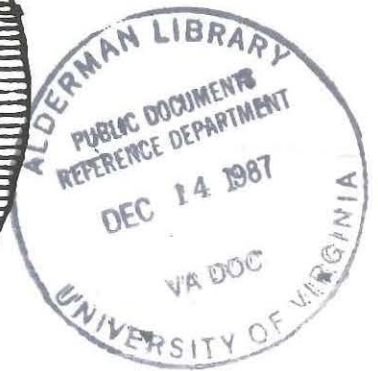
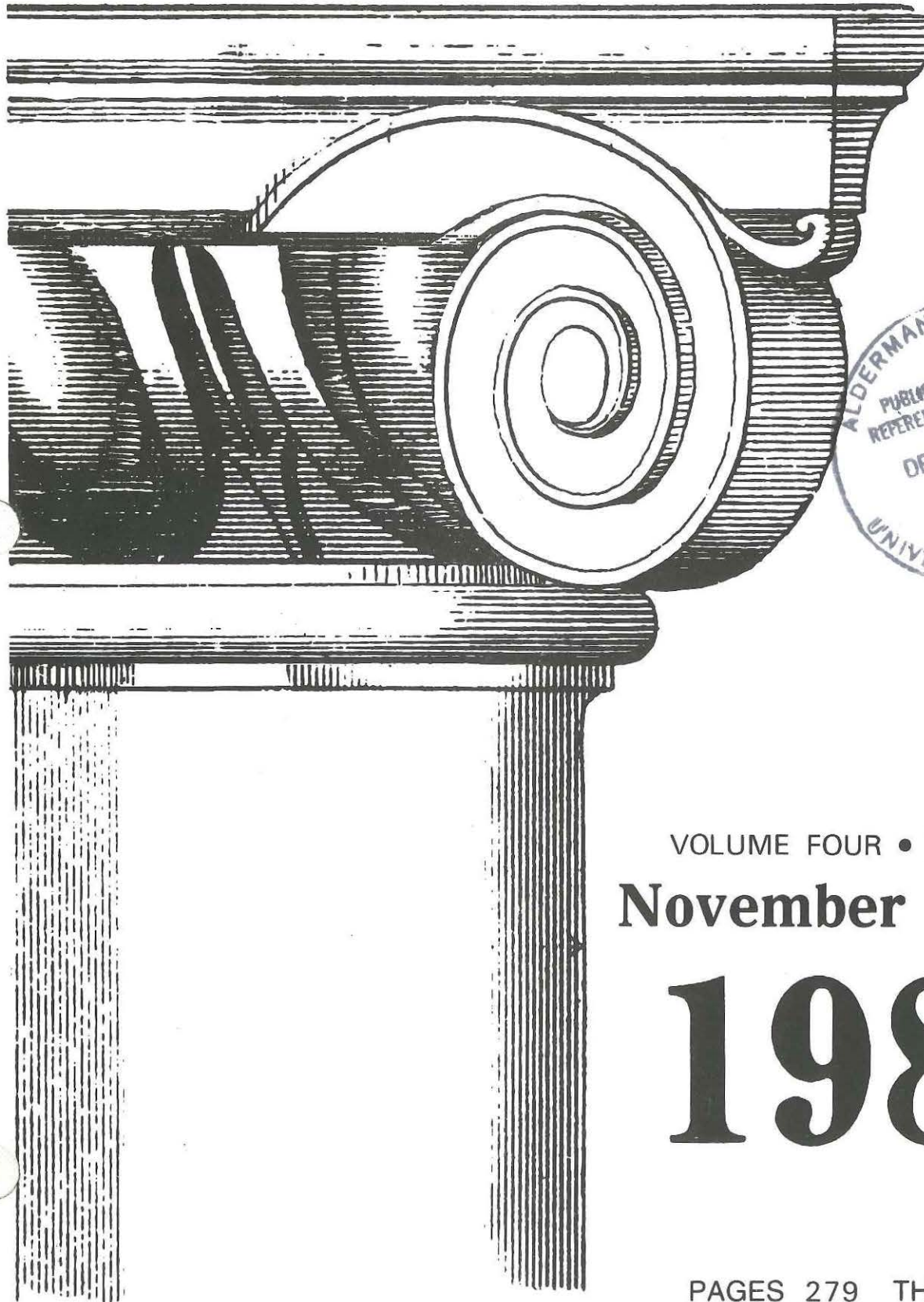


