the number of hours of instruction in each exercise, and the knowledge and skill tests and evaluation criteria.

3. The course for experience motorcycle riders shall be no less than six hours in length. Training centers shall submit for approval an outline of the content of each classroom and range exercise, to include the number of hours of instruction in each exercise, and the knowledge and skill tests and evaluation criteria.

4. Training centers shall submit for approval the maximum number of students that can be registered or enrolled in any one beginner and any one

experienced motorcycle rider course.

5. Training centers shall submit for approval the maximum number of riders that may operate motorcycles on the same range for the beginning and the experienced motorcycle rider courses.

6. Training centers shall submit for approval the maximum number of riders that may be under the supervision of one instructor during on-cycle instruction for both the beginning and the experienced motorcycle rider courses.

B. Experienced Rider Training.

The curriculum used to train experienced riders shall be the most current version of the Better Biking Program (BBP) developed by the MSF, or DMV-approved equivalent. Each participant enrolled in an experienced rider course shall receive no less than the minimum number of hours of classroom and on-cycle instruction as specified in the current BBP curriculum.

1. All experienced rider courses shall include a module on the effects of alcohol and other drugs on motorcycle operation, and a thorough review of Virginia laws and rules of the road applicable to motorcycles.

2. During on-cycle instruction no more than 10 students may be under the supervision of any one instructor at any one time, and no more than 15 students may operate motorcycles on the same range at the same time.

C. Protective Gear.

Training centers shall certify that course participants will be required to wear the following protective gear during on-cycle instruction:

1. A motorcycle helmet that meets U.S. DOT, ANSI Z90, or Snell safety standards;

2. A pair of leather boots or heavy soled leather shoes that cover the ankles;

3. A long sleeved jacket or long sleeved shirt and long pants of durable material;

4. A pair of sturdy gloves.

C. Curricula Approval.

Training centers shall submit to DMV in writing any changes, additions and deletions to approved curricula, prior to use. DMV shall review and approve any variance to curriculum and criteria outlined in §§ 5A and 5B.

D. Protective Riding Gear.

All course participants shall be required to wear the following protective gear during on-cycle instruction:

1. A motorcycle helmet that meets U.S. Department of Transportation Safety standards;

2. Eye protection (a face shield is recommended);

3. A pair of boots or shoes that cover and protect the ankles and feet; boots or shoes should have a heel.

4. A long sleeved jacket or long sleeved shirt and long pants of denim or material of equivalent durability;

5. A pair of gloves of leather or other material with resistance to abrasion.]

§ 6. Facilities and Equipment Requirements and Approval.

A. Facilities and Equipment Approval.

DMV, or an authorized agent of DMV, may inspect [and approve] each training center's facilities and equipment prior to entering into a contract.

[B. Facilities Requirements.

A training center's classroom, range and storage facilities shall meet all minimum requirements and recommended standards as specified in the contract. A training center's facilities shall include, but not necessarily be limited to:

1. A classroom;

2. A range to conduct riding exercise;

3. A secured storage area for the training motorcycles, equipment and other materials.

B. Facilities and Equipment Requirements.

A training center shall possess or have access to the use of all classroom, range, storage facilities, and equipment as specified in the contract. Recommended standards and guidelines for facilities and equipment shall be specified in the contract. A training center's facilities and equipment shall include, but not be limited to:

1. A classroom for the presentation of the off-cycle instructional portion of the beginning and experienced rider courses;

2. A paved range area for the on-cycle portion of the beginning and experienced rider courses;

3. Adequate storage to protect motorcycles and equipment from vandalism, theft, and environmental damage;

C. Equipment Requirements.

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A training center shall possess or have access to the use of classroom and range equipment that meets the minimum requirements and recommended standards as specified in the contract.

C. Training Motorcycles and Maintenance.

1. Beginning Rider Course.

The training center shall be responsible for procuring and providing one motorcycle, not to exceed 350cc, for each participant taking part in the largest on-cycle session of the beginning rider course. A minimum of six motorcycles is required per training center.

The training center shall be responsible for the normal maintenance and repair of all motorcycles, as specified in the dealer loan agreement.

2. Experienced Rider Course.

Each participant in the experienced rider course shall provide a motorcycle for use in the course. All motorcycles must pass the instructors' safety inspection.

D. Training Motorcycle and Maintenance.

The training center shall be responsible for procuring and providing one motorcycle of a size not larger than 350cc to each participant in the beginning rider course. Participants shall bring their own motorcycles for use in the experienced rider course.

The training center shall be responsible for the maintenance and repair of all motorcycles used in the beginning rider courses.]

§ 7. Instructor Qualifications and [Approval Requirements Certification]

A. Instructor [Qualifications Qualification]

[In order to qualify as a DMV-approved instructor in the Program, an individual shall meet the following minimum requirements:

Training centers shall only employ motorcycle safety instructors who meet the following minimum qualifications:]

1. Possess a [current,] valid [Virginia driver's] license endorsed for motorcycle operation, [or approved equivalent,] that is neither suspended, revoked, cancelled, nor under probation;

[2. Successfully complete a beginning rider training course;

2. Possess valid MSF instructor certification or DMV-approved equivalent;]

3. [Be able to successfully demonstrate Possess the ability to demonstrate successfully] all of the riding skills and exercises used in the curriculum;

[4. Successfully complete a DMV-approved instructor preparation course; or possess a valid MSF instructor certification;

5. Comply with any other DMV requirements.

4. Comply with and other DMV requirements specified in the contract.

B. Retaining Instructor Approval.

Virginia motorcycle instructor approval is valid for a three-year period. In order for an instructor to retain DMV approval to teach in the Program, an instructor shall:

1. Maintain a current, valid Virginia driver's license endorsed for motorcycle operation, or approved equivalent, that is neither suspended, revoked, cancelled, nor under probation;

2. Conduct a minimum of three Virginia rider training beginning or experienced rider courses, or approved equivalent within the three-year period;

3. Comply with all DMV Program rules and regulations, contract, and reporting requirements.

B. Instructor Certification.

Training centers must ensure that instructors maintain the minimum qualifications and meet current MSF and DMV standards for certification.

C. Instructor Approval Requirements.

Training centers shall employ only DMV-approved instructors to teach in the programs. Training centers shall require instructors to provide verification of meeting approval requirements prior to employing them to teach in the Program.]

[D. C.] Instructor Approval Revocation.

DMV, at its discretion, may review any instructors' or instructor applicants' driving record, and may withdraw the approval for any instructor to participate in the Program, at any time.

§ 8. Administrative and Reporting Requirements.

A. Reporting Requirements.

Training centers shall provide all reports to DMV as required. The training center shall provide the following information on each course, within 10 [working] days of course completion, on forms provided by DMV:

1. The type of course and date of completion;
2. The name and certification number of each instructor;
3. The name, address, social security number of driver license number, [and] date of birth, [and sex] of all participants enrolled in each course;
4. The course completion status of each participant (e.g., pass, fail, or drop);
5. A copy of each participant waiver form;
6. The original [~~student~~ course] evaluation form [completed by students];
7. Other information, [as may be] required by DMV, [as specified in the contract.]

B. Certification of Course Completion.

The training center shall issue a DMV-approved certificate of completion to each participant who successfully completes a course in the Program.

C. Enrollment Eligibility.

Training centers shall be responsible for verifying that all participants are eligible for enrollment in a course under the Program [, under the following guidelines:

To be eligible to enroll in a rider safety training course under the Program, participants must be at least 15 years and eight months old. Participants under the age of 18 years shall provide written consent of a parent of legal guardian to participate in a course.

1. Beginning Rider Course.

Persons enrolling in a beginning rider course must meet the following requirements:

- a. Attainment of at least 15 years and eight months of age;
- b. Written parental or guardian permission if under the age of 18 years of age;
- c. Physical ability to balance and operate a motorcycle.

2. Experienced Rider Course.

Persons enrolling in an experienced rider course must meet the following requirements:

- a. Possess a current, valid license endorsed for motorcycle operation;
- b. Written parental or guardian permission if under

the age of 18;

- c. A street legal motorcycle to be used in the course;
- d. Proof of ownership of said motorcycle or its owner's written permission to use said motorcycle;
3. Proof of state required motorcycle insurance coverage for said motorcycle.]

D. Recordkeeping.

Training centers shall establish and maintain records of course administration, including the information outlined in § 8A above, for a three-year period following the course completion.

DMV reserves the right to audit course records, and to monitor and evaluate any and all aspects of [the Program, at its convenience a training center's operation] . In general, the training centers will be notified in advance of DMV visits.



MOTORCYCLE RIDER SAFETY TRAINING

COURSE EVALUATION SHEET

TRAINING CENTER NAME	CLASS COMPLETION DATE
LOCATION	
INSTRUCTOR	
INSTRUCTOR	
RANGE AIDE	

THE INFORMATION YOU PROVIDE BELOW SHOULD BE AN ANONYMOUS EVALUATION OF THE COURSE YOU HAVE JUST COMPLETED. BE CANDID AND DO NOT SIGN YOUR NAME. THIS EVALUATION WILL BE USED ONLY BY DMV TO EVALUATE EACH TRAINING CLASS AND TO ASSURE OVERALL PROGRAM QUALITY.

- I heard about this program from: DMV Mail Dealer Radio TV
Word-of-Mouth Other _____
- I took this course because _____

- The classroom instructor presented information clearly and in terms I could understand:
Excellent Very Good Good Fair Poor
- The materials, textbooks, and handouts used were:
Excellent Very Good Good Fair Poor
- I would rate the usefulness of what I learned in class as:
Excellent Very Good Good Fair Poor
- The range instructions were clearly explained:
Excellent Very Good Good Fair Poor
- I would rate the usefulness of what I learned on the range as:
Excellent Very Good Good Fair Poor
- The length of the class was appropriate: (If not appropriate, please explain).
Excellent Very Good Good Fair Poor

- The program addressed the topics I had expected. (If not, please explain what topics were missed.)
Excellent Very Good Good Fair Poor

- Would you recommend this course to a friend? Yes No
(If no, please explain _____)
- What could be done to make this program more effective?

DMV MOTORCYCLE RIDER SAFETY TRAINING
STUDENT REPORT AND REIMBURSEMENT

CENTER NAME _____ CONTRACT/DMV ACCT. # _____
 LOCATION _____ DISTRICT _____
 ADMINISTRATOR'S NAME _____
 INSTRUCTORS _____ CERTIFI. # _____

 TYPE OF COURSE: BEGINNING EXPERIENCED OTHER GRAD. DATE: _____

STUDENT DATA						HRS	DROP	FAIL	MS
NAME	SEX	BIRTHDATE							
#	STREET	CITY	STATE	ZIP					
ID/DRIVER LIC. #	SSN IF DIFFERENT FROM LIC. #								
TOTAL STUDENTS THIS SIDE					TOTAL THIS SIDE				
TOTAL STUDENTS REVERSE SIDE					TOTAL REVERSE SIDE				
TOTAL STUDENTS FROM 2ND PAGE					TOTAL FROM 2ND PAGE				
CLASS TOTAL					CLASS TOTAL				

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND THAT THE RESULTING TOTALS ARE CORRECT FOR REIMBURSEMENT.
 AUTHORIZED SIGNATURE _____ DATE _____

RECEIVED DATE [] ENTERED DATE [] PROCESSED DATE []
 AUTHORIZED PAYMENT OF [] TO REIMBURSE FOR [] STUDENTS.
 AUTHORIZED SIGNATURE _____ DATE _____
 REIMBURSEMENT SENT DATE []

 **MOTORCYCLE RIDER SAFETY TRAINING**
RELEASE, WAIVER, AND INDEMNIFICATION STATEMENT

The undersigned participant or the participant's undersigned parent or legal guardian, if the participant is under the age of eighteen (18) years of age, hereby executes this release, waiver, and indemnification for the participant and/or the participant's parents or legal guardians, and any heirs, successors, representatives and assigns; and hereby agrees and represents as follows:

To release the State of Virginia, its employees, agents and representatives thereof from any and all liability, loss, damage, cost, claim, and/or causes of action, including but not limited to all bodily injuries and property damage arising out of participation in any motorcycle rider safety training course sponsored by the State, it being specifically understood that said course section includes the operation and use of motorcycles by the undersigned participant and others.

The undersigned further agrees to indemnify the State of Virginia, its employees, agents and representatives and save them harmless from any liability, loss, damage, cost, claim, judgement or settlement which may be brought or entered against them as a result of the undersigned's participation in said classes. This indemnification shall include costs incurred in defending against any claim or judgement and in negotiating any settlement.

Participant Name

Participant's Signature

Date

Parent or Legal Guardian (if applicable)

Parent or Legal Guardian's Signature

Date

VIRGINIA DEPARTMENT OF SOCIAL SERVICES

Title of Regulation: VR 615-50-1. Standards and Regulations for Agency Approved Providers.

Statutory Authority: §§ 63.1-25, 63.1-55, and 63.1-56 of the Code of Virginia.

Effective Date: July 1, 1985.

Summary:

These regulations assure a degree of safety and protection for clients and establish objective, uniform criteria for minimum requirements for the suitability of providers and the adequacy of care provided to clients.

VR 615-50-1. Standards and Regulations for Agency Approved Providers.

PART I DEFINITIONS

§ 1.1. The following words and terms, when used in these regulations, shall have the following meaning, unless the context clearly indicates otherwise:

"Adoptive parent(s)" means a provider who gives parental care and establishes permanent family relationships for children in the provider's home for purposes of adoption. Standards [~~for out-of-home care~~] apply to adoptive parents until the final order of adoption is issued.

"Adult" means any individual 18 years of age or over.

"Adult day care provider" means a provider who gives personal supervision for up to three adults for part of a day. The provider promotes social, physical and emotional well-being through companionship, self-education and satisfying leisure time activities. Day Care for more than three adults requires licensure by the Virginia Department of Social Services.

"Adult foster/family care provider" means a provider who gives room and board, supervision and special services for up to three adults unable to remain in their own home because of a physical/mental condition or an emotional/behavioral problem. Care provided for more than three adults requires licensure by the Virginia Department of Social Services.

"Agency" means the local welfare/social service agency.

"Assistant" means any individual who is responsible to assist a provider in caring for clients.

"Child/children" means any individual under 18 years of age or any individual who is in the custody of a local

welfare/social service agency and is 18 to 21 years of age.

"Child Protective Service Central Registry" means the centralized system in Virginia for collecting information on complaints and disposition[s] of child abuse and neglect.

"Chore provider" means a provider who performs home maintenance and heavy housecleaning tasks for clients unable to perform such tasks for themselves.

"Client" means any adult or child who needs supervision and/or services and seeks assistance in meeting those needs from the local welfare/social service agency.

"Companion provider" means a provider who gives personal aid services and supervision and performs housekeeping tasks for clients unable to care for themselves without assistance.

"Corporal punishment" means any type of physical [~~pain~~ punishment] inflicted in any manner upon the body of a child [including but not limited to hand spanking, shaking a child, forcing a child to assume an uncomfortable position, or binding a child].

"Family day care provider" means a provider who gives care, protection, and guidance for up to nine children who need to be away from their families for part of a day. Providers caring for six or more children [unrelated to the provider] must be licensed by the Virginia Department of Social Services unless they are used exclusively by local agencies.

"Foster parent" means a provider who gives 24-hour substitute family care, room and board, and services for up to eight children committed or entrusted to local boards of social services or for whom supervisory responsibility has been delegated.

"Infant" means any child from birth up to two years of age.

"In-home day care provider" means a provider who is responsible for the supervision and care of children in the child's own home part of the day when the parents are away.

"In-home provider" means an individual who wishes to or does give care in the home of the client needing supervision and/or services.

"Out-of-home provider" means an individual who wishes to or does give care in the individual's own home to clients who enter the home for purposes of receiving needed supervision and/or services.

"Parent/guardian" means the biological or adoptive parent or the legal guardian(s) of a child.

"Residential care" means care provided for purposes

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of receiving room, board, and services on a 24-hour basis.

"Responsible person" means the parent/guardian of a child or an individual designated by or for an adult client.

§ 1.2. Agency Approved Providers.

These standards and regulations are applicable to the following agency approved providers:

A. Out-of-Home Providers.

1. Adoptive Parents
2. Adult Day Care providers
3. Adult Foster/Family Care providers
4. Family Day Care providers

5. Foster Parents

B. In-Home Providers.

1. Chore providers
2. Companion providers
3. In-Home Day Care providers

These standards and regulations are not applicable to providers who are either licensed by the Virginia Department of Social Services or approved through an [agency organization] licensed by the Virginia Department of Social Services to approve such providers.

PART II STANDARDS

§ 2.1. Standards for Providers and Other Persons.

A. Age.

1. Chore and Companion providers shall be at least 16 years of age.
2. Any other provider shall be at least 18 years of age.
3. The assistant shall be at least 16 years of age.

B. Criminal Records.

1. The provider and, for out-of-home care, the assistant, spouse of the provider, and adult household members who come in contact with clients shall identify any criminal convictions and be willing to consent to a criminal records search.
2. The provider and, for out-of-home care, the assistant, spouse of the provider, or adult household members who come in contact with clients shall not have been convicted of a felony or misdemeanor

which jeopardizes the safety or proper care of clients.

C. Child Abuse or Neglect Record.

1. The provider and, for out-of-home care, assistant, spouse of the provider and adult household members who come in contact with clients shall consent to a search of the Child Protective Service Central Registry if care is provided for children.
2. The provider and, for out-of-home care, the assistant, spouse of the provider, or adult household members who come in contact with clients shall not have a founded or [unfounded, reason-to-suspect unfounded/reason-to-suspect] child abuse or neglect record in the Child Protective Service Central Registry if care is provided for children.

D. Interview, References, and Employment History.

1. The provider shall participate in interviews with the agency.
2. The provider shall provide two references [from persons who have knowledge of the provider's ability, skill, or experience in the provision of services and] who shall not be related to the provider.
3. The provider shall provide information on the provider's employment history.
4. The agency will use the interviews, references, and employment history to assess that the provider:
 - a. is knowledgeable in and physically and mentally capable of providing the necessary care for clients;
 - b. is able to sustain positive and constructive relationships with clients in care, and to relate to clients with respect, courtesy and understanding;
 - c. is capable of handling emergencies with dependability and good judgement; and
 - d. is able to communicate and follow instructions sufficiently to assure adequate care, safety and protection for clients.
5. For adoptive parents, the agency will further use the interview and references to assess that:
 - a. the adoptive parent(s) demonstrates a capacity to love and nurture a child born to someone else;
 - b. the adoptive parent(s) can accept the child for his own sake without expecting him to resolve family problems or to fulfill family ambitions;
 - c. the married adoptive parents show marital stability and mutual satisfaction with each other.

[6. Adoptive parents shall disclose financial information.]

[6. 7.] For Adult Foster/Family Care providers and foster parents, the agency will further use the interview, references, and employment history to assess that the provider has sufficient financial income/resources to meet the basic need of the provider's own family.

E. Training.

The provider shall attend any orientation and training required by the agency.

F. Medical Requirements.

1. Tuberculosis

Unless the provider is an in-home provider who is:

- a. a relative or friend of the client living in the client's home,
- b. a relative or friend outside of the client's home but who has had regular ongoing contact with the client, or
- c. a chore provider,

The provider and, for out-of-home care, the assistant, and all [adult] household members who come in contact with participants shall submit a statement from the local health department or licensed physician that he is free from tuberculosis in a communicable form.

2. Other Medical Examinations

The provider and/or assistant shall submit the results of a physical and/or mental health examination when requested by the agency based on indications of a physical or mental health problem. For adoptive parents, the agency will require submission of the results of a physical examination performed by a [~~licenses~~ licensed] physician within the past twelve months.

§ 2.2. Standards for Care.

A. Nondiscrimination.

The provider shall provide care which does not discriminate on the basis of race, color, sex, national origin, age, religion, or handicap.

B. Supervision.

The following [~~does~~ standards do] not apply to Chore and Companion providers:

1. The provider shall have a plan for seeking assistance from police, firefighters, and medical professionals in an emergency.

2. A responsible adult shall always be available to substitute in case of an emergency.

3. If extended absence of the provider is required, the agency must approve any substitute arrangements the provider wishes to make.

4. For Family or In-Home Day Care, children shall be supervised by an adult at all times. An assistant under age 18 cannot be left in charge.

C. Food.

The following [~~does~~ standards do] not apply to Chore and Companion providers:

1. [~~The provider~~ Clients] shall [~~provide~~ receive] meals and snacks appropriate to the number of hours in care and the daily nutritional needs of each client.

2. Clients shall receive special diets if prescribed by a licensed physician or in accordance with religious or ethnic requirements or other special needs.

3. Drinking water shall be available at all times.

4. Clients in residential care shall receive three meals a day.

D. Transportation of Clients.

1. If the provider transports clients, the provider shall have a valid driver's license and automobile liability insurance.

2. The vehicle used to transport clients shall have a valid license and inspection sticker.

3. Providers who transport children must use child restraint devices in accordance with weight and age requirements of the Virginia law.

E. Medical Care.

The following [~~is~~ standards do] not [~~applicable~~ apply] to Chore providers:

1. The provider shall have the name, address, and telephone number of each client's physician easily accessible.

2. The provider shall have first aid supplies easily accessible in case of accidents.

3. The out-of-home provider shall keep medicines and drugs separate from food except those items that must be refrigerated.

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4. The Family and In-Home Day Care provider shall:

a. give prescription drugs only in accordance with an order signed by a licensed physician or authentic prescription label and with a parent/guardian's written consent;

b. give the child nonprescription drugs, including but not limited to vitamins and aspirin, only with the parent/guardian's written consent;

c. report all major injuries and accidents and all head injuries to the child's parent/guardian immediately; and

d. have authorization for emergency medical care for each child.

5. The Family Day Care provider:

a. may refuse to accept a sick child into the home [without medical approval];

b. shall isolate a child who becomes ill during the day and notify the parent/guardian immediately in order that the child may be removed;

c. shall identify or label all prescription and nonprescription drugs with each child's name and return all drugs to the parent/guardian when no longer needed; and

d. shall keep all prescription and nonprescription drugs out of the reach of children.

F. Discipline of Children.

1. The provider shall establish rules that encourage desired behavior and discourage undesired behavior in cooperation with the [parents parent] /guardian of children in care.

2. The provider shall not use corporal punishment.

3. The provider shall not humiliate or frighten the child in disciplining the child.

[4. The provider shall not withhold food, force naps, or punish toileting accidents in disciplining the child.]

G. Activities.

1. The Family or In-Home Day Care Provider shall:

a. provide structured activities appropriate to the children's ages, interests and abilities, as well as unstructured [experience experiences] in family living;

b. provide opportunities for vigorous outdoor play daily, depending on the weather and the age of the

child, as well as for participation in quiet activities; and

c. [limit the types of television programs viewed by children and] not use television as a substitute for planned activities.

2. The Adult Day Care [Provider provider] shall provide recreational and other planned activities appropriate to the needs, interests, and abilities of the adults in care.

H. [Child] Abuse, [and] Neglect, [or Exploitation Reporting] Responsibilities [for Family or In-Home Day Care of Providers.]

The provider shall [immediately] report any suspected abuse, [or] neglect, [or exploitation] of [a adult or] child in care to the agency.

I. Clothing Requirements for Foster Parents.

1. Foster parents shall provide clothing appropriate for the age and size of each child [which is comparable to that worn by other children of similar age in the community].

2. All clothing shall be properly laundered or dry cleaned, and altered or repaired as needed.

§ 2.3. Standards for the Home of the Out-of-Home Provider.

A. Physical Accomodations.

1. The home shall have sufficient [appropriate] space and furnishings for each client receiving care in the home to include:

a. space to keep clothing and other personal belongings;

b. accessible basin and toilet facilities;

c. for residential care, at least one toilet, one basin, and one tub or shower for every eight persons in the home;

d. comfortable sleeping/napping furnishings;

e. for clients unable to use stairs unassisted, other than a child who can easily be carried, sleeping space on the first floor;

f. space for recreational activities; and

g. sufficient space and equipment for food preparation, service, and proper storage.

2. All rooms used by clients [must shall] be heated in winter, dry, and well ventilated.

3. All doors and windows used for ventilation [~~must~~ shall] be screened.

4. Rooms used by clients [~~must shall~~] have adequate lighting for activities and the comfort of clients.

5. The home shall have access to a working telephone.

6. The home shall be in compliance with all local ordinances.

7. Additional standards for Adult Foster/Family care:

a. No more than two adults shall share a sleeping room.

b. Sleeping rooms shall not be shared by adults of the opposite sex except when a married couple or related individuals consent to share a room.

c. There [~~must shall~~] be space in the household for privacy outside of the sleeping rooms for the adult to entertain visitors and/or talk privately.

8. Additional standards for homes of Foster Parents:

a. No more than four children shall occupy one bedroom.

b. There shall be at least 70 square feet of space in a room occupied by one child and at least 50 square feet of space for each child in a room shared by two or more.

c. Children of the opposite sex shall not share a double bed.

B. Home Safety.

1. The home and grounds shall be free from litter and debris and present no hazard to the safety of the clients receiving care.

2. The home shall be free of fire hazards. The provider shall permit a fire inspection of the home by appropriate authorities if conditions indicate a need for approval and the agency requests it.

3. The provider shall have a written evacuation plan in case of fire and rehearse the plan at least twice a year. The [~~providers~~ provider] shall review the plan with each new client, other than an infant, placed in the home.

4. All sleeping areas shall have an operable smoke detector. Attics or basements used by clients shall have two fire exits. One of the fire exits shall lead directly outside, and may be a door or an escapable window.

5. The provider shall store any firearms and

ammunition in a locked cabinet or an area not accessible to clients.

6. The provider shall protect clients from household pets which may be a health or safety hazard.

[7. The provider shall keep cleaning supplies and other toxic substances stored away from food and out of the reach of children.]

C. Sanitation.

1. The provider shall permit an inspection of the home's private water supply and sewage disposal system by the local health department if conditions indicate a need for approval and the agency requests it.

2. The home and grounds shall be free of garbage that would present a hazard to the health of the client.

D. Capacity.

1. The provider shall not exceed the maximum allowable capacity for the type of care given and as approved by the agency.

2. Adult Day Care.

The provider shall not accept more than three adults in the home at any one time.

3. Adult Foster/Family Care.

The provider shall not accept more than three adults for the purpose of receiving room, board, supervision, and/or special services, regardless of relationship of any adult to the provider.

4. Family Day Care.

a. The maximum number of children at any one time shall not exceed [~~the equivalent of~~] nine.

b. The provider's own children under 14 years of age count in determining the maximum number of children.

c. Any child with a [~~diagnosed~~] handicap [which requires extra attention of the provider] counts as two children.

d. More than nine children may be enrolled part-time as long as no more than nine children are present at any given time.

e. A provider accepting private placements [, ~~(including~~ excluding] a relative's child [, +] cannot care for more than [~~the equivalent of~~] five children [at any one time] without a license from the

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Virginia Department of Social Services.

f. The ratio of children to adults shall not be exceeded and shall be based on the following:

- (1) There shall be one adult to four infants.
- (2) There shall be one adult to six children two years old and older.
- (3) Any child with a [~~diagnosed~~] handicap [which requires extra attention of the provider] counts as two children.
- (4) A school age child who is in care less than three hours per day is not counted in determining the ratio of children to adults. However, while the child is present, he is counted in determining the maximum of nine children at any one time.

5. Foster Parents.

- a. The maximum number of children in a home with two foster parents is eight.
- b. The maximum number of children in a home with one foster parent is four.
- c. The foster parents' own children under age 14 count in determining the maximum number of children.
- d. An infant counts as two older children.
- e. Any child with a [~~diagnosed~~] handicap [which requires extra attention of the provider] counts as two children.
- f. The agency may grant an exception to the foster home's maximum for a sibling group.

6. The actual capacity of a particular home may be less than the above capacities if:

- a. the physical accommodations of the home are not adequate for the maximum number of clients;
- b. the capabilities and skills of the provider are not sufficient to manage the maximum number of clients; or,
- c. other individuals in the home require special attention or services of the provider.

§ 2.4. Client Record Requirements for the Out-of-Home Provider.

A. The provider shall maintain written information on each client in care.

B. Client information shall include:

1. identifying information on the client;
2. name, address, and home and work telephone numbers of responsible persons;
3. name and telephone number of person to be called in an emergency when the responsible person cannot be reached;
4. name of persons not authorized to call or visit the client;
5. date of admission and withdrawal of the client;
6. daily attendance record, where applicable;
7. medical information pertinent to the health care of the [~~participant~~ client];
8. correspondence related to the client [as well as other written client information provided by the agency] ; and
9. placement agreement between the provider and adult client/parent/guardian where applicable.
10. For family day care, information shall also include authorization for each child to participate in specific classes, clubs, or other activities. The provider shall obtain individual authorization for each field or out-of-town trip for each child.

C. Client records are confidential and cannot be shared without the approval of the adult client/parent/guardian. The agency and its representatives shall have access to all records.

PART III APPROVAL REGULATIONS

§ 3.1. Approval Period.

The approval period for a provider is 24 months when the provider and, for out-of-home care, the home meets the standards.

§ 3.2. Allowable Variance.

The provider may receive an allowable variance on a standard if the variance does not jeopardize the safety and proper care of the client or violate federal, state, or local law.

§ 3.3. Emergency Approval.

Emergency approval of a provider may be granted in the following situations [when the placement is in the home of or service is to be provided by the client's relative or friend]:

- A. the court orders emergency placement;

B. the child is placed under the 72-hour emergency removal authority; or

C. the adult client/parent/guardian requests placement or service in an emergency [when the placement is in the home of or a service is to be provided by the client's relative or friend].

§ 3.4. Provider Monitoring.

A. For out-of-home providers who are used by the agency, the agency representative will visit the home of the provider as often as necessary but at least semi-annually to monitor [~~compliance with standards~~ the provider].

B. For in-home providers who are used by the agency, the agency representative will interview the provider face-to-face as often as necessary but at least semi-annually to monitor [~~compliance with standards~~ the provider].

§ 3.5. Renewal Process.

The agency will reapprove the provider prior to the end of the approval period if the provider and, for out-of-home provider, the home [~~continues~~ continue] to meet standards.

§ 3.6. Inability to Continue to Meet Standards.

If the provider cannot continue to meet standards, the agency will grant provisional approval, suspend approval, or revoke approval, depending on the duration and nature of noncompliance.

§ 3.7. Relocation of Out-of-Home Provider.

If the out-of-home provider moves, the agency will determine continued compliance with standards related to the home.

§ 3.8. Right to Grieve.

The provider shall have the right to grieve the actions of the agency.

§ 3.9. Foster Parent Appeal Right.

The foster parent shall have the right to appeal issues related to state policy.

§ 3.10. Medical Requirements for Clients.

The agency shall obtain medical statements from a licensed physician or local health department for adults or children placed with out-of-home providers through the agency.

GOVERNOR'S COMMENTS ON PROPOSED
REGULATIONS

(Required by § 9-6.14:9.1 of the Code of Virginia)

Title of Regulation: **Regulations Governing the Adult High School Programs (VR 270-01-0001).**

Agency: Department of Education

Governor's Comment:

I have no objections to the proposed regulations as presented.

Charles S. Robb
Date: April 15, 1985

Title of Regulation: **Regulations Governing the Educational Programs for Gifted Students (VR 270-01-0002).**

Agency: Department of Education

Governor's Comment:

I've reviewed the proposed regulations governing the educational programs for gifted students that were submitted to me in accordance with the regulatory review process and are scheduled for a public hearing on April 22.

I have no objections to the proposed regulations as presented.

Charles S. Robb
Date: April 15, 1985

Title of Regulation: **Rules and Regulations for the Motorcycle Rider Safety Training Center Program (VR 485-50-8502).**

Agency: Virginia Department of Motor Vehicles

Governor's Comment:

I have no objections to the proposed regulations as presented.

Charles S. Robb
Date: April 11, 1985

GENERAL NOTICES/ERRATA

Symbol Key † † Indicates entries since last publication of the Virginia Register
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NOTICES OF INTENDED REGULATORY ACTION

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Virginia Department of Agriculture and Consumer Services intends to consider amending regulations entitled: **Rules and Regulations Governing the Production, Processing and Sale of Ice Cream, Frozen Desserts and Similar Products.** The purpose of the proposed amendments is to enable the manufacture or sale of lowfat parevine and lowfat parevine mix in the Commonwealth of Virginia.

Statutory Authority: § 3.1-562.1 of the Code of Virginia.

Written comments may be submitted until May 15, 1985 to Raymond D. Vaughan, Secretary of the Board of Agriculture and Consumer Services, P. O. Box 1163, Richmond, Virginia 23209.