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THE VIRGINIA REGISTER

OF REGULATIONS

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VOLUME FOUR • ISSUE FOUR
November 23, 1987

1987

PAGES 279 THROUGH 368

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

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VIRGINIA REGISTER OF REGULATIONS

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MATERIAL SUBMITTED BY
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Sept. 9	Sept. 28
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PROPOSED REGULATIONS

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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.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES (BOARD OF)

Title of Regulation: VR 115-05-10. Rules and Regulations Defining Standards for Grades/Sizes of Shell Eggs.

Statutory Authority: §§ 3.1-763.16 and 3.1-769.4 of the Code of Virginia.

Public Hearing Date: N/A
(See Calendar of Events section for additional information)

Summary:

The Rules and Regulations Defining Standards for Grades/Sizes of Shell Eggs provides specifications and requirements for establishing shell egg grades and sizes to assist in the enforcement of the Virginia Egg Law which provides consumer and seller protection regarding shell egg quality and wholesomeness and discourages misleading egg quality representations.

The proposed amendments delete three outdated sections of the regulations and updates the remaining sections to bring them into alignment with USDA specifications for shell eggs.

VR 115-05-10. Rules and Regulations Defining Standards for Grades/Sizes of Shell Eggs.

Regulation I:

§ 1. Grade AA eggs.

Eggs offered for sale as Grade AA quality shall meet the following specifications of USDA Consumer Grade AA quality found in "Regulations Governing the Grading of Shell Eggs and United States Standards, Grades and Weight Classes for Shell Eggs (7 CFR Part 56)" of the Code of Federal Regulations, incorporated by reference in these regulations.

1. Shell: Must be clean, unbroken, and practically normal.
2. Air Cell: Must not exceed 1/8 inch in depth and be practically regular.
3. Yoke: Must be practically free from apparent defects.
4. White: Must be clear and firm so that the yolk is only slightly defined when the egg is twirled before

the candling light.

Regulation II:

§ 2. Grade A eggs.

Eggs offered for sale as Grade A quality shall meet the following specifications of USDA Consumer Grade A quality found in "Regulations Governing the Grading of Shell Eggs and United States Standards, Grades and Weight Classes for Shell Eggs (7 CFR Part 56)" of the Code of Federal Regulations.

1. Shell: Must be clean, unbroken, and practically normal.
2. Air Cell: Must not exceed 3/16 inch in depth and must be practically regular.
3. Yolk: Must be practically free from apparent defects.
4. White: Must be clear and at least reasonably firm so that the yolk outline is only fairly well defined when the egg is twirled before the candling light.

Regulation III:

§ 3. Grade B eggs.

Eggs offered for sale as Grade B quality shall meet the following specifications of USDA Consumer Grade B quality found in "Regulations Governing the Grading of Shell Eggs and United States Standards, Grades and Weight Classes for Shell Eggs (7 CFR Part 56)" of the Code of Federal Regulations.

1. Shell: Must be unbroken and may be slightly abnormal and may show slight stains but no adhering dirt, provided that they do not appreciably detract from the appearance of the egg. When the stain is localized, approximately 1/32 of the shell surface may be slightly stained, and when the slightly stained areas are scattered, approximately 1/16 of the shell surface may be slightly stained.
2. Air Cell: Must not exceed 3/8 inch in depth, may show unlimited movement, and may be free or bubbly.
3. Yolk: May appear slightly enlarged or slightly flattened and may show either definite, but not serious, defects.

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4. White: Must be clear and may be slightly weak so that the yolk outline is well defined when the egg is twirled before the candling light.

Regulation IV: Eggs offered for sale as Grade C quality shall meet the following specifications:

1. Shell: Must be unbroken, may be abnormal and may have slightly stained areas. Moderately stained areas are permitted if they do not cover more than 1/4 of the shell surface. Eggs having shells with prominent stains or adhering dirt are not permitted.