CONTACT: William R. Crump, Jr., Chief, Bureau of Dairy Services, Virginia Department of Agriculture and Consumer Services, Division of Dairy Foods, P. O. Box 1163, Richmond, Va. 23209, telephone (804) 786-1452

Conservation and Recovery Act.

Statutory Authority: Ch. 6, Art. 3 (§ 32.1-177 et seq.) of Title 32.1 of the Code of Virginia.

Written comments may be submitted until May 15, 1985.

CONTACT: Wladimir Gulevich, Director, Bureau of Hazardous Waste Management, 11th Floor, 101 N. 14th St., Richmond, Va. 23219, telephone (804) 225-2975.

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Health intends to consider amending regulations entitled: **State Board of Health: Sewage Handling and Disposal Regulations.** The purpose of the proposed regulations is to promulgate rules to protect the public health which regulate how septage may be disposed by land application in certain counties.

Statutory Authority: § 32.1-164.4 of the Code of Virginia (as amended by the 1985 General Assembly.)

Written comments may be submitted until May 30, 1985.

CONTACT: Robert W. Hicks, Director, Division of Sanitarian Services, Room 522, James Madison Bldg., 109 Governor St., Richmond, Va. 23219, telephone (804) 786-3559.

Bureau of Solid Waste Management

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Virginia Department of Health intends to consider amending regulations entitled: **Regulations of the Virginia Department of Health Governing Disposal of Solid Waste.** The purpose of the proposed regulations is to set out the responsibilities of parties engaged in any solid waste management activity; the detailed rules of design and operation of solid waste management facilities, and the procedures for obtaining a permit for those facilities. Individuals interested in volunteering for service on an advisory panel should make their interest known.

Statutory Authority: § 32.1-178 of the Code of Virginia.

DEPARTMENT OF HEALTH

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Health intends to consider amending regulations entitled: **Hazardous Waste Management Regulations.** The purpose of the proposed amendments is in response to changes in the federal regulations governing hazardous waste management in order to maintain final authorization to operate the Virginia Hazardous Waste Management Program. These changes will maintain the Virginia program fully equivalent to the federal Resource

General Notices/Errata

Written comments may be submitted until June 1, 1985.

CONTACT: Robert Gray Wickline, Director, Bureau of Solid Waste Management, James Monroe Bldg., 101 N. 14th St., 11th Floor, Richmond, Va. 23219, telephone (804) 225-2667.

Division of Solid and Hazardous Waste Management

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Virginia Department of Health; Division of Solid and Hazardous Waste Management intends to consider promulgating regulations entitled: **Board of Health Regulations: Nuclear and Radioactive Waste Management.** The purpose of the proposed regulations is to provide for the management, handling, storage, and disposal of nuclear and radioactive waste in Virginia.

Statutory Authority: § 32.1-229 of the Code of Virginia.

Written comments may be submitted until May 31, 1985.

CONTACT: William F. Gilley, Director, Division of Solid and Hazardous Waste Management, Virginia Department of Health, James Monroe Bldg., 101 N. 14th St., 11th Floor, Richmond, Va. 23219, telephone (804) 225-2667.

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Virginia Department of Health; Division of Solid and Hazardous Waste Management intends to consider amending regulations entitled: **Regulations Governing the Transportation of Hazardous Waste.** The purpose of the proposed amendments is to incorporate appropriate federal regulations regarding transportation of radioactive materials and nuclear waste, and to make minor editorial changes.

Statutory Authority: § 32.1-229 and § 18.2-278.1 of the Code of Virginia.

Written comments may be submitted until May 31, 1985.

CONTACT: William F. Gilley, Director, Division of Solid and Hazardous Waste Management, Virginia Department of Health, James Monroe Bldg., 101 N. 14th St., 11th Floor, Richmond, Va. 23219, telephone (804) 225-2667

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Virginia Department of Health; Division of Solid and Hazardous Waste

Management intends to repeal regulations entitled: **Regulations for Transportation of Hazardous Radioactive Materials.** The existing regulations are inconsistent with appropriate federal regulations. New regulations which will bring Virginia into compliance with federal standards are being drafted to be part of Virginia Regulations Governing the Transportation of Hazardous Materials.

Statutory Authority: § 18.2-278.2 of the Code of Virginia.

Written comments may be submitted until May 31, 1985.

CONTACT: William F. Gilley, Director, Division of Solid and Hazardous Waste Management, Virginia Department of Health, James Monroe Bldg., 101 N. 14th St., 11th Floor, Richmond, Va. 23219, telephone (804) 225-2667.

Division of Water Programs, Bureau of Shellfish Sanitation

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Health, Division of Water Programs, Bureau of Shellfish Sanitation, intends to consider promulgating regulations entitled: **Shellfish and Crustacea Sanitation Regulations.** The purpose of the proposed regulations is to define and clarify the responsibilities of the Virginia Department of Health, and the shellfish and crustacea industries, for the sanitary control of the harvesting, storing, processing and marketing of shellfish and crustacea.

The proposed regulations will replace current regulations governing the sanitary control of shellfish and crabmeat adopted in 1964 and 1969, respectfully.

Statutory Authority: § 28.1-180 of the Code of Virginia.

Written comments may be submitted until June 13, 1985.

CONTACT: Cloyde W. Wiley, Jr., Director, Bureau of Shellfish Sanitation, 109 Governor St., Room 904, James Madison Bldg., Richmond, Va. 23219, telephone (804) 786-7937.

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VIRGINIA STATEWIDE HEALTH COORDINATING COUNCIL

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Virginia Statewide Health Coordinating Council intends to consider promulgating regulations entitled: **Amendment to the**

Virginia State Health Plan 1980-84: Extracorporeal Shock-Wave Lithotripsy Services. The purpose of the proposed regulations is to describe and analyze the characteristics of extracorporeal shock-wave lithotripsy services in Virginia, to set forth goals, objectives, and recommended actions for the development of such services in Virginia; and, to specify criteria and standards for the issuance of Certificates of Public Need for such services in Virginia.

Statutory Authority: §§ 32.1-102.3 and 32.1-120 of the Code of Virginia

Persons wishing to be considered for selection to serve on a technical advisory panel for development of this Plan component or persons wishing to receive copies of draft materials prepared by staff for the Statewide Health Coordinating Council during the development of this Plan component should provide written notice, including the desired form of their participation by May 22, 1985.

CONTACT: Samuel A. Clement, Director, Division of Health Planning, 1010 Madison Building, 109 Governor St., Richmond, Va. 23219, telephone (804) 786-4768/4891

DEPARTMENT OF REHABILITATIVE SERVICES

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Rehabilitative Services intends to consider promulgating regulations entitled: **Provision of Vocational Rehabilitation Services.** The purpose of the proposed regulations is to establish policies, procedures and requirements governing the provision of services to disabled persons.

Statutory Authority: § 2.1-580 of the Code of Virginia.

Written comments may be submitted until May 31, 1985 to Charles H. Merritt, Assistant Commissioner, Department of Rehabilitative Services, P. O. Box 11045, Richmond, Virginia 23230.

CONTACT: George Meeks, Director, Legislative and Consumer Affairs, Department of Rehabilitative Services, P. O. Box 11045, Richmond, Va. 23230, telephone (804) 257-0276.

DEPARTMENT OF TAXATION

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of

Taxation intends to consider promulgating regulations entitled: **Corporation Income Tax: Foreign Sales Corporations.** The purpose of the proposed regulations is to set forth the policies and procedures relating to the Virginia tax treatment of corporations which own and/or transact business with affiliated corporations qualifying under the Internal Revenue Code as Foreign Sales Corporations, Small Foreign Sales Corporations and Domestic International Sales Corporations for taxable years beginning on and after January 1, 1985.

Statutory Authority: § 58.1-203 of the Code of Virginia.

Written comments may be submitted until May 15, 1985.

CONTACT: Danny M. Payne, Director, Tax Policy Division, P. O. Box 6-L, Richmond, Va. 23282, telephone (804) 257-8010.

STATE WATER CONTROL BOARD

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Virginia State Water Control Board intends to consider promulgating regulations entitled: **General NPDES Permits.** The purpose of the proposed regulations is to allow the Board to issue general NPDES permits to a category of point sources that involve similar types of operations, discharge the same wastes, and require the same effluent limitations or operating conditions. This regulation will cover storm water, heat pumps, and individual dwellings.

Statutory Authority: § 62.1-44.15(10) of the Code of Virginia.

Written comments may be submitted until May 31, 1985.

CONTACT: Ted Elkin, Engineer, Virginia State Water Control Board, 2111 Hamilton St., Richmond, Va. 23230, telephone (804) 257-6304.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Virginia State Water Control Board intends to consider promulgating regulations entitled: **Water Treatment Plant Point Source Category Effluent Guidelines.** The purpose of the proposed regulations is to require a minimum level of treatment for all water treatment plant dischargers but to provide the option for dischargers to demonstrate on a case by case basis the ability to maintain water quality standards

General Notices/Errata

without a required minimum level of treatment.

Statutory Authority: § 62.1-44.15(10) of the Code of Virginia.

Written comments may be submitted until May 31, 1985.

CONTACT: Ted Elkin, Engineer, Virginia State Water Control Board, 2111 Hamilton St., Richmond, Va. 23230, telephone (804) 257-6304.

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GENERAL NOTICES

DEPARTMENT OF HEALTH

Special Supplemental Food Program for Women, Infants and Children (WIC)

† The Department of Health announces a period of public comment on the Special Supplemental Food Program for Women, Infants and Children for Fiscal Year 1986.

Written comments on the proposed plan will be accepted in the Office of the Director, WIC Program, State Department of Health, 109 Governor Street, 6th Floor, Richmond, Virginia 23219, until 5 p.m. on June 14, 1985.

In addition to written comments, the public may participate in a public hearing to be held as follows:

Location: James Madison Building
Main Floor Auditorium
109 Governor Street
Richmond, Virginia

Date: May 24, 1985

Time: 1:30 p.m.

The proposed State Plan for WIC Program Operations and Administration may be reviewed at your local health department at least one week prior to the hearing.

* * * * *

NOTICE TO STATE AGENCIES

Re: Forms for filing material on dates for publication in The Virginia Register of Regulations.

All agencies are required to use the appropriate forms when furnishing material and dates for publication in The

Virginia Register of Regulations. The forms are supplied by the office of the Registrar of Regulations. If you do not have any forms or you need additional forms, please contact: Ann M. Brown, Assistant Registrar of Regulations, Virginia Code Commission, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591.

FORMS:

Proposed (Transmittal Sheet) RR01
Final (Transmittal Sheet) RR02
Notice of Meeting RR03
Notice of Intended Regulatory Action RR04
Notice of Comment Period RR05
Agency Response to Legislative or Gubernatorial Objections RR06

NOTICE TO STATE AGENCIES

A list of major meetings of various trade associations and organizations is maintained in the office of the Registrar of Regulations. Upon request, this list will be made available to you in order that you can avoid conflicts when setting up meetings and hearings.

CALENDAR OF EVENTS

Symbol Key †

† Indicates entries since last publication of the Virginia Register

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.

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) 786-6530.

THE VIRGINIA CODE COMMISSION

EXECUTIVE

STATE BOARD OF ACCOUNTANCY

May 14, 1985 - 7 p.m. – Public Hearing
Department of Commerce, Travelers Building, 3600 West Broad Street, Conference Room 395, 3rd Floor, Richmond, Virginia. (Location accessible to handicapped.)

May 15, 1985 - 7:30 p.m. – Public Hearing
Northern Virginia Community College, Annandale Campus, 8333 Little River Turnpike, Science Building, Annandale, Virginia

May 16, 1985 - 7 p.m. – Public Hearing
City Hall Building, Court House Drive, Council Chambers, Virginia Beach, Virginia

May 16, 1985 - 7 p.m. – Public Hearing
Municipal Building, 215 Church Avenue, Council Chambers, Roanoke, Virginia

*Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia State Board of Accountancy intends to amend regulations entitled: **Regulations of the Board of Accountancy.** The regulations govern the practice of public accountancy, including entry qualifications, standards of practice, and provisions for revoking and reinstating licenses and certificates.*

STATEMENT

The Virginia State Board of Accountancy proposes to repeal current regulations, and adopt new regulations

consistent with the Commonwealth's policy of intruding as little as possible into the legitimate operations of the Commonwealth's businesses and citizens. The Board is proposing to delete those requirements considered procedural or informational only. Regulations which merely repeat applicable statutes is also being proposed for elimination. A complete listing of the changes is on file in the Board's office and at the office of the Registrar of Regulations, General Assembly Building, Richmond, Virginia.

The proposed regulations are grouped into three major parts or categories: General, Entry, and Standards of Practice.

Part I, General, describes definitions, fees, license renewal requirements and appeals.

Part II, Entry, describes the education requirements to become eligible to sit for the CPA examination; the administration and passing requirements for the examination; experience requirements for licensure; and requirements for applicants applying from other jurisdictions.

Part III, Standards of Practice, describes practice requirements for individual licenses and CPA professional corporations. Included in Part III are the requirements for maintaining independence, integrity and objectivity, for maintaining conformity with Generally Accepted Auditing Standards (GAAS) and Generally Accepted Accounting Principles (GAAP), for maintaining confidentiality of client information, for release of clients' documents, and for revocation, suspension, fines and reinstatement of licenses and certificates.

1. Part I of the proposed regulations incorporate and modify definitions. Policy statements and sections which relate to the structure of the Board of Accountancy are being deleted as they are informational in nature. Proposed § 1.3 adds new language so as to provide a better explanation of the renewal procedure. Part I deals with general provisions involving license requirements, a definition of the practice of public accountancy, and the use of professional designations and titles. The Board is revising the definition of the term "practice of public accountancy" to include, not only the rendering of opinions and disclaimers, but also the use of language so similar to that used by CPAs that it could be misunderstood by the public. The Board also intends to retain its prohibition against the use of the term "public accountant" by individuals who are not CPAs, since the term may be confusing to the public. These provisions are considered both significant and controversial. Comments on these provisions will be sought at the scheduled public hearings.

2. Part II of the proposed regulations outlines the education requirements for the Uniform CPA Examination, examination conduct, the work experience required for licensing, and the endorsement requirements for applicants

Calendar of Events

from other jurisdictions seeking licensure in Virginia. Part II incorporates much of the requirements outlined in current § 5.00 of the regulations, with major modifications in the education and certification requirements. Education requirements for the CPA examination are being modified to provide that an applicant may have: a degree in accounting; a degree with a concentration in accounting; 120 semester hours (which must include 60 semester hours of designated business and accounting courses); or a written examination demonstrating the equivalent of a bachelor's degree plus 27 semester hours of accounting subjects. The current requirement, a bachelor's degree of any kind, plus 27 semester hours of accounting subjects, is being given a three-year extension period. Under the proposed regulations a candidate who completes the CPA examination and an ethics examination will be eligible for certification. Under current regulations, certification is granted after an experience requirement has been met. The proposal provides that experience must be documented for obtaining a license if the applicant wishes to practice as a CPA. These changes are expected to have a positive effect on those seeking to enter the profession by eliminating the experience requirement for certification.

3. Part III of the proposed regulations provides for a substantial modification in the licensing requirements for firms. The proposed regulations eliminate temporary permits, which are considered unnecessary, and should result in less burdensome requirements and lessen the administrative requirements for the regulatory program. Part III of the proposed regulations also describes revocation, suspension, censure, fines and probation, which are restated from current regulations. Procedural requirements for hearings and reinstatement found in current regulations are being deleted.

Purpose: The aim of the proposed regulations is to clarify, simplify and reduce regulations wherever possible.

Statutory Authority: §§ 54-84 and 54-1.28 of the Code of Virginia.

Written comments may be submitted until May 24, 1985, to the office of the Board of Accountancy.

Contact: Jennifer S. Wester, Assistant Director, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8505, (toll-free number 1-800-552-3016)

STATE AIR POLLUTION CONTROL BOARD

May 13, 1985 - 2 p.m. - Public Hearing
Richard Byrd Library, 7250 Commerce Street, Springfield, Virginia

The State Air Pollution Control Board will consider an application from the Everly Funeral Homes, Incorporated, 1500 West Braddock Road, Alexandria,

Virginia to install and operate a crematory at the Everly-Wheatly Funeral Home located at the above address.

Contact: Director, Region VII, State Air Pollution Control Board, Springfield Towers - Suite 502, 6320 Augusta Dr., Springfield, Va. 22150, telephone (703) 644-0311

† **May 20, 1985 - 7 p.m. - Public Hearing**
Old Gloucester County Courthouse, Gloucester, Virginia

The meeting will be conducted to consider an open pit incinerator at the county landfill for the burning of (i) brush, tree trimmings, yard and garden trimmings and similar land clearing refuse; and (ii) clearing burning waste from construction and demolition operation and similar materials, papers, records, and other burning refuse.