2. Air Cell: May be over 3/8 inch in depth and may be free or bubbly.

3. Yolk: May appear dark, enlarged, and flattened, and may show clearly visible germ development but no blood due to such development. It may show other serious defects that do not render the egg inedible. Small blood clots or spots (aggregating no more than 1/8 inch in diameter) may be present.

4. White: May be weak or watery so that the yolk outline is plainly visible when the egg is twirled before the candling light.

Regulation V:

§ 4. Ungraded eggs.

Eggs offered for sale as ungraded shall meet the following specifications of *USDA Consumer Grade B quality found in "Regulations Governing the Grading of Shell Eggs and United States Standards, Grades and Weight Classes for Shell Eggs (7 CFR Part 56)" of the Code of Federal Regulations.*

1. Shell: Must be unbroken and may be slightly abnormal and may show slight stains but no adhering dirt, provided that they do not appreciably detract from the appearance of the egg. When the stain is localized, approximately 1/32 of the shell surface may be slightly stained, and when the slightly stained areas are scattered, approximately 1/16 of the shell surface may be slightly stained.

2. Air Cell: Must not exceed 3/8 inch in depth, may show unlimited movement, and may be free or bubbly.

3. Yolk: May appear slightly enlarged or slightly flattened and may show other definite, but not serious defects.

4. White: Must be clear and may be slightly weak so that the yolk outline is well defined when the egg is twirled before the candling light.

Regulation VI:

§ 5. Inedible Loss, inedible or leaker eggs.

Eggs of the following description are classified as inedible and described as loss, inedible or leakers within the meaning of "Regulations Governing the Grading of Shell Eggs and United States Standards, Grades and Weight Classes for Shell Eggs (7 CFR Part 56)," § 56.212 (a), (b) and (c) of the Code of Federal Regulations shall not be sold or offered for sale except as herein specifically provided: for human consumption.

Black rots, white rots, mixed rots (addled eggs), sour eggs, eggs with green whites, eggs with stuck yolks, moldy eggs, musty eggs, eggs showing blood rings or bloody whites, eggs containing embryo chicks (at or beyond the blood ring stage), leaker, smashed, or coddled eggs, eggs that are filthy, decomposed or putrid, and any eggs showing blood spots in excess of 1/8 inch in diameter unless these blood spots can be and are completely removed, and thereafter approved for sale by a duly authorized agent of the Commissioner. The eggs from which the blood spots can be removed may be transported within the State of Virginia to official Federal State or State supervised egg breaking plants for further processing provided they are sealed with a white gum tape approved by a duly authorized agent of the Commissioner, and the sealing tape on the containers in which they are being kept, stored or transported for further processing is marked with red letters of no less than 1/2 inch in height with the following language: "These eggs are not for sale for human consumption until approved after further processing."

Regulation VII: Disposal of incubator eggs. Incubator eggs may be sold for commercial purposes only and when sold for such purposes shall be disposed of in the following manner:

1. Any person, firm or corporation who sells or offers for sale incubator eggs for commercial purposes shall prior to or at time of sale and delivery be responsible for the smashing of said eggs:

2. Such eggs shall be disposed of only to such person, firm or corporation which provide closed metal containers with tight lids for the transporting of such incubator eggs. Such containers shall be subject to the approval of the Commissioner of Agriculture.

Regulation VIII: The official determination of the quality of individual shell eggs shall be based on the use of approved candling equipment.

§ 6. Weight classes.

Consumer grades of shell eggs shall conform to the following weight classes: When and ungraded eggs are marked as to size, they shall conform to the following weight classes: *USDA weight classes for consumer grades for shell eggs found in "Regulations Governing the Grading of Shell Eggs and United States Standards, Grades and*

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Weight Classes for Shell Eggs (7 CFR Part 56)" of the Code of Federal Regulations.

Size or Weight Class	Min. net wt. per doz.	Min. net wt. per 30 doz.	Min. wt. for Individual Eggs at rate per doz.
	Ounces	Pounds	Ounces
Jumbo	30	56	29
Extra Large	27	50 1/2	26
Large	24	45	23
Medium	21	39 1/2	20
Small	18	34	17
Peewee	15	28	

Regulation X:

§ 7. Egg case and container markings.