† **May 23, 1985 - 2 p.m. - Public Hearing**
State Air Pollution Control Board, Region V Office, 8205 Hermitage Road, Richmond, Virginia

The meeting is being conducted to consider an application from Virginia Gravure, Inc. to install and operate a 32.6 million Btu per hour boiler fired with #5 fuel oil or natural gas and a rotogravure printing press at its facility located at 7400 Impala Drive in Henrico County.

Contact: Director, Region V, 8205 Hermitage Rd., Richmond, Va. 23228, telephone (804) 264-3067

VIRGINIA ALCOHOLIC BEVERAGE CONTROL COMMISSION

May 13, 1985 - 9:30 a.m. - Open Meeting

May 20, 1985 - 9 a.m. - Open Meeting

June 3, 1985 - 9 a.m. - Open Meeting

June 10, 1985 - 9:30 a.m. - Open Meeting

June 17, 1985 - 9 a.m. - Open Meeting

2901 Hermitage Road, Richmond, Virginia. (Location accessible to handicapped.)

Meetings to receive and discuss reports on activities from staff members. Other matters not yet determined.

Contact: Larry E. Gilman, 2901 Hermitage Rd., Richmond, Va., telephone (804) 257-0616

STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS

† **May 17, 1985 - 9 a.m. - Open Meeting**
Department of Commerce, Travelers Building, 3600 West Broad Street, 5th Floor, Richmond, Virginia. (Location accessible to handicapped.)

A meeting to approve minutes from the March 8,

1985, meeting, review investigative cases and to work on regulations.

July 10, 1985 - 9 a.m. - Public Hearing

Department of Commerce, Travelers Building, 3600 West Broad Street, Room 395, 3rd Floor, Richmond, Virginia. (Location accessible to handicapped.)

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Architects, Professional Engineers, Land Surveyors and Certified Landscape Architects intends to adopt regulations entitled: **Rules and Regulations of the State Board of Architects, Professional Engineers, Land Surveyors and Certified Landscape Architects.** These regulations govern the practice of architecture, engineering, land surveying, and landscape architecture. It includes entry requirements, standards of practice and provisions for revocation and reinstatement of licenses. Current regulations will be repealed.

STATEMENT

Basis, Purpose, Impact and Summary:

Pursuant to Chapter 1.1 and 3 of Title 54; and Chapter 7 of Title 13.1, of the Code of Virginia, and in accordance with §§ 9-6.14:1 - 9-6.14:25 of the Code of Virginia, the State Board of Architects, Professional Engineers, Land Surveyors, and Certified Landscape Architects proposes to amend, add to, delete, and reorganize existing regulations governing the practices of architecture, professional engineering, land surveying, and landscape architecture.

Regulations governing the practice of these professions apply to approximately 16,190 licensees, 340 professional corporations, and 2,681 business entities offering architecture, engineering, land surveying, and landscape architecture services. Also affected will be approximately 2,900 persons applying for licensure in these professions per year and approximately 2,300 persons annually scheduled for the examinations for architects, engineers, land surveyors, and landscape architects.

The cost of administration of the proposed regulations is estimated at \$260,400.00 for the 1984-1986 biennium. Funds for implementation will come from part of the special dedicated revenue appropriated to the Department of Commerce. Fees from applicant and licensees make up this revenue. No changes in the current fees are considered necessary to generate sufficient funds for administering the proposed regulations.

The Board proposes to repeal current regulations, and adopt new regulations consistent with the Governor's Regulatory Review Program to ensure that they represent the least burdensome alternative to meet clearly established and justified regulatory needs.

For the purpose of clarity, these proposed regulations were grouped into six major parts or categories: General, Qualifications for Licensing of Architects, Qualifications for Licensing as a Professional Engineer, Qualifications for Licensing as a Land Surveyor, Qualifications for

Certification of Landscape Architects, and Professional Corporations and Business Entities.

Part I, General, specifies who must obtain a license/certificate; expiration, renewal and fees; reinstatement; grounds for suspension, denial of renewal or revocation of a license/certificate; conflicts of interest; solicitation of work and improper conduct; and use of the license/certificate holder's seal.

Part II, Qualifications for Licensing of Architects establishes fees, education and experience requirements to become eligible for the Architect Registration Examination (ARE) and licensing and reciprocity requirements.

Part III, Qualifications for Licensing as a Professional Engineer sets the fee structure and sets education and experience requirements for licensing and eligibility for examinations.

Part IV, Qualifications for Licensing as a Land Surveyor, sets the fees, and establishes experience requirements or the combination of education and experience necessary for licensing and examination. Also, minimum standards and procedures for land boundary surveying practice are established.

Part V, Qualifications for Certification of Landscape Architects, sets fees and establishes experience requirements or the combination of education and experience necessary to become eligible for the written examination and licensing.

Part VI, Professional Corporations and Business Entities, set the information and documents necessary to acquire a certificate of authority as a professional corporation, provides definitions and lists fees, and sets the information required to become registered as a business entity.

A summary of the major changes and their estimated impact is as follows:

1. Part II of the proposed regulations include incorporation of regulation § 2.5 J which formalizes the existing practice of holding a review session between board members and candidates failing Division B and C of the Architect Registration Examination. The table of equivalents regarding education and experience was modified. Proposed regulation § 2.6 would allow the Board to accept a currently valid license in good standing from the applicant's current base state if he transferred his licensure from the jurisdiction of original licensure.

2. Part III of the proposed regulations includes regulation § 3.9 which broadened the type of experience the Board would accept, thus enabling more persons to qualify faster for the examination.

Regulation § 3.6 differs from the old 5.9 regulation as no certificates will be issued and no experience is required after passing the Fundamentals of Engineering Exam. Upon passing the exam, the Engineering Intern Status will be achieved.

3. Part IV of the proposed regulations, through

Calendar of Events

regulations § 4.4, allows full credit to be given to an applicant who has passed the NCEE examination in another jurisdiction. Such an applicant should find it easier to become licensed in Virginia.

Regulation § 4.10 clarifies the method for grading. It indicates the grade required for the Part II 3(a) NCEE portion of the exams. This exam is currently used by the Board in lieu of the exam which was previously written by Board members.

Regulation § 4.14 B. addresses the problem of subdivision surveys lacking corner monuments. The Board has received several inquiries and complaints regarding this issue. The proposed regulation would require corner monuments identified by witness stakes to be set on such subdivision lots or parcels.

4. Part V of the proposed regulations was revised and unnecessary regulations deleted.

Statutory Authority: Chapters 1.1 and 3 of Title 54 and Chapter 7 of Title 13.1 of the Code of Virginia.

Written comments may be submitted until July 10, 1985.

Contact: Johnsie Williams, Assistant Director, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230-4917, telephone (804) 257-8555 (toll-free number 1-800-552-3016)

Land Surveyors

† May 16, 1985 - 9 a.m. - Open Meeting
Department of Commerce, Travelers Building, 3600 West Broad Street, 5th Floor, Richmond, Virginia. (Location accessible to handicapped.)

A meeting to grade exams, and a section meeting.

Contact: Johnsie Williams, Assistant Director, State Board of Architects, Professional Engineers, Land Surveyors and Certified Landscape Architects, 3600 W. Broad St., 5th Floor, Room 507, Richmond, Va. 23230, telephone (804) 257-8555

COMMISSION FOR THE ARTS

May 17, 1985 - 9 a.m. - Open Meeting
May 18, 1985 - 9 a.m. - Open Meeting
Hyatt Richmond, 6624 West Broad Street, Richmond, Virginia. (Location accessible to handicapped.)

The Commission will meet to award grants. The planned agenda will be available at the Commission office one week prior to the date of the meeting.

Contact: Gloria J. Hatchel, James Monroe Bldg., 101 N. 14th St., 17th Floor, Richmond, Va. 23219, telephone (804) 225-3132

INTERDEPARTMENTAL COMMITTEE ON RATE SETTING FOR CHILDREN'S FACILITIES

May 14, 1985 - 10 a.m. - Open Meeting
Koger Executive Center, Blair Building, Conference Rooms A and B, Richmond, Virginia. (Location accessible to handicapped; interpreter for deaf provided if requested.)

The committee will consider the briefing paper and format revisions of the committee's rules for approval by the Department of Education as related to § 2.1-703 of the Code of Virginia.

Contact: Thomas Riddick, 307 Worthington Sq., Portsmouth, Va. 23704, telephone (804) 393-0061

STATE BOARD FOR COMMUNITY COLLEGES

May 15, 1985 - 1 p.m. - Open Meeting
James Monroe Building, 101 North 14th Street, Board Room, 15th Floor, Richmond, Virginia. (Location accessible to handicapped.)

The Board will meet for a working session.

May 16, 1985 - 8:30 a.m. - Open Meeting
James Monroe Building, 101 North 14th Street, Board Room, 15th Floor, Richmond, Virginia. (Location accessible to handicapped.)

State Board Committees (Audit, Facilities, Personnel, Curriculum and Program, Budget and Finance) will meet.

May 16, 1985 - 10 a.m. - Open Meeting
James Monroe Building, 101 North 14th Street, Board Room, 15th Floor, Richmond, Virginia. (Location accessible to handicapped.)

A routine Board meeting.

There is not an agenda available at this time.

Contact: Ann L. Williams/Nancy Finch, James Monroe Bldg., 101 N. 14th St., 15th Floor, Richmond, Va. 23219, telephone (804) 225-2117

DEPARTMENT OF CONSERVATION AND HISTORIC RESOURCES

Division of Historic Landmarks' State Review Board

† May 21, 1985 - 10 a.m. - Open Meeting
221 Governor Street, Richmond, Virginia

To consider the addition of Clifton Historic District, Fairfax County to the Virginia Landmarks Register and its nomination to the National Register of Historic Places.

Contact: Margaret T. Peters, Information Officer, 221 Governor St., Richmond, Va. 23219, telephone (804) 786-3143

COMMISSION ON THE CONSERVATION AND DEVELOPMENT OF PUBLIC BEACHES

† May 16, 1985 - 9 a.m. - Open Meeting
Virginia Beach Pavilion, Pavilion Conference Room, Virginia Beach, Virginia. (Location accessible to handicapped.)

An open hearing to consider locality proposals for beach enhancement grants. General business concerning beach problems in the Commonwealth will also be considered.

Contact: Gary L. Anderson, Gloucester Point, Va. 23062, telephone (804) 642-4892

STATE BOARD FOR CONTRACTORS

† May 15, 1985 - 10 a.m. - Open Meeting
Department of Commerce, Travelers Building, 3600 West Broad Street, Conference Room 1, Richmond, Virginia. (Location accessible to handicapped.)

To conduct a formal fact-finding hearing regarding the State Board for Contractors v. Louis T. Friend, Class B, Richmond, Virginia

† May 21, 1985 - - Open Meeting
† May 22, 1985 - - Open Meeting
Department of Commerce, Travelers Building, 3600 West Broad Street, Conference Room 1, Richmond, Virginia. (Location accessible to handicapped.)

To conduct a formal fact-finding hearing regarding the State Board for Contractors v. Stephen R. Hutchinson, Class B, Richmond, Virginia

Contact: Sylvia W. Bryant, Hearings Coordinator, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8424

† July 17, 1985 - 10 a.m. - Public Hearing
Department of Commerce, Travelers Building, 3600 West Broad Street, Room 395, Richmond, Virginia. (Location accessible to handicapped.)

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board for Contractors intends to amend regulations entitled: Rules and Regulations adopted April 11, 1984. (§ 1.4 Class A fee and § 1.5 Class B fee) The proposed amendments will set the amount of fee for an initial Class A Contractor license and for an initial Class B Contractor license and recodify regulations to conform to new form and style procedures for regulations. The

proposed amendments will raise initial license fees to cover a projected revenue shortfall in the 1984-1986 biennium.

STATEMENT

Preliminary Statement of Basis, Purpose, Impact and Summary: Pursuant to §§ 54-1.28 and 54-119 of the Code of Virginia, and in accordance with §§ 9-6.14:1 et seq. and 54-1.17, the State Board for Contractors proposes to amend its existing regulations.

Regulations of the State Board for Contractors apply directly to approximately 30,000 actively licensed contractors. There are approximately 6,450 new applicants for licensure per year, of which approximately 1,450 are applicants for a Class A license and approximately 5,000 are applicants for a Class B license.

The proposed amendments will raise the initial license fee for Class A Contractors from \$60 to \$100 and raise the initial Class B license fee from \$20 to \$100 for the purpose of increasing revenue to cover the costs of the Department of Commerce in administering the regulation of contractors in Virginia. Amendments will also recodify existing regulations to conform to new form and style requirements for regulations.

Estimated impact:

A. Regulation § 1.4 sets forth the initial license fee for Class A Contractors. The amendment provides a \$40 increase in the initial license fee and will impact upon approximately 1,450 applicants for this type of license per year;

2. Regulation § 1.5 sets forth the initial license fee for Class B Contractors. The amendment provides a \$80 increase in the initial license fee and will impact upon approximately 5,000 applicants for this type of license per year; and

C. All other amendments are only a recodification of existing regulations to conform to new form and style requirements for regulations. There appears to be no discernable impact involved in this recodification.

Statutory Authority: §§ 54-128 and 54-119 of the Code of Virginia.

Written comments may be submitted until July 17, 1985.

Contact: E. G. Andres, Assistant Director, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8511 (toll-free 1-800-552-3016)

BOARD OF CORRECTIONS

May 14, 1985 - 9 a.m. - Public Hearing
Division of Motor Vehicles, 2300 West Broad Street, Room 131, Richmond, Virginia

Title of Regulation: **Core Standards for Interdepartmental Licensure and Certification of Residential Facilities for Children.**

Calendar of Events

NOTICE: Please refer to Notice of Comment Period listed under the Department of Social Services.

May 15, 1985 - 10 a.m. - Open Meeting
4615 West Broad Street, Richmond, Virginia. (Location accessible to handicapped.)

The Board will conduct its regular monthly meeting to consider such matters as may be presented to the Board of Corrections.

Contact: Vivian Toler, Secretary to the Board, P. O. Box 26963, Richmond, Va. 23261, telephone (804) 257-6274

VIRGINIA BOARD OF COSMETOLOGY

† **May 20, 1985 - 9 a.m. - Open Meeting**
Department of Commerce, Travelers Building, 3600 West Broad Street, Conference Room 3, 5th Floor, Richmond, Virginia. (Location accessible to handicapped.)

A meeting to review investigative reports of complaints and determination of disposition, and to address general correspondence pertinent to the operation of the Board.

Gale G. Moyer, Assistant Director, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8509

BOARD OF EDUCATION

May 14, 1985 - 9 a.m. - Public Hearing
Division of Motor Vehicles, 2300 West Broad Street, Room 131, Richmond, Virginia

Title of Regulation: Core Standards for Interdepartmental Licensure and Certification of Residential Facilities for Children.

NOTICE: Please refer to Notice of Comment Period listed under the Department of Social Services.

June 6, 1985 - 10 a.m. - Public Hearing
James Monroe Building, 101 North 14th Street, Conference Room E, 1st Floor, Richmond, Virginia. (Location accessible to handicapped.)

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia Board of Education intends to adopt regulations entitled: Regulations Governing the Approval of Correspondence Courses for Home Instruction. The proposed regulations outline the criteria, definition and procedures for approval of certain correspondence courses.

STATEMENT

Subject, Substance, Issues, Basis and Purpose: In accordance with § 22.1-16 of the Code of Virginia, the Board of Education intends to promulgate regulations for the approval of correspondence courses for use by parents who elect to teach their children at home as an alternative to compulsory attendance at a regular public or private school. Courses currently in use are approved in accordance with emergency regulations expiring June 30, 1985.

The proposed regulations are necessary for the Board of Education to comply with the requirements of Option (iii) of § 22.1-254.1 of the Code of Virginia relating to home instruction.

Statutory Authority: § 22.1-16 of the Code of Virginia.

Written comments may be submitted until May 29, 1985.

Contact: Charles W. Finley, Associate Director, Proprietary Schools, Virginia Department of Education, P. O. Box 6-Q, Richmond, Va. 23216, telephone (804) 225-2081

May 22, 1985 - 8:30 a.m. - Open Meeting

May 23, 1985 - 9 a.m. - Open Meeting
School Administration Building, 10th and Court Streets, Lynchburg, Virginia. (Location accessible to handicapped.)