All egg cases or retail containers in which eggs are kept for the purpose of sale, or offered or exposed for sale (except those exempt in § 3.1-765), shall be marked according to one of the grades and sizes, or marked cracks or ungraded. The marking, identity of the commodity in the package, and net quality of the contents in terms of count shall appear on the principal display panel of the package. The retail containers shall bear the name and address of the packer or distributor; when the eggs are kept, offered, or exposed for sale or sold at any place other than on the premises where packed. The grade and size, cracks or ungraded status, shall be spelled out in full. All information required to appear on the container shall be prominent, definite, and plain, and shall be conspicuous as to size and style of letters and numbers. When loose eggs are on display for sale, a sign shall be attached showing the grade and size, cracks or the ungraded status, in plain view to the public.

The plant of origin grading within the meaning of "Regulations Governing the Grading of Shell Eggs and United States Standards, Grades and Weight Classes for Shell Eggs (7 CFR Part 56)," § 56.1 of the Code of Federal Regulations must be identified on all cases or containers in which shell eggs are delivered to the retail or food service institution.

Regulation XI:

§ 8. Requirement for eggs being processed, transported, or stored.

It shall be unlawful for any person, firm, or corporation to permit unsanitary conditions to exist in the processing,

transportation, or storage of eggs; whereby such the eggs may become contaminated.

Adopted: September 24, 1968

STATE BOARD OF EDUCATION

Title of Regulation: VR 270-01-0006. Regulations Governing Pupil Transportation Including Minimum Standards For School Buses in Virginia.

Statutory Authority: §§ 22.1-16 and 22.1-176 of the Code of Virginia.

Public Hearing Date: February 25, 1988 - 1:30 p.m.
(See Calendar of Events section for additional information)

Summary:

This regulation is summarized as follows:

Part I contains definitions of words and terms used in the regulations. There are changes which describe the types of school buses including activity buses.

Part II contains general regulations pertaining to the operational procedures and requirement for school buses used to transport pupils. There are changes which limit standees, prescribes pupil rider safety instruction, inspection and maintenance of all vehicles including school buses which are used to transport pupils, and safety of pupils at bus stops and on school sites.

Part III contains regulations for distribution of the regular pupil transportation fund. These regulations govern funds distributed to school divisions operating approved school bus programs. Additions to this part include supplemental fund for exclusive transportation of handicapped pupils on approved buses, special transit fund, and special arrangements fund for transportation of handicapped pupils.

Part IV contains requirements for school bus drivers. The requirements relate to the employment of such persons to operate a school bus. There are changes in the driver training requirements, evaluation of drivers and, requirements for driver training instructors.

Part V contains minimum standards for school buses in Virginia. School buses sold by any dealer or manufacturer to a Virginia school division must conform to these standards/specifications on body and chassis construction and design. The most significant changes in this part are the addition of the eight-lamp traffic warning light system and the crossing control arm.

Part VI is a new part which contains standards for

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lift-gate school buses. These standards govern school buses designed for transporting pupils with special transportation needs.

Part VII is a new part which allows exceptions to approved school buses when activity buses are deemed necessary and appropriate by the local school board for transportation of pupils to school activity events.

VR 270-01-0006. Regulations Governing Pupil Transportation Including Minimum Standards For School Buses in Virginia.

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:

"Color-black" means federal standard No. 595, black enamel No. 17038.

"Color-yellow" means national school bus yellow SBMI color standard 008.

"Emergency equipment compartment" means an approved compartment which is labeled to indicate what is contained therein. If equipped with a lock, a buzzer shall be activated when locked ~~or be connected through ignition interlock to prevent bus from starting.~~ Lock shall be capable of holding plunger of buzzer in when unlocked. The compartment shall be boxed in and have suitable rear panel for mounting of emergency equipment.

"School bus" means any motor vehicle ~~except a commercial bus, station wagon, automobile, or truck described herein as "Type A," "Type B," "Type C," or "Type D,"~~ which is designed and used primarily for the transportation of pupils ~~to and from public school~~, which is painted yellow with the words "School Bus" in black letters of specified size on front and rear, and which is equipped with the required warning devices.

"School bus metropolitan Type A" means a ~~body installed upon a chassis, with the engine mounted in the front, midship, or rear, with a gross weight rating of more than 10,000 pounds, designed for carrying more than 10 persons. The engine may be behind the windshield and beside the driver's seat; it may be at the rear of the bus, behind the rear wheels, or midship between the front and rear axles. The entrance door is ahead of the front wheels.~~ conversion or body constructed upon a van-type compact truck or a front-section vehicle, with a gross vehicle weight rating of 10,000 pounds or less, designed for carrying more than 10 persons. Range from four to 20 passenger capacity.

"School bus Type ~~I~~ B" means ~~conventional and metropolitan type buses that range from 16 to 84~~

~~passenger capacity~~ a conversion or body constructed and installed upon a van or front-section vehicle chassis, or stripped chassis, with a gross vehicle weight rating of more than 10,000 pounds, designed for carrying more than 10 persons. Part of the engine is beneath or behind the windshield, or both, and beside the driver's seat. The entrance door is behind the front wheels. Range from 16 to 25 passenger capacity.

"School bus Type H C" means ~~small van conversion and outaway van type buses that range from 4 to 15 passenger capacity-~~ a body installed upon a flat back cowl chassis with a gross vehicle weight rating of more than 10,000 pounds, designed for carrying more than 10 persons. All of the engine is in front of the windshield and the entrance door is behind the front wheels. Range from 34 to 64 passenger capacity.

"School bus Type D" means a body installed upon a chassis, with the engine mounted in the front, midship, or rear, with a gross vehicle weight rating of more than 10,000 pounds, designed for carrying more than 10 persons. The engine may be behind the windshield and beside the driver's seat; it may be at the rear of the bus behind the rear wheels, or midship between the front and rear axles. The entrance door is ahead of the front wheels. Range from 72 to 84 passenger capacity.

"School activity bus" means any school bus as defined in this section except those buses with variances authorized in Part VII of these regulations. Type A, B, C, D school buses are recommended for transporting pupils to and from school activity events; however, a school activity bus may be used when deemed necessary and appropriate by the local school board.

"Undercoating modified test procedure" means test panels are to be prepared in accordance with paragraph 4.6.12 of TT-C-520a of the Federal Code, incorporated by reference, with modified procedure requiring that test be made on a 48-hour air cured film at thickness recommended by compound manufacturer.

PART II. GENERAL REGULATIONS.

§ 2.1. The greatest care shall be exercised at all times in the transportation of school children.

§ 2.2. A school bus transporting school pupils shall be operated at a safe speed not in excess of 35 miles per hour, or minimum legal speed allowable; except, on interstate highways and when no stops are made to pick up or discharge pupils between the point of origin and the point of destination the speed shall not be in excess of 45 miles per hour.

§ 2.3. The number of pupils who may ride a school bus shall be determined by the total number who can be seated ~~and who,~~ During the first 30 instructional days of the school year standees may be permitted for short

Proposed Regulations

distances ; ~~can stand~~ in the aisle back of the driver's seat. Pupils ~~shall may~~ not be permitted to stand by the side of the driver, in the stepwell, or between the driver and the entrance door after the first 30 instructional days, except under unforeseen emergency conditions as identified by the local school board .

§ 2.4. Written contracts shall be made by the school board, on a form to be prescribed by the Superintendent of Public Instruction, with all regular school bus drivers before they begin their duties. Such contracts shall be signed in duplicate, each party holding a copy thereof. Substitute drivers shall meet the requirements prescribed for regular bus drivers and shall be approved and paid by the local school board.

§ 2.5. The school bus driver shall open and close the entrance door and keep it securely closed while the bus is in motion. This responsibility shall not be delegated to any other person.

§ 2.6. Every school bus operated at public expense for the purpose of transporting school children shall be equipped with traffic warning devices of the type prescribed in the standards and specifications of the Board of Education. The warning lights shall indicate when the bus is about to stop, is stopped, and when it is loading or discharging children. The warning lights shall be in operation for a distance of not less than 100 feet before the bus stops, if the lawful speed limit is less than 35 miles per hour, and for a distance of at least 200 feet before the bus stops if the lawful speed limit is 35 miles per hour or more. When the school bus is equipped with a warning sign or crossing control arm or both , the sign these devices shall be extended when, and only when, the bus is stopped to load or discharge children.