The Board of Education will hold its regularly scheduled meeting on May 22-23. Business will be conducted according to items listed on the agenda. The agenda is available upon request. The public is reminded that the Board of Vocational Education may convene, if required.

Contact: Margaret N. Roberts, 101 N. 14th St., 25th Floor, Richmond, Va. 23216, telephone (804) 225-2540

VIRGINIA WHOLESALE FARMERS' MARKET FEASIBILITY STUDY STEERING COMMITTEE

† **June 3, 1985 - 7:30 p.m. - Open Meeting**
Virginia Wesleyan College Auditorium, Norfolk, Virginia. (Location accessible to handicapped.)

† **June 4, 1985 - 8 p.m. - Open Meeting**
Eastern Shore of Virginia Community College, Lecture Hall, Eastern Shore of Virginia. (Location accessible to handicapped.)

† **June 5, 1985 - 7:30 p.m. - Open Meeting**
Second National Bank, Culpeper, Virginia. (Location accessible to handicapped.)

† **June 6, 1985 - 7:30 p.m. - Open Meeting**
Virginia Western Community College, Auditorium, Roanoke, Virginia. (Location accessible to handicapped.)

† **June 10, 1985 - 7:30 p.m. - Open Meeting**
John Tyler Community College, Bird Hall, C-19, Richmond, Virginia. (Location accessible to handicapped.)

† June 11, 1985 - 7:30 p.m. - Open Meeting
Wytheville Community College, Bland Hall, Room 104,
Wytheville, Virginia. (Location accessible to handicapped.)

The Steering Committee will meet to update and educate the public on the Wholesale Farmers' Market Facility Feasibility Study, which has been mandated by House Joint Resolution No. 337 of the 1985 Session of the General Assembly, and to receive public input of regional interest.

Contact: T. Robins Buck, Chief, Bureau of Market and Economic Development, Room 801, Washington Bldg., 1100 Bank St., Richmond, Va. 23219, telephone (804) 786-8737

VIRGINIA BOARD OF FUNERAL DIRECTORS AND EMBALMERS

May 13, 1985 - 9 a.m. - Open Meeting

May 14, 1985 - 9 a.m. - Open Meeting

Radisson Hotel Charlottesville, 223 West Main Street, Charlottesville, Virginia

Examinations and Board meeting.

Contact: Mark L. Forberg, Executive Secretary, 517 W. Grace St., P. O. Box 27708, Richmond, Va. 23261, telephone (804) 786-0076

VIRGINIA STATE BOARD OF GEOLOGY

† May 20, 1985 - 9 a.m. - Open Meeting

Department of Commerce, Travelers Building, 3600 West Broad Street, Richmond, Virginia. (Location accessible to handicapped.)

A meeting to approve minutes of the April 2, 1985 meeting, review applications and exam developments.

Contact: J. Williams, Assistant Director, Geology Board, Department of Commerce, 3600 W. Broad St., 5th Floor, Room 507, Richmond, Va. 23230, telephone (804) 257-8555

GOVERNOR'S JOB TRAINING COORDINATING COUNCIL

† May 20, 1985 - 10:30 a.m. - Open Meeting

Richmond Marriott, 500 East Broad Street, Richmond, Virginia. (Location accessible to handicapped; interpreter for deaf provided if requested.)

A general meeting of the Council, which is open to the public.

Contact: Gladys Walker, Governor's Employment and Training Division, 417 E. Grace St., P. O. Box 12083, Richmond, Va., telephone (804) 786-8085

GOVERNOR'S REGULATORY REFORM ADVISORY BOARD

† May 17, 1985 - 10 a.m. - Public Hearing

General Assembly Building, Capitol Square, House Room C, Richmond, Virginia. (Location accessible to handicapped.)

A public hearing on regulation evaluation reports and proposed regulations of Virginia's Health Regulatory Boards; and preliminary staff review of health regulatory review evaluation reports.

Persons wishing to testify should contact Phil Abraham in the Governor's Office prior to May 17.

† June 19, 1985 - 10 a.m. - Public Hearing

General Assembly Building, Capitol Square, House Room C, Richmond, Virginia. (Location accessible to handicapped.)

A public hearing on (i) administrative law judges, exemptions to the Administrative Process Act, and differences between agencies' legislation and the Administrative Process Act; (ii) decision on the three issues above and deciding how to proceed; and (iii) final staff report examining and making recommendations in light of May public hearing on Health Regulatory Boards' regulations, final action and recommendation.

† July 25, 1985 - 10 a.m. - Public Hearing

General Assembly Building, Capitol Square, House Room C, Richmond, Virginia. (Location accessible to handicapped.)

A review and modification of "staff" draft of legislation incorporating decisions made on three issues being examined with respect to the Administrative Process Act, and adoption of draft for public hearing.

† September 10, 1985 - 10 a.m. - Public Hearing

General Assembly Building, Capitol Square, House Room C, Richmond, Virginia. (Location accessible to handicapped.)

A public hearing on draft legislation proposed at July 25th meeting; and adoption for introduction at 1986 session.

Contact: Philip F. Abraham, State Capitol, Governor's Office, Richmond, Va. 23219, telephone (804) 786-2211

HAZARDOUS WASTE FACILITY SITING BOARD

May 17, 1985 - 2 p.m. - Open Meeting

Virginia Polytechnic Institute, Squire Student Center, Room 344, 3rd Floor, Blacksburg, Virginia. (Location accessible to handicapped.)

A work session will be conducted by the board to consider comments by the Board's Advisory Committee on Draft Criteria for the Siting of Hazardous Waste Facilities.

Calendar of Events

May 18, 1985 - 9 a.m. - Open Meeting
Virginia Polytechnic Institute, Donaldson Brown (Continuing Education) Center, Conference Rooms D and E, Blacksburg, Virginia. (Location accessible to handicapped.)

The Board will conduct its regular business meeting to prepare proposed regulations and consider adoption of proposed regulations concerning Siting Criteria, Administrative Procedures, Fee Structure, and Technical Assistance Fund Administration.

June 12, 1985 - 10 a.m. - Open Meeting
James Monroe Building, 101 North 14th Street, Conference Room C, Richmond, Virginia. (Location accessible to handicapped.)

The Board will conduct its regular business meeting.
Contact: Harry E. Gregori, Jr., Executive Director, James Monroe Bldg., 17th Floor, 101 N. 14th St., Richmond, Va. 23219, telephone (804) 225-3235

VIRGINIA HEALTH SERVICES COST REVIEW COMMISSION

May 22, 1985 - 9:30 a.m. - Open Meeting
June 26, 1985 - 9:30 a.m. - Open Meeting
Blue Cross and Blue Shield of Virginia, 2015 Staples Mill Road, Virginia Room, Richmond, Virginia. (Location accessible to handicapped.)

A monthly business meeting of the Commission for the purpose of addressing financial, policy or technical matters which may have arisen since last meeting.
Contact: Ann Y. McGee, Director, 805 E. Broad St., 7th Floor, Richmond, Va. 23219, telephone (804) 786-6371

STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA

June 5, 1985 - 9 a.m. - Open Meeting
Virginia Polytechnic Institute and State University, Blacksburg, Virginia

The Council will hold its monthly meeting.
Contact: State Council of Higher Education, James Monroe Bldg., 101 N. 14th St., Richmond, Va. 23219, telephone (804) 225-2137

HIGHWAY AND TRANSPORTATION COMMISSION

May 16, 1985 - 10 a.m. - Open Meeting
Virginia Department of Highways and Transportation

Commission, 1221 East Broad Street, Commission Room, Richmond, Virginia. (Location accessible to handicapped; interpreter for deaf provided if requested.)

A monthly meeting of the Highway and Transportation Commission to vote on proposals presented regarding bids, permits, additions and deletions to the highway system and any other matters requiring Commission approval.

Contact: J. T. Warren, Director of Administration, Virginia Department of Highways and Transportation, 1221 E. Broad St., Richmond, Va. 23219, telephone (804) 786-2711

VIRGINIA HOUSING DEVELOPMENT AUTHORITY

Board of Commissioners

† **May 21, 1985 - 10 a.m. - Open Meeting**
13 South 13th Street, Richmond, Virginia. (Location accessible to handicapped.)

A regular monthly meeting of the Board of Commissioners to (i) review and, if appropriate, approve the minutes from the prior monthly meeting; (ii) consider for approval and ratification mortgage loan commitments under its various programs; (iii) review the Authority's operations for the prior month; and (iv) consider such other matters and take such other actions as they may deem appropriate. The planned agenda of the meeting will be available at the offices of the Authority one week prior to the date of the meeting.

Contact: J. Judson McKellar, Jr., General Counsel, 13 S. 13th St., Richmond, Va. 23219, telephone (804) 782-1986

BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

June 17, 1985 - 10 a.m. - Public Hearing
State Capitol, House Room 4, Richmond, Virginia. (Location accessible to handicapped.)

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Housing and Community Development intends to amend regulations entitled: Virginia Industrialized Building and Mobile Home Safety Regulations/1981. The proposed amendments provide for safety to life and property from fire in manufactured buildings as defined in Chapter 4, (§ 36-70 et seq.) of the Code of Virginia.

STATEMENT

Subject and Substance: Proposed adoption by the Board of

Housing and Community Development of a 1984 edition of the Virginia Industrialized Building and Mobile Home Safety Regulations which will amend and supersede the 1981 edition.

Issues: 1. Estimated impact with respect to number of persons affected: Producers of factory built industrialized buildings and mobile homes, approved independent inspection agencies, building officials in local jurisdictions, and all owners and users of industrialized buildings and mobile homes will be affected.
2. Projected costs for implementation and compliance: No increase in cost to the Department is anticipated because the 1984 edition is merely an updating of the currently effective 1981 edition of the Virginia Industrialized Building and Mobile Home Safety Regulations. Similarly, no increase in cost to those affected is anticipated.

Basis: § 36-70 et seq. of the Code of Virginia.

Purpose: To update the regulations providing for the administration and enforcement of minimum, uniform, statewide health and safety standards for factory built industrialized buildings and mobile homes, wherever produced, in order to make good quality housing more affordable for the citizens of Virginia.

Statutory Authority: § 36-70 et seq. of the Code of Virginia.

Written comments may be submitted until June 17, 1985.

Contact: C. S. Mullen, Deputy Director, Department of Housing and Community Development, 205 N. 4th St., Richmond, Va. 23219, telephone (804) 786-4751

June 17, 1985 - 10 a.m. - Public Hearing
State Capitol, House Room 4, Richmond, Virginia.
(Location accessible to handicapped.)

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Housing and Community Development intends to amend regulations entitled: **Virginia Liquefied Petroleum Gas Regulations**. The proposed amendments establish minimum general standards covering design, installation and operation of LP gas equipment and the odorization thereof for the protection of health, welfare and safety of the people.

STATEMENT

Subject and Substance: Proposed adoption by the Board of Housing and Community Development of a 1984 edition of the Virginia Liquefied Petroleum Gas Regulations which will amend and supersede the 1981 edition.

Issues: 1. The regulation potentially protects all citizens of Virginia from the hazards of liquefied petroleum gas use by third parties.
2. Projected Costs for Implementation and Compliance: No material increase in cost to the agency is anticipated because the 1984 edition is merely an updating of the

currently effective 1981 edition of the Virginia Liquefied Petroleum Gas Regulations. Similarly, no increase in cost to those affected is anticipated.

Basis: Liquefied Petroleum Gases Law, Chapter 7, Title 27, of the Code of Virginia.

Purpose: To amend the minimum, statewide standards covering the design, construction, location, installation, and operation of equipment for storing, handling, transporting by tank truck, tank trailer, and utilizing liquefied petroleum gases, and the installation of appliances and piping for use with liquefied petroleum gases, and requiring the odorization of said gases and the degree thereof, as reasonably necessary for the protection of the health, welfare and safety of the public and persons using such materials.

Statutory Authority: Chapter 7, Title 27, of the Code of Virginia.

Written comments may be submitted until June 17, 1985.

Contact: C. S. Mullen, Deputy Director, Department of Housing and Community Development, 205 N. 4th St., Richmond, Va. 23219, telephone (804) 786-4751

June 17, 1985 - 10 a.m. - Public Hearing
State Capitol Building, House Room 4, Richmond, Virginia.
(Location accessible to handicapped.)

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Housing and Community Development intends to amend regulations entitled: **Virginia Public Building Safety Regulations/1981**. The proposed amendments provide for safety to life and property from fire in public buildings as defined in § 27-72 of the Code of Virginia.

STATEMENT

Subject and Substance: Proposed adoption by the Board of Housing and Community Development of a 1984 edition of the Virginia Public Building Safety Regulations which will amend and supersede the 1981 edition.

Issues: 1. Estimated impact with respect to number of persons affected: All citizens of Virginia who enter or use public buildings will be affected.
2. Projected costs for implementation and compliance: No material increase in cost to the agency is anticipated because the 1984 edition is merely an updating of the currently effective 1981 edition of the Virginia Public Building Safety Regulations. Similarly, no increase in cost to those affected is anticipated.

Basis: § 27-72 of the Code of Virginia.

Purpose: To update minimum, statewide fire safety standards for the protection of life and property in public buildings. Public building generally means any building used by 10 or more persons, and also includes homes for

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adults when subject to licensure under Ch. 9 (§ 63-1.172 et seq.) of Title 63.1 of the Code of Virginia.

Statutory Authority: Article 2, Chapter 6, Title 27, of the Code of Virginia.

Written comments may be submitted until June 17, 1985.

Contact: C. S. Mullen, Deputy Director, Department of Housing and Community Development, 205 N. 4th St., Richmond, Va. 23219, telephone (804) 786-4751

June 17, 1985 - 10 a.m. - Public Hearing
State Capitol, House Room 4, Richmond, Virginia.
(Location accessible to handicapped.)

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Housing and Community Development intends to amend regulations entitled: **Virginia Uniform Statewide Building Code, Volume I - New Construction Code/1984.**

STATEMENT

Subject and Substance: Proposed adoption by the Board of Housing and Community Development of a 1984 edition of the Virginia Uniform Statewide Building Construction Code/Volume I.

Issues: 1. Estimated impact with respect to number of persons affected: All citizens of Virginia who own buildings will be affected.

2. Projected cost for implementation and compliance: No material increase in cost to the agency is anticipated because the 1984 edition is merely an updating of the currently effective 1981 edition of the Virginia Uniform Statewide Building Code. Similarly, no increase in cost to those affected is anticipated.

Basis: Ch. 6 (§ 36-97 et seq.) of Title 36 of the Code of Virginia.

Purpose: To update minimum statewide standards for the protection of life and property in the design, construction, use, repair and demolition of buildings, structures and equipment.

Statutory Authority: Ch. 6 (§ 36-97 et seq.) of Title 36 of the Code of Virginia.

Written comments may be submitted until June 17, 1985.

Contact: C. S. Mullen, Deputy Director, Department of Housing and Community Development, 205 N. 4th St., Richmond, Va. 23219, telephone (804) 786-4751

June 17, 1985 - 10 a.m. - Public Hearing
State Capitol, House Room 4, Richmond, Virginia.
(Location accessible to handicapped.)

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Housing and Community Development intends adopt regulations

entitled: **Virginia Uniform Statewide Building Code, Volume II - Building Maintenance Code/1984.**

STATEMENT

Subject and Substance: Proposed adoption by the Board of Housing and Community Development of a 1984 edition of the Virginia Uniform Statewide Building Maintenance Code/Volume II.

Issues: 1. Estimated impact with respect to number of persons affected: All citizens of Virginia who own buildings will be affected.

2. Projected costs for implementation and compliance: No material increase in cost to the building owner is anticipated because the regulation only requires that buildings be maintained in accordance with the building code in effect at the time of construction.

Basis: Ch. 6 (§ 36-97 et seq.) of Title 36 of the Code of Virginia.

Purpose: To provide one uniform building maintenance standard for the protection of life and property in the use and maintenance of buildings. Enforcement is optional by local government.

Statutory Authority: Ch. 6 (§ 36-97 et seq.) of Title 36 of the Code of Virginia.

Written comments may be submitted until June 17, 1985.

Contact: C. S. Mullen, Deputy Director, Department of Housing and Community Development, 205 N. 4th St., Richmond, Va. 23219, telephone (804) 786-4751

June 17, 1985 - 10 a.m. - Public Hearing
State Capitol, House Room 4, Richmond, Virginia.
(Location accessible to handicapped.)