§ 2.7. When loading or discharging pupils on the highway, stops shall be made in the right-hand lane and shall be made only at designated points where the bus can be clearly seen for a safe distance from both directions. While stopped, the driver shall keep the school bus warning devices in operation to warn approaching traffic to stop and allow pupils to cross the highway safely. Pupils who must cross the road shall be required to cross in front of the bus. They shall be required to walk to a point 10 feet or more in front of the bus, stop before reaching a position in line with the left side of the bus, and await a signal from the bus driver to start across the highway.

On dual highways divided by a physical barrier or unpaved area, buses shall be routed so that pupils will be picked up and discharged on the side of the road on which they live.

§ 2.8. Persons operating a school bus equipped with a safety lap belt assembly shall wear it while school children are being transported. (§ 46.1-287.2 of the Code of Virginia)

§ 2.9. Pupils riding in Type H A school buses equipped with passenger restraint belts shall wear them while the bus is in motion.

§ 2.10. Pupils who ride school buses shall receive at least twice annually, instruction in rider safety and shall practice emergency exist drills. Pupil rider safety instruction shall be included in the school curriculum, including demonstration and practices of safety procedures.

1. At the K-1 grade levels, initial safety training shall occur during the first week of school and additional training on a periodic basis during the year.

2. Emergency exit drills shall be practiced by all pupil riders at least twice a year, the first occurring during the first 30 instructional days.

3. A copy of bus rider safety rules shall be sent to parents at the beginning of the school year with an acknowledgement to be returned to the school principal. The information shall include a request that parents or their designee accompany their young children to and from the bus stop.

§ 2.11. Every vehicle used in transporting school pupils and personnel at public expense shall be covered by insurance that will provide financial assistance to pupils and personnel in case of injuries or deaths resulting from an accident. Insurance is required by law in the following minimum amounts:

1. Public liability or bodily injury, including death:
 - a. per person, or lower limit \$50,000
 - b. per accident, or upper limit \$200,000
2. Property damage liability \$10,000
3. Uninsured motorists coverage - equal to aforesaid limits of liability
4. Medical payment-per person \$1,000

(§§ 22.1-188 to 22.1-198 of the Code of Virginia)

§ 2.12. ~~School buses~~ All school vehicles, including school buses operated by city or county transit systems, used primarily to transport public school pupils to and from school and school activity events shall be inspected ~~carefully~~ and maintained by competent mechanics immediately before being used in the fall and at least once every 30 operating days or every 1,500 miles traveled, whichever occurs first. The inspections and maintenance shall be recorded on a form prescribed by the Board of Education conducted in accordance with provisions of the "Preventive Maintenance Manual for Virginia School Buses" and recorded on the prescribed inspection forms . If the inspections inspection and maintenance are not made in a shop operated by the

Proposed Regulations

school board or the local governing body, the school board shall designate one or more mechanics or inspection centers to make the inspections and require a copy of the results of the inspection inspections to be furnished to the division superintendent.

§ 2.13. A written report, on forms furnished by the Board Department of Education, of any accidents involving school buses, pupils, and personnel who ride school buses (including injury or death while crossing the road, waiting at bus stops, etc.) shall be sent to the state Supervisor of Pupil Transportation Service, Department of Education by the division superintendent within five days from the date of the accident. The report shall give the apparent cause of the accident, the extent of injuries to pupils or others, and the amount of property damage.

§ 2.14. All school buses in operation shall be carefully scheduled on routes to schools. The schedule shall show the time the bus starts in the morning, the time it leaves each point at which pupils are taken on, and the time of arrival at school. It shall also show the bus's odometer reading at the beginning of the route where the first pupil is picked up, where other stops are made, and the reading upon arrival at school. One copy of such schedule shall be kept in the bus and one copy shall be kept in the office of the division superintendent of schools.