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Housing and Community Development intends to adopt regulations entitled: **Virginia Uniform Statewide Building Code, Volume III - Fire Prevention Code/1984.**

STATEMENT

Subject and Substance: Proposed adoption by the Board of Housing and Community Development of a 1984 edition of the Virginia Uniform Statewide Fire Prevention Code/Volume III.

Issues: 1. Estimated impact with respect to number of persons affected: All citizens of Virginia who own buildings will be affected.

2. Projected costs for implementation and compliance: No material increase in cost to the agency is anticipated because the regulation only requires that fire safety standards be maintained in accordance with the fire safety requirements when the building was constructed.

Basis: Ch. 6 (§ 36-97 et seq.) of Title 36 of the Code of Virginia.

Purpose: To provide one uniform Fire Prevention Safety Standard for the protection of life and property in the use and maintenance of buildings. Enforcement is optional by local government.

Statutory Authority: Ch. 6 (§ 36-97 et seq.) of Title 36 of the Code of Virginia.

Written comments may be submitted until June 17, 1985.

Contact: C. S. Mullen, Deputy Director, Department of Housing and Community Development, 205 N. 4th St., Richmond, Va. 23219, telephone (804) 786-4751

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

June 17, 1985 - 10 a.m. - Public Hearing
State Capitol, House Room 4, Richmond, Virginia.
(Location accessible to handicapped.)

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Director, Department of Housing and Community Development intends to amend regulations entitled: Certification of Tradesmen Standards.

STATEMENTS

Subject and Substance: Proposed adoption by the Board of Housing and Community Development of a 1984 edition of the Certification of Tradesmen Standards.

Issues: 1. Estimated impact with respect to number of persons affected: All electrical, plumbing and mechanical workers who reside in counties, cities and towns that require tradesmen be certified to work at their trade within their boundaries.

2. Projected costs for implementation and compliance: No material increase in cost to the agency is anticipated because the 1984 edition is merely an updating of the currently effective 1981 edition of the Certification of Tradesmen Standards. Similarly, no increase in cost to those affected is anticipated.

Basis: § 15.1-11:4 of the Code of Virginia.

Purpose: To update minimum, statewide standards for the Certification of Tradesmen to be used by local governments that choose to require tradesmen who work within their boundaries to be certified.

Statutory Authority: § 15.1-11:4 of the Code of Virginia.

Written comments may be submitted until June 17, 1985.

Contact: C. S. Mullen, Deputy Director, Department of Housing and Community Development, 205 N. 4th St., Richmond, Va. 23219, telephone (804) 786-4751

VIRGINIA STATE LIBRARY BOARD

June 3, 1985 - 10 a.m. - Public Hearing
General Assembly Building, Capitol Square, House Committee Room C, Richmond, Virginia. (Location accessible to handicapped.)

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia State Library Board intends to adopt regulations entitled: Standards for Plats. The proposed regulations will provide minimum standards for size and quality of recording medium, size and quality of inscriptions, format and recordation inscriptions.

STATEMENT

Subject and Substance: Standards for Plats proposed for adoption by the Virginia State Library Board provides minimum standards for plats submitted for recordation to the circuit court clerks. The standards shall apply to all plats and maps submitted for recordation in the clerk's office of the circuit courts of the Commonwealth.

Issues: 1. Quality of Plats - The regulation will provide minimum standards for the size and quality of the recording medium, size and quality of inscriptions, format and recordation inscriptions.

2. Exclusion - The standards do not apply to any plat drawings executed prior to the adoption of the standards.

Basis: §§ 17-68 and 42.1-82 of the Code of Virginia.

Purpose: To ensure that the plats when submitted for recordation are legible and recordable and when recorded on microfilm or otherwise they can be read and will produce legible copies.

Standards to become effective January 1, 1986.

Statutory Authority: §§ 17-68 and 42.1-82 of the Code of Virginia.

Written comments may be submitted until June 3, 1985.

Contact: Louis H. Manarin, State Archivist, Capitol Square, 11th St., Richmond, Va. 23219-3491, telephone (804) 786-5579

June 3, 1985 - 10 a.m. - Public Hearing
General Assembly Building, Capitol Square, House Committee Room C, Richmond, Virginia. (Location accessible to handicapped.)

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia State Library Board intends to adopt regulations entitled: Standards for

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Recorded Instruments. *The proposed regulations will provide minimum standards for size and quality of recording medium, size and quality of inscriptions, format and recordation inscriptions.*

STATEMENT

Subject and Substance: *Standards for Recorded Instruments proposed for adoption by the Virginia State Library Board provides minimum standards for instruments submitted for recordation to the circuit court clerk. The standards shall apply to all writings required by law to be recorded and retained permanently in the clerk's office of the circuit courts of the Commonwealth.*

Issues: 1. *Quality of Instruments - The regulation will provide minimum standards for the size and quality of the recording medium, size and quality of inscriptions, format and recordation inscriptions.*

2. *Exclusions - The standards do not apply to wills, nonpermanent disposable forms, such as Uniform Commercial Code forms, and Juvenile and Domestic Relations District Court and General District Court judgments and warrants or any original instruments executed prior to the adoption of the standards.*

Basis: *§§ 17-60, 42.1-82 and 55-108 of the Code of Virginia.*

Purpose: *To ensure that the instruments when submitted for recordation are legible and recordable and when recorded on microfilm or otherwise they can be read and will produce legible copies.*

Standards to become effective January 1, 1986.

Statutory Authority: §§ 17-60, 42.1-82, and 55-108 of the Code of Virginia.

Written comments may be submitted until June 3, 1985.

Contact: Louis H. Manarin, State Archivist, Capitol Square, 11th St., Richmond, Va. 23219-3491, telephone (804) 786-5579

COMMISSION ON LOCAL GOVERNMENT

† **May 13, 1985 - 2 p.m.** – Open Meeting
Sheraton Inn - Airport, Roanoke, Virginia. (Location accessible to handicapped.)

A regular meeting of the Commission to conduct business and discuss pending issues relating to the scheduling of the City of Petersburg/Prince George County annexation and a report from the Executive Director on various issues before the Commission.

† **May 23, 1985 - 9 a.m.** – Open Meeting
† **May 24, 1985 - 9 a.m.** – Open Meeting
Valley Vocational Center, Fishersville, Virginia

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Commission on Local Government will hear oral presentations regarding the City of Staunton/Augusta County Annexation Agreement.

† **May 23, 1985 - 7:30 p.m.** – Public Hearing
Robert E. Lee High School, Auditorium, Staunton, Virginia

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Commission on Local Government will hear public comment on the City of Staunton/Augusta County Annexation Agreement.

Contact: Barbara W. Bingham, Ninth Street Office Bldg., Room 901, Richmond, Va. 23219, telephone (804) 786-6508

LONGWOOD COLLEGE BOARD OF VISITORS

Board of Visitors

May 16, 1985 - 9:30 a.m. – Open Meeting
May 17, 1985 - 8:30 a.m. – Open Meeting
Longwood College, Farmville, Virginia. (Location accessible to handicapped.)

A quarterly meeting of the governing board of the college to conduct business pertaining to the institution.

Contact: Dr. Janet D. Greenwood, President, Longwood College, Farmville, Va. 23901, telephone (804) 392-9211

MARINE RESOURCES COMMISSION

May 28, 1985 - 9:30 a.m. – Open Meeting
June 25, 1985 - 9:30 a.m. – Open Meeting
2401 West Avenue, Newport News, Virginia

The Marine Resources Commission normally meets on the fourth Tuesday each month, at 9:30 a.m., at the agency office, 24th Street and West Avenue, Newport News, Virginia. It hears and decides cases on fishing licensing; oyster ground leasing, environmental permits in wetlands, bottomlands, coastal sand dunes, and beaches. It hears and decides appeals made on local wetlands board decisions.

Fishery Management and Conservation measures are discussed by the Commission. The Commission is empowered to exercise general regulatory power within 15 days, and is empowered to take specialized marine life harvesting and conservation measures within 5 days.

Contact: Virginia S. Chappell, Secretary to the Commission, Marine Resources Commission, P. O. Box 756, Newport News, Va. 23607, telephone (804) 247-2208

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

June 14, 1985 - 9 a.m. - Public Hearing

James Madison Building, 109 Governor Street, Main Floor Conference Room, Richmond, Virginia. (Location accessible to handicapped.)

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Medical Assistance Services intends to adopt regulations entitled: Appeals Process for Hospital Providers. This regulation provides an appropriate and meaningful appeals process to be utilized by hospital providers of Medicaid services.

STATEMENT

Basis and Authority: The regulations governing hospital reimbursement is based upon federal statutes and regulations which require the Medicaid Agency to provide hospitals which choose to challenge a rate determination an opportunity to submit additional evidence and request prompt administrative review of payment rates under § 32.1-325(A) of the Code of Virginia. The State Plan for the Department of Medical Assistance Services shall be consistent with Title XIX of the United States Social Security Act under the same section. The State Board of Medical Assistance Services has the authority to amend the State Plan for Medical Assistance Services.

Section 32.1-325A of the Code of Virginia.

Neither the statute nor the proposed regulations conflict with state or federal laws. The Office of the Attorney General has reviewed these regulations and has made no adverse comment.

Purpose: The purpose of the proposed regulation is to establish an appropriate and meaningful appeal process to be utilized by hospital provider of Medicaid services in accordance with The Final Judgement Order, Civil Action No. 83-0551-R entered on January 4, 1985, by Judge Robert Merhige, United States District Court for the Eastern District of Virginia.

Impact: No cost to the providers outside appropriate attorney fees should they decide counsel is needed if they appeal is anticipated. The cost to the Department of Medical Assistance services is approximately \$150,000 which includes the addition of new staff and increased related administrative functions. In addition, the appeals rules will result in making additional payments to those hospitals which successfully appeal their rate determination. The amount of this additional financial cost to the Department is unknown.

Evaluation: Ongoing informal assessments of the effectiveness of the appeals process will be conducted. At the end of the first year, a formal evaluation using data acquired over the first year period will be completed.

Statutory Authority: § 32.1-325 of the Code of Virginia.

Written comments may be submitted until June 14.

Contact: Dr. Elizabeth Lloyd, Legislative Analyst, Department of Medical Assistance Services, 109 Governor St., Richmond, Va. 23219, telephone (804) 786-7933

June 28, 1985 - 9 a.m. - Public Hearing

James Madison Building, 109 Governor Street, Main Floor Conference Room, Richmond, Virginia. (Location accessible to handicapped.)

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Medical Assistance Services intends to adopt regulations entitled: Guidelines for Public Participation in the Formation and Development of Regulations. This regulation provides guidelines for obtaining input from the public prior to and during the rule making process.

STATEMENT

Impact: Every person identified by these guidelines or who identifies himself as an interested party will be offered an opportunity to comment. Cost to the public should be minimal since comments may be offered in writing for only the cost of paper, an envelope, and postage. There should be no additional cost to local governments since their input can be provided in the same way.

The Department is currently compiling mailing lists of interested persons who have generated substantial comment in the past. The major expense associated with these guidelines will be the biennial advertisement in several newspapers across the State for persons interested in participating. Based on current data for this advertising, the cost should run no more than \$2,000. There will also be some increase in staff time for this activity, but this is expected to be minimal, on the order of ten hours per month.

Evaluation: The Department will evaluate increased input from the public in the regulatory process by comparing members and content of comments received under these guidelines with those received prior to the implementation of guidelines. This evaluation will be performed at least annually for those regulations modified during the year.

Statutory Authority: § 9-6.14:7.1 of the Code of Virginia.

Written comments may be submitted until June 28, 1985.

Contact: Dr. Elizabeth Lloyd, Legislative Analyst, Department of Medical Assistance Services, 109 Governor St., Richmond, Va. 23219, telephone (804) 786-7933

Calendar of Events

VIRGINIA STATE BOARD OF MEDICINE

† May 17, 1985 - 8 a.m. - Open Meeting
† May 18, 1985 - 8 a.m. - Open Meeting
Marriott Hotel, Sixth and Broad Streets, Richmond,
Virginia. (Location accessible to handicapped.)

The Credentials Committee of the Virginia Board of
Medicine will meet to interview applicants for
licensure through endorsement and examination.

Contact: Eugenia K. Dorson, Executive Secretary, 517 W.
Grace St., P. O. Box 27708, Richmond, Va. 23261,
telephone (804) 786-0575

STATE MENTAL HEALTH AND MENTAL RETARDATION BOARD

May 22, 1985 - 10 a.m. - Open Meeting
New River Valley Community Services Board, Radford,
Virginia. (Location accessible to handicapped.)

A regular monthly meeting. The agenda will be
published May 15, and may be obtained by calling
Jane Helfrich.

Contact: Jane V. Helfrich, State Mental Health and Mental
Retardation Board Secretary, Department of Mental
Health and Mental Retardation, P. O. Box 1797,
Richmond, Va. 23214, telephone (804) 786-3921

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION

May 14, 1985 - 9 a.m. - Public Hearing
Division of Motor Vehicles, 2300 West Broad Street, Room
131, Richmond, Virginia

Title of Regulation: Core Standards for Interdepartmental
Licensure and Certification of Residential Facilities for
Children.

*NOTICE: Please refer to Notice of Comment Period
listed under the Department of Social Services.*

May 14, 1985 - 9 a.m. - Public Hearing
Division of Motor Vehicles, 2300 West Broad Street, Room
131, Richmond, Virginia

*Notice is hereby given in accordance with § 9-6.14:7.1
of the Code of Virginia that the Department of Mental
Health and Mental Retardation intends to amend
regulations entitled: **Mandatory
Certification/Licensure Standards for Treatment
Programs for Residential Facilities for Children.**
These standards are the minimum requirements for
treatment programs for mentally ill, mentally retarded
and substance abuse clients in residential facilities for
children, except private psychiatric hospitals licensed
by the department. This treatment module for
treatment programs for mentally ill, mentally retarded*

*and substance abuse clients in residential facilities for
children will be reviewed along with the Core
Standards for Interdepartmental Licensure and
Certification of Residential Facilities for Children.
These standards do not apply to private psychiatric
hospitals licensed by the department.*

STATEMENT

Purpose: *The Mandatory Certification/Licensure Standards
for Treatment Programs for Residential Facilities for
Children (Mandatory Standards) are designed to work in
conjunction with the Core Standards for Interdepartmental
Licensure and Certification of Residential Facilities for
Children (Core Standards). The State Departments of
Corrections, Education, Mental Health and Mental
Retardation, and Social Services are responsible under the
Code of Virginia for the licensure, certification and/or
approval of public and private residential facilities for
children. Residential facilities for children (because of
whom they serve, the sources of funds or the types of
services they provided) are subject to the authority of one
and often more than one of the four departments. To
better coordinate their efforts, the four departments have
entered into an interdepartmental agreement that provides
for the application of common standards for residential
care that must be met by all residential facilities for
children in order to qualify for licensure/certification by
one or more of these four departments.*

*The Mandatory Standards, originally promulgated in
February, 1981, are a treatment module that delineate the
areas necessary for programs to become certified/licensed
as providing treatment or training for the mentally ill,
mentally retarded or substance abusing client in 24-hour
residential care. The purpose of the proposed regulations
is to establish minimum requirements for treatment
programs in residential facilities for children (except those
in private psychiatric hospitals licensed by the department)
in the areas of the residential environment, an organized
management structure, qualifications of personnel,
admission and discharge procedures, an individual program
of care and a system record keeping.*

Basis: *Chapter 8 of Title 37.1 (§§ 37.1-179 et seq.) and §
37.1-199.*

Issues and Substance: *Residential care facilities in Virginia
provide services to children with a wide range of needs
and problems including educational difficulties, mental
retardation, emotional disturbance, dysfunctional families,
behavior problems and chemical dependency. Residential
facilities offer a wide variety of approaches for addressing
these needs and problems. Children and their families who
find no appropriate services available in the community
may need the intensive and comprehensive programming
that is often available only in a residential setting. As
courts, families and schools encounter more and more
children in the community with complex difficulties,
out-of-home residential care will continue to be a resource
for intensive service delivery.*

Residential care is inherently a high risk situation for

children. Institutionalized children are typically not in regular contact with their families or others who will act as their advocates or protectors. These children are usually more disabled or dysfunctional as a group than other children; and because of their greater disabilities, they are subject to more structured, more intensive and often riskier treatment and training methods in institutions. It is imperative, therefore, to have a regulatory oversight process that thoroughly and frequently monitors treatment programming to assure that it exists and is adequate and appropriate for the clients.

The current standards were evaluated in several ways to assure that each proposed regulation was the least burdensome available alternative. Each standard was (i) challenged on the grounds of clarity and ease to compliance determination; (ii) reviewed to assure that the requirement was the most effective way to achieve the protection of children in residential care; and (iii) examined to ascertain whether a lack of observance of the standard would negatively affect the care of children.

The proposed effective date of the regulation is November 1, 1985.

Statutory Authority: §§ 37.1-179 through 37.1-189 and § 37.1-199 of the Code of Virginia.

Written comments may be submitted until May 14, 1985.

Contact: Dr. Joseph W. Avellar, P. O. Box 1797, Richmond, Va. 23214, telephone (804) 786-0070

Interagency Committee

† **May 30, 1985 - 10 a.m.** - Open Meeting
James Monroe Building, Virginia Department of Personnel and Training, 101 North 14th Street, Mezzanine Level, Room 2, Richmond, Virginia. (Location accessible to handicapped.)

The Interagency Committee will hold a monthly meeting on the implementation of the recommendations of The Task Force on the Mentally Ill in Virginia Jails.

Contact Frank S. Patterson, Assistant Director, Justice System Services, Virginia Department of Mental Health and Mental Retardation, P. O. Box 1797, Richmond, Va. 23214, telephone (804) 786-3908

June 25, 1985 - 10:30 a.m. - Public Hearing
James Madison Building, 109 Governor Street, Mezzanine Level (1st Floor) Conference Room, Richmond, Virginia. (Location accessible to handicapped.)

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia Department of Mental Health and Mental Retardation intends to adopt regulations entitled: **Mandatory Standards for**

the Certification of First Offender Drug Abuse Diversion and Education Programs. These standards are intended to establish the criteria for the establishment and operation of programs designed specifically to provide a substance education alternative for court clients. These Standards set minimum criteria for the establishment and operation of the above mentioned programs.

STATEMENT

Subject, Substance Issues, Basis and Purpose: The Mandatory Standards for the Certification of First Offender Drug Abuse Diversion and Education Programs are designed to establish minimum criteria for substance abuse diversion and education programs operated in the Commonwealth of Virginia. These programs offer an alternative disposition to courts for first offenders convicted on drug violations.

The standards delineate criteria for the application for certification, program, design, curriculum design, referral agreement, drug toxicology screening, fee structure, staffing and reporting requirements.

The mandatory standards affect substance abuse diversion and education programs currently operating and any proposed program.

Statutory Authority: § 18.2-251 of the Code of Virginia.

Written comments may be submitted until June 25, 1985.

Contact: Frank Patterson, Assistant Director for Justice System Services, Virginia Department of Mental Health and Mental Retardation, Box 1797, Richmond, Va. 23214, telephone (804) 786-3908

STATE MILK COMMISSION

† **May 22, 1985 - 10 a.m.** - Open Meeting
Ninth Street Office Building, 9th and Grace Streets, Room 1015, Richmond, Virginia. (Location accessible to handicapped.)

A routine monthly meeting.

Contact: C. H. Coleman, Administrator, 1015 Ninth Street Office Bldg., Richmond, Va. 23219, telephone (804) 786-2013

DEPARTMENT OF MINES, MINERALS AND ENERGY

† **July 15, 1985 - 10 a.m.** - Public Hearing
Division of Mined Land Reclamation, 622 Powell Avenue, Conference Room, Big Stone Gap, Virginia

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Mines,

Calendar of Events

Minerals and Energy intends to amend regulations entitled: Chapter 19, Coal Surface Mining Reclamation Regulations. These regulations establish the procedures and requirements through which the Virginia Coal Surface Mining Control and Reclamation Act of 1979 and the Federal Surface Mining Control and Reclamation Act of 1977 are implemented pursuant to the Virginia Permanent Regulatory Program, as approved by the United States Secretary of the Interior.

STATEMENT

Basis: These regulations are issued under the authority granted by § 45.1-230 of the Code of Virginia.

Purpose: These regulations set forth the coal mining and reclamation operations subject to the Act; procedures for mining on federal lands in Virginia under a state - federal cooperative agreement; procedures to designate certain areas as unsuitable for mining; applications for and decisions on permits; performance bond and public liability insurance; environmental and other performance standards which apply to mining operations; inspection, enforcement, and civil penalty provisions; and the procedures applicable to the operation of the program to reclaim abandoned coal mine lands.

Issues: The Department is proposing major revisions to the current regulations resulting from its regulatory review program. A reorganization and consolidation of most rules plus elimination of a companion Technical Handbook is being considered. Also, many design standards would be replaced by general performance criteria. The United State Secretary of the Interior notified Virginia that several provisions of the current regulations are not as effective as certain revised federal rules. The proposed revisions will correct those deficiencies as well.

Substance: The federal system of numbering has been followed where possible to ensure Virginia's program is as effective as the federal rules and to help identify future revisions to the federal standards which may affect the state's program. Provisions which differ from the federal rules and account for Virginia's climate, terrain, and state and local government processes are proposed where necessary.

Statutory Authority: § 45.1-230 of the Code of Virginia.

Written comments may be submitted until July 15, 1985.

Contact: Conrad T. Spangler, Chief Engineer, Drawer U, Big Stone Gap, Va. 24219, telephone (804) 523-2925

VIRGINIA MUSEUM OF FINE ARTS

Accessions Committee

May 15, 1985 - 1:30 p.m. - Open Meeting

Virginia Museum of Fine Arts, Boulevard and Grove Avenue, Conference Room, Richmond, Virginia. (Location accessible to handicapped.)

A meeting to approve gift offers and purchases of works of art.

Finance Committee

May 23, 1985 - 10:30 a.m. - Open Meeting
Virginia Museum of Fine Arts, Boulevard and Grove Avenue, Richmond, Virginia. (Location accessible to handicapped.)

A monthly meeting to review April financial statements and to discuss the budget.

June 20, 1985 - 10:30 a.m. - Open Meeting
Virginia Museum of Fine Arts, Boulevard and Grove Avenue, Virginia Museum Conference Room, Richmond, Virginia. (Location accessible to handicapped.)

A monthly review of financial statements and consideration of the 1985-86 Museum budget for presentation to the Executive Committees.

Board of Trustees

May 23, 1985 - 11:30 a.m. - Open Meeting
Virginia Museum of Fine Arts, Boulevard and Grove Avenue, Virginia Museum Auditorium, Richmond, Virginia. (Location accessible to handicapped.)

Annual meeting to review reports from all committees on yearly activities; review staff reports; elect officers for 1985-1986; and, to approve art and gift purchases.

Contact: Emily C. Robertson, Secretary, Virginia Museum of Fine Arts, Boulevard and Grove Ave., Richmond, Va. 23221, telephone (804) 257-0553, SCATS 327-0553

VIRGINIA STATE BOARD OF NURSING

May 20-22, 1985 - 9 a.m. - Open Meeting
Department of Health Regulatory Boards, 517 West Grace Street, Richmond, Virginia. (Location accessible to handicapped.)

Meetings of the Virginia State Board of Nursing to consider matters related to nursing education programs, discipline of licensees, licensing by examination and endorsement and other matters under jurisdiction of the Board.

Contact: Corinne F. Dorsey, R.N., Executive Director, 517 W. Grace St., Richmond, Va., telephone (804) 786-0377

STATE BOARD OF OPTICIANS

May 24, 1985 - 9:30 a.m. – Open Meeting
Department of Commerce, Travelers Building, 3600 West Broad Street, Conference Room 3, 5th Floor, Richmond, Virginia. (Location accessible to handicapped.)

The Board will meet to (i) review applications for examination; (ii) review investigative reports of complaints and determine disposition; and (iii) address general correspondence pertinent to the operation of the Board.

Contact: Gale G. Moyer, Assistant Director, Virginia State Board of Opticians, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8509

STATE BOARD OF OPTOMETRY

July 31, 1985 - 9 a.m. – Open Meeting
Holiday Inn (Downtown), 301 West Franklin Street, Board Room, 3rd Floor, Richmond, Virginia. (Location accessible to handicapped.)

A general business meeting and a review of the State Board Examination.

Contact: Lawrence H. Redford, Executive Director, Virginia Board of Optometry, P. O. Box 27708, Richmond, Va. 23261, telephone (804) 786-0131

State Board Examination and Diagnostic Pharmaceutical Agent Examination

August 1, 1985 - 8 a.m. – Open Meeting
Medical College of Virginia, 1101 East Marshall Street, Sanger Hall, Rooms 1-044, 1-067, 1-069, and B1-064, Richmond, Virginia

Optometry State Board Examination & Diagnostic Pharmaceutical Agents Examination.

Contact: Lawrence H. Redford, Executive Director, Board of Optometry, P. O. Box 27708, Richmond, Va. 23261, telephone (804) 786-0131

POLYGRAPH EXAMINERS ADVISORY COMMITTEE

May 14, 1985 - 11 a.m. – Open Meeting
Department of Commerce, 3600 West Broad Street, 5th Floor, Richmond, Virginia. (Location accessible to handicapped.)

The committee will meet for the purpose of administering the Polygraph Examiner Licensing Examination to eligible licensed Examiner Interns.

Contact: Iva B. Frizzell, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8515/257-8563

BOARD OF PROFESSIONAL COUNSELORS

† May 24, 1985 - 9 a.m. – Open Meeting
Department of Health Regulatory Boards, 517 West Grace Street, Richmond, Virginia. (Location accessible to handicapped.)

A meeting to (i) conduct general Board business; (ii) review applications for licensure; (iii) supervision and trainee status; (iv) make policies; and (v) respond to Board correspondence.

Contact: John W. Braymer, Ph. D., 517 W. Grace St., Richmond, Va., telephone (804) 786-7702

VIRGINIA BOARD OF PSYCHOLOGY

May 16, 1985 - 9 a.m. – Open Meeting
Department of Health Regulatory Boards, 517 West Grace Street, Richmond, Virginia. (Location accessible to handicapped.)

A meeting to conduct general Board business; review applications; and respond to correspondence.

Contact: John W. Braymer, Ph.D., Executive Director, 517 W. Grace St., Richmond, Va. 23220, telephone (804) 786-3434

VIRGINIA REAL ESTATE COMMISSION

† May 15, 1985 - 10 a.m. – Open Meeting
Loudoun School Board Annex, 102 North Street, N. W., Basement Room 15, Leesburg, Virginia

To conduct a formal fact-finding hearing regarding the Virginia Real Estate Commission v. William R. Behrens, Broker, Sterling, Virginia.

† May 30, 1985 - 10 a.m. – Open Meeting
Mecklenburg County Circuit Court Courthouse, Washington Street, Conference Room, Boydton, Virginia

To conduct a formal fact-finding hearing regarding the Virginia Real Estate Commission v. Clayton C. Callahan, Clarksville, Virginia.

† May 30, 1985 - 2 p.m. – Open Meeting
Mecklenburg County Circuit Court Courthouse, Washington Street, Conference Room, Boydton, Virginia

To conduct a formal fact-finding hearing regarding the Virginia Real Estate Commission v. A. Ray West, Clarksville, Virginia.

Contact: Sylvia W. Bryant, Hearings Coordinator, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8424

Calendar of Events

The Fair Housing Liaison Committee

† **May 13, 1985 - 1 p.m.** – Open Meeting
Department of Commerce, Travelers Building, 3600 West Broad Street, 5th Floor, Board Room One, Richmond, Virginia. (Location accessible to handicapped.)

A quarterly meeting of the Committee to review various topics related to fair housing, including, recent state and local legislation and other educational and enforcement activities in fair housing.

Contact: Florrie Brassier, Fair Housing Administrator, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230-4917, telephone (804) 257-8530

VIRGINIA RESOURCES AUTHORITY

Board of Directors

June 4, 1985 - 10 a.m. – Open Meeting
July 2, 1985 - 10 a.m. – Open Meeting
State Water Control Board Room, 2111 North Hamilton Street, Richmond, Virginia

A meeting to approve minutes of the prior monthly Board meeting; to review the Authority's operations for the prior month; and to consider other matters and take other actions as they may deem appropriate. The planned agenda of the meeting will be available at the offices of the Authority one week prior to the date of the meeting.

Contact: Shockley D. Gardner, Jr., Executive Director, P. O. Box 1300, Richmond, Va. 23210, telephone (804) 788-8174

VIRGINIA SAFETY AND HEALTH CODES COMMISSION

May 17, 1985 - 10 a.m. – Open Meeting
Fourth Street Office Building, Second Floor Conference Room, 205 North Fourth Street, Richmond, Virginia. (Location accessible to handicapped.)

The Commission will meet to consider a request for a Commonwealth of Virginia Special under the Boiler and Pressure Vessel Code, and to address other pertinent business that might be brought before the body.

Contact: William E. Long, Chief Boiler Inspector, Virginia Department of Labor and Industry, P. O. Box 12064, Richmond, Va. 23241, telephone (804) 786-3160

STATE SEWAGE HANDLING AND DISPOSAL APPEALS REVIEW BOARD

May 22, 1985 - 10 a.m. – Open Meeting
June 19, 1985 - 10 a.m. – Open Meeting

General Assembly Building, Capitol Square, Senate Room A, Richmond, Virginia. (Location accessible to handicapped.)

The Board will meet to hear and render a decision on all appeals of denials of On-Site Sewage Disposal System Permits.

Contact: P. M. Brooks, 502 Madison Bldg., Richmond, Va. 23219, telephone (804) 786-1931

VIRGINIA SMALL BUSINESS FINANCING AUTHORITY

† **May 21, 1985 - 9 a.m.** – Public Hearing
State Capitol, House Room 2, Richmond, Virginia. (Location accessible to handicapped.)

The Authority will conduct a public hearing to consider Industrial Development Bond applications received by the Authority, and for which public notice has appeared in the appropriate newspapers of general circulation. Prior to the public hearing, which starts at 10 a.m., the Authority will conduct its regular business meeting.

Contact: Nic Walker, Executive Director, Virginia Small Business Financing Authority, 1000 Washington Bldg., Richmond, Va. 23219, telephone (804) 786-3791

STATE BOARD OF SOCIAL SERVICES

† **May 15, 1985 - 1:30 p.m.** – Open Meeting
† **May 16, 1985 - 9 a.m.** – Open Meeting
Department of Social Services, Southwest Regional Office, 190 Patton Street, Abingdon, Virginia. (Location accessible to handicapped.)

A work session and formal business meeting of the State Board of Social Services.

Contact: Phyllis J. Sisk, Department of Social Services, 8007 Discovery Dr., Richmond, Va., telephone (804) 281-9236

DEPARTMENT OF SOCIAL SERVICES

1986 Low-Income Home Energy Assistance Block Grant

May 13, 1985 - 9 a.m. – Public Hearing
Richmond Regional Welfare Office, 5021 Brook Road, 2nd Floor Conference Room, Richmond, Virginia

May 13, 1985 - 1 p.m. – Public Hearing
Roanoke Regional Welfare Office, Dominion Bank Building, 213 South Jefferson Street, Conference Room, Suite 800, Roanoke, Virginia

May 13, 1985 - 1 p.m. – Public Hearing
Southwest Regional Welfare Office, 190 Patton Street,
Conference Room, Abingdon, Virginia

May 15, 1985 - 10 a.m. – Public Hearing
City Hall Building, 810 Union Street, Council Chambers,
11th Floor, Norfolk, Virginia

May 16, 1985 - 2 p.m. – Public Hearing
Northern Virginia Regional Office, 11166 Main Street, 2nd
Floor Training Room, Fairfax, Virginia

May 17, 1985 - 10 a.m. – Public Hearing
Valley Regional Welfare Office, Route 612 behind Corner
Parts Building, Conference Room, Verona, Virginia

not cost effective and is not administered equitably statewide, (ii) basing benefits on fuel types more realistically ensures that the program's goal of assisting households with the least income and highest energy costs is achieved, (iii) replacing HER/R with ECAP will provide assistance to households who have energy emergencies that cannot be taken care of by other resources, and (iv) the addition of a ceiling in administrative cost reimbursement will ensure that the Department contains administrative expenses to the maximum federal reimbursable amount at the same time freeing up more funds for direct benefits to clients.

Statutory Authority: § 63.1-25 of the Code of Virginia.

Written comments may be submitted until June 29, 1985 to Guy Lusk, Director, Division of Benefit Programs/Department of Social Services, 8007 Discovery Drive, Richmond, Virginia 23229-8699.

Contact: Charlene H. Chapman, Supervisor, Energy and Emergency Assistance, Division of Benefit Programs/Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9046 (toll-free number 1-800-552-7091)

May 14, 1985 - 9 a.m. – Public Hearing
Division of Motor Vehicles, 2300 West Broad Street, Room 131, Richmond, Virginia

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Boards of Corrections, Education, Mental Health and Mental Retardation, and Social Services, intend to adopt regulations entitled: **Core Standards for Interdepartmental Licensure and Certification of Residential Facilities for Children.** The proposed standards will provide children in residential facilities with at least a minimal level of care.

STATEMENT

Subject: Proposed revisions to the Core Standards for Interdepartmental Licensure and Certification of Residential Facilities for Children.

Substance: Under the current definitions and exceptions in the Code of Virginia, the Departments of Corrections, Education, Mental Health and Mental Retardation, Social Services are responsible for the licensure, certification and/or approval of public and private residential facilities for children. Such facilities are licensed, certified, or approved under the Core Standards for Interdepartmental Licensure and Certification of Children except (i) facilities which do not accept public funds, (ii) private psychiatric hospitals serving children, and (iii) residential facilities serving children which successfully meet the requirements of nationally recognized standards setting agencies.

Issues: The document is comprised of the following issues which have impact on residential facilities for children subject to licensure, certification, and/or approval:

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Social Services intends to amend regulations entitled:

Virginia Fuel Assistance Program. The proposed amendments will delete the voluntary quit provision; vary benefits by fuel type; replace the Heating Equipment Repairs/Replacement component with an Energy Crisis Assistance Program; and add a ceiling to the administrative costs reimbursement.

STATEMENT

Subject: Proposed Amendments to the Virginia Fuel Assistance Program. These amendments are being proposed for a 60-day public comment period.

Substance: The amendments to the Program are as follows; (i) delete the voluntary quit provision as an eligibility criteria, (ii) vary benefits by fuel type, (iii) replace the Heating Equipment Repairs/Replacements (HER/R) component with an Energy Crisis Assistance Program (ECAP), and (iv) add a ceiling to the administrative costs reimbursement to local departments of social service.

Issues: The issues that relate to each amendment are as follows; (i) deleting the voluntary quit provision would mean that quitting a job will have no effect on an applicant's eligibility for fuel assistance or ECAP, (ii) varying benefits by fuel type will lower benefits for lower priced fuels and increase benefits for higher priced fuels, (iii) in administering ECAP, local departments of social services will have the flexibility of choosing which forms of assistance will best meet the needs of the clientele in their locality, and (iv) placing a ceiling on administrative costs reimbursement will mean that some local departments of social services will not be reimbursed for all their expenditures.

Basis: Virginia Code, § 63.1-25 provides the statutory basis for the promulgation of regulations relative to the Fuel Assistance Program.

Purpose: The purpose of each amendment is as follows; (i) the voluntary quit provision is being deleted because it is

Calendar of Events

Organization and administration, personnel, residential environment, programs and services, and disaster or emergency plans.

Basis: Chapters 11 and 14 of Title 16.1, Chapters 13 and 16 of Title 22.1, Chapters 8 and 10 of Title 37.1, Chapters 3 and 10 of Title 63.1, and Chapter 14 of Title 53.1 of the Code of Virginia provide the statutory basis for promulgation of standards for licensure and certification of residential facilities for children. The State Boards of Corrections, Education, Mental Health and Mental Retardation, and Social Services have approved the proposed revisions for 60-day public comment period.

Purpose: The purpose of the proposed revisions is to establish the minimum requirements necessary to protect children in the care of residential facilities for children. The document has been revised with an emphasis on clarity and ease of comprehension.

Statutory Authority: §§ 16.1-286, 53.1-237 through 53.1-239, 16.1-310 through 16.1-314, 53.1-249, 22.1-319 through 22.1-335, 22.1-218, 37.1-179 through 37.1-189, 37.1-199, 63.1-195 through 63.1-219, and 63.1-56.1 of the Code of Virginia.

Written comments may be submitted until May 14, 1985.

Contact: Barry P. Craig, Coordinator, Interdepartmental Licensure and Certification, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9025, (toll-free number 1-800-552-7091)

† **May 17, 1985 - 9:30 a.m. – Open Meeting**
Tuckahoe Library, 1700 Parham Road, Conference Room/Lower Level, Richmond, Virginia. (Location accessible to handicapped.)

The Human Services Information and Referral Advisory Council will meet for (i) presentation of slate by Nominating Committee/election of officers, (ii) presentation/discussion on request by Council for Children for access handbook; and, (iii) presentation of Plan for Statewide Information and Referral Services for fiscal year 1985-86.

Contact: D. Ray Sirry, Division Director, Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23288, telephone (804) 281-9038

VIRGINIA SOIL AND WATER CONSERVATION COMMISSION

† **May 16, 1985 - 9 a.m. – Open Meeting**
Division of Soil and Water Conservation Commission Conference Room, Room 200, Richmond, Virginia. (Location accessible to handicapped.)

A regular bi-monthly business meeting.

Contact: Donald L. Wells, 203 Governor St., Suite 206, Richmond, Va. 23219, telephone (804) 786-2064

SOLID WASTE COMMISSION

May 22, 1985 - 2 p.m. – CANCELLED

The public hearing that was previously announced for May 22 has been cancelled and will be rescheduled.

Contact: Barbara M. Wrenn/Cheryl Cashman, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-4169

VIRGINIA DEPARTMENT FOR THE VISUALLY HANDICAPPED

Advisory Committee on Services

June 1, 1985 - 10:30 a.m. – Open Meeting
Administrative Headquarters, 397 Azalea Avenue, Richmond, Virginia. (Location accessible to handicapped; interpreter for deaf provided if requested.)

A quarterly meeting of the Committee to advise the Virginia Department for the Visually Handicapped on matters related to services for blind and visually handicapped citizens of the Commonwealth.

Contact: George A. Koger, Executive Assistant, 397 Azalea Ave., Richmond, Va. 23227, telephone (804) 264-3148

STATE WATER CONTROL BOARD

May 13, 1985 - 7 p.m. – Public Hearing
Culpeper General District Courtroom, 135 West Cameron Street, Culpeper, Virginia

A public hearing for the purpose of affording interested persons an opportunity to submit factual data, views and arguments relative to the water quality aspects of the proposed amendment of Bio Gro Systems, Inc.'s No-Discharge Certificate to land apply sewage sludge in Culpeper County.

† **May 15, 1985 - 10 a.m. – Open Meeting**
State Capitol, Capitol Square, House Room 4, Richmond, Virginia. (Location accessible to handicapped.)

A meeting to discuss the Board's intention to develop and issue general NPDES permits to a category of point sources that involve similar types of operations, discharge the same wastes, and require the same effluent limitations or operating conditions.

† **May 15, 1985 - 2 p.m. – Open Meeting**
State Capitol, Capitol Square, House Room 4, Richmond, Virginia. (Location accessible to handicapped.)

A meeting to discuss the Board's proposal to adopt regulations requiring a minimum level of treatment for all water treatment plant dischargers, but to

provide the option for dischargers to demonstrate on a case by case basis the ability to maintain water quality standards without a required minimum level of treatment.

† **June 24, 1985 - 9 a.m.** – Open Meeting

† **June 25, 1985 - 9 a.m.** – Open Meeting

General Assembly Building, Capitol Square, Senate Room B, Richmond, Virginia. (Location accessible to handicapped.)

A quarterly board meeting.

Contact: Doneva A. Dalton, State Water Control Board, Office of Policy Analysis, P. O. Box 11143, Richmond, Va. 23230, telephone (804) 257-6829

LEGISLATIVE

HOUSE APPROPRIATIONS COMMITTEE

† **May 20, 1985 - 9 a.m.** – Open Meeting

Portsmouth City Council Chambers, 801 Crawford Street, Portsmouth, Virginia

A regular monthly meeting of the committee.

Contact: Donna C. Johnson, House Appropriations Committee, General Assembly Bldg., Capitol Square, 9th Floor, Richmond, Va. 23219, telephone (804) 786-1837

VIRGINIA CODE COMMISSION

May 23, 1985 - 9:30 a.m. – Open Meeting

General Assembly Building, Capitol Square, Sixth Floor Conference Room, Richmond, Virginia. (Location accessible to handicapped.)

The Commission will continue the revision of Title 38.1 of the Code of Virginia, which sets forth the insurance laws of the Commonwealth.

Contact: Joan W. Smith, Registrar of Regulations, Virginia Code Commission, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

COMMISSION ON DEINSTITUTIONALIZATION

May 13, 1985 - 10 a.m. – Open Meeting

General Assembly Building, Capitol Square, Senate Room A, Richmond, Virginia. (Location accessible to handicapped.)

A presentation from the Department of Mental Health and Mental Retardation on deinstitutionalization issues. (SJR 42)

Contact: Susan C. Ward, Staff Attorney, Division of Legislative Services, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

JOINT LEGISLATIVE AUDIT AND REVIEW COMMISSION

May 13, 1985 - 9:30 a.m. – Open Meeting

General Assembly Building, Capitol Square, House Room D, Richmond, Virginia. (Location accessible to handicapped.)

Virginia State University Audit.

Contact: Ray Pethel/MaryAnn Craven, General Assembly Building, Capitol Sq., Suite 1100, Richmond, Va. 23219, telephone (804) 786-1258

VIRGINIA'S MEDICAL MALPRACTICE LAWS JOINT SUBCOMMITTEE

May 29, 1985 - 10 a.m. – Open Meeting

General Assembly Building, Capitol Square, House Room C, Richmond, Virginia. (Location accessible to handicapped.)

A meeting to discuss standard of care and the qualification of expert witnesses. (HJR 209)

Contact: Mary Devine, Staff Attorney, Division of Legislative Services, General Assembly Bldg., 2nd Floor, Richmond, Va., telephone (804) 786-3591

COSTS TO LOCALITIES FOR PUBLIC ASSISTANCE JOINT SUBCOMMITTEE

† **May 30, 1985 - 10 a.m.** – Open Meeting

General Assembly Building, Capitol Square, House Room C, Richmond, Virginia. (Location accessible to handicapped.)

A meeting to discuss with state and local officials identified issues which affect costs of administration and public assistance programs. (HJR 255)

Contact: Susan Ward, Staff Attorney, Division of Legislative Services, General Assembly Bldg., 2nd Floor, Richmond, Va., telephone (804) 786-3591

REVISION OF THE SAVINGS AND LOAN ACT JOINT SUBCOMMITTEE

June 17, 1985 - 2 p.m. – Open Meeting

General Assembly Building, Capitol Square, House Room C, Richmond, Virginia. (Location accessible to handicapped.)

Calendar of Events

An update on reaction to the interstate banking and savings and loan bills from the 1985 Session – the issue of private insurance of accounts and interest rates in Virginia. (HJR 217)

Contact: C. William Cramme', III, Staff Attorney, Division of Legislative Services, General Assembly Bldg., 2nd Floor, Richmond, Va., telephone (804) 786-3591

CHRONOLOGICAL LIST OPEN MEETINGS

May 13, 1985

Alcoholic Beverage Control Commission, Virginia
Deinstitutionalization, Commission on
Funeral Directors and Embalmers, Virginia Board of
Joint Legislative Audit and Review Commission
Local Government, Commission on
Real Estate Commission, Virginia
Fair Housing Liaison Committee

May 14

Children's Facilities, Interdepartmental Committee on
Rate Setting for
Funeral Directors and Embalmers, Virginia Board of
Polygraph Examiners Advisory Committee

May 15

Community Colleges, State Board for
Contractors, State Board for
Corrections, Board of
Museum of Fine Arts, Virginia
Accessions Committee
Real Estate Commission, Virginia
Social Services, State Board of
Water Control Board, State

May 16

Land Surveyors, State Board of
Community Colleges, State Board for
Conservation and Development of Public Beaches
Commission on the
Highways and Transportation Commission
Virginia Department of
Longwood College Board of Visitors
Psychology, Virginia Board of
Social Services, State Board of
Soil and Water Conservation Commission, Virginia

May 17

Architects, Professional Engineers, Land Surveyors and
Certified Landscape Architects, Virginia State
Board of
Arts, Commission for the
Hazardous Waste Facility Siting Board
Longwood College Board of Visitors
Medicine, Virginia State Board of
Safety and Health Code Commission, Virginia
Social Services, Department of

May 18

Arts, Commission for the
Hazardous Waste Facility Siting Board
Medicine, Virginia State Board of

May 20

Alcoholic Beverage Control Commission, Virginia
Appropriations Committee, House
Cosmetology, Virginia Board of
Geology, Virginia State Board of
Governor's Job Training Coordinating Council
Nursing, Virginia State Board of

May 21

Conservation and Historic Resources, Department of
Division of Historic Landmarks
Contractors, State Board for
Housing and Development Authority, Virginia

May 22

Contractors, State Board of
Education, Board of
Health Services Cost Review Commission, Virginia
Mental Health and Mental Retardation Board, State
Milk Commission, State
State Sewage Handling and Disposal Appeals
Review Board

May 23

Code Commission, Virginia
Education, Board of
Local Government, Commission on
Museum of Fine Arts, Virginia
Finance Committee
Museum of Fine Arts, Virginia
Board of Trustees

May 24

Local Government, Commission on
Opticians, State Board of
Professional Counselors, Board of

May 28

Marine Resources Commission

May 29

Medical Malpractice Laws, Virginia's
Joint Subcommittee

May 30

Mental Health and Mental Retardation, Department of
Public Assistance, Costs to Localities for
Joint Subcommittee
Real Estate Commission, Virginia

June 1

Visually Handicapped, Virginia Department for
Advisory Committee on Services

June 3

Alcoholic Beverage Control Commission, Virginia

Farmers' Market Feasibility Study Steering Committee
Virginia Wholesale

June 4

Farmers' Market Feasibility Study Steering Committee
Virginia Wholesale
Resources Authority, Virginia
Board of Directors

June 5

Farmers' Market Feasibility Study Steering Committee
Virginia Wholesale
Higher Education, Council of

June 6

Farmers' Market Feasibility Study Steering Committee
Virginia Wholesale

June 10

Alcoholic Beverage Control Commission, Virginia
Farmers' Market Feasibility Study Steering Committee
Virginia Wholesale

June 11

Farmers' Market Feasibility Study Steering Committee
Virginia Wholesale

June 12

Hazardous Waste Facility Siting Board

June 17

Alcoholic Beverage Control Commission, Virginia
Savings and Loan Act, Revisions of the
Joint Subcommittee

June 19

State Sewage Handling and Disposal Appeals
Review Board

June 20

Museum of Fine Arts, Virginia
Finance Committee

June 24

Water Control Board, State

June 25

Marine Resources Commission
Water Control Board, State

June 26

Health Services Cost Review Commission, Virginia

July 2

Resources Authority, Virginia
Board of Directors

July 31

Optometry, Virginia Board of

August 1

Optometry, Virginia Board of
State Board Examination & Diagnostic
Pharmaceutical Agent Examination

PUBLIC HEARINGS

May 13, 1985

Air Pollution Control Board, State
Social Services, Department of
Low-Income Home Energy Assistance
Block Grant/1986
Water Control Board, State

May 14

Accountancy, State Board of
Corrections, Board of
Education, Board of
Mental Health and Mental Retardation, Department of
Social Services, Department of

May 15

Accountancy, State Board of
Social Services, Department of
Low-Income Home Energy Assistance
Block Grant/1986

May 16

Accountancy, State Board of
Social Services, Department of
Low-Income Home Energy Assistance
Block Grant/1986

May 17

Governor's Regulatory Reform Advisory Board
Social Services, Department of
Low-Income Home Energy Assistance
Block Grant/1986

May 20

Air Pollution Control Board, State

May 21

Small Business Financing Authority, Virginia

May 23

Air Pollution Control Board, State
Local Government, Commission on

May 24

Health, Department of
(WIC)

June 3

Housing and Community Development, Department of
Library Board, Virginia State

Calendar of Events

June 6

Education, Board of

June 14

Medical Assistance Services, Department of

June 17

Housing and Community Development, Board of
Housing and Community Development, Department of

June 19

Governor's Regulatory Reform Advisory Board

June 25

Mental Health and Mental Retardation, Department of

June 28

Medical Assistance Services, Department of

July 10

Architects, Professional Engineers, Land Surveyors and
Certified Landscape Architects, State Board of

July 15

Mines, Minerals and Energy, Department of

July 17

Contractors, State Board for

July 25

Governor's Regulatory Reform Advisory Board

September 10

Governor's Regulatory Reform Advisory Board