§ 2.15. School bus routes, school sites, and safety of pupils at bus stops shall be reviewed at least once each year. Bus routes shall be reviewed for safety hazards, fuel conservation, and to assure maximum use of buses. Local school administrators shall evaluate the safety of pupils at bus stops periodically and report the results annually to the school board. A written vehicular and pedestrian traffic control plan for each existing school site shall be developed and reviewed annually for safety hazards. All new school site plans shall include provisions which promote vehicular and pedestrian safety.

§ 2.16. School buses shall stop, as required by law, at railway grade crossings. The bus driver shall open the entrance door of the bus and determine when it is safe for the vehicle to cross the railroad tracks. The entrance door shall be closed when the bus is in motion. No stop need be made at any grade crossing where traffic is directed by a police officer or a green traffic-control signal.

§ 2.17. School boards shall require that a report on the number of pupils transported and miles traveled be made by all school bus drivers to principals or other designated school officials.

§ 2.18. A record showing maintenance performed and operational cost shall be maintained for each publicly owned bus.

§ 2.18. Local school boards shall adopt policies, consistent with provisions of Virginia School Laws, before establishing a practice of collecting transportation fees

from pupils or receiving contributions from other sources for activities sponsored by schools under their authority. No pupil whose parent or guardian is financially unable to pay the pro rata cost of the trip may be denied the opportunity to participate.

§ 2.19. The lettered identification and traffic warning lights on the front and rear of school buses shall be covered with opaque detachable material when they are used for purposes other than to transport pupils on regular routes to and from school, or on special trips to participate in contests of various kinds, and for supplementary education purposes. This does not apply when the bus is being used to transport elderly or mentally or physically handicapped persons. (See § 22.1-183 of the Code of Virginia)

§ 2.20. The use of posters, stickers, or advertising material of any kind is prohibited in or on school buses.

§ 2.21. No object shall be placed in the bus that will restrict the passage to the entrance or emergency doors.

PART III. DISTRIBUTION OF REGULAR PUPIL TRANSPORTATION FUND FUNDS .

Article I. Regular Approved Bus Fund.

§ 3.1. Pupil transportation funds for the local school divisions of the state are distributed. The regular approved school bus fund shall be distributed to local school divisions on the following bases to the extent that these provisions are consistent with the annual Appropriation Act :

A. Forty percent of the fund is shall be distributed on the basis of an equal amount for each mile traveled during the regular school session for transporting pupils to and from the public schools in school buses meeting the standards and specifications of the Board of Education. Average daily mileage is computed for each bus from the point where the first pupil is picked up in the morning to the point where the last pupil is discharged in the afternoon, including regularly scheduled trips between schools, but excluding all special trips and excursions. If the length of a bus route is changed during the year, the average of the daily mileage shall be used.

B. Forty percent of the fund is shall be distributed on the basis of an equal amount for each pupil transported in average daily attendance (average number transported daily) in school buses meeting the standards and specifications of the Board of Education.

C. Twenty percent of the fund is shall be distributed on the basis of an equal amount for each school bus, in daily use during the current year, on home to school routes which meets the standards and specifications of the Board

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of Education and which is operated in the transportation of pupils a minimum of 12 miles per school day; provided, that the minimum of 12 miles shall not be applicable to small buses with a pupil capacity of 15 20 or fewer pupils.

D. No reimbursement shall be made for any bus which does not pass meet the regular provisions of the annual inspections required by state law, regulations of the Board the Department of State Police, the fleet assessment by the Department of Education and the annual inspection by personnel regulations of the Department Board of Education.

E. No reimbursement shall be made for buses or miles traveled unless the bus transports pupils both from home to school and from school to home.

F. School divisions shall be eligible for reimbursement for transportation of pupils in kindergarten through grade 12 and for handicapped children age 2 to 21 as defined in § 22.1-213 of the Code of Virginia, paragraph 1.

G. No reimbursement shall be made for pupils or miles traveled if transportation assistance is received from other state or federal sources.

H. Reimbursement shall be allowed for transporting pupils from an adjoining school division only when such arrangement has been mutually agreed upon by the school boards involved.

I. No school division shall receive reimbursement in excess of the amount actually expended for transportation of pupils to and from the public school, exclusive of capital outlay, replacement of buses, special trips, and the gas tax refund during the preceding year except as provided in 2 below .

1. In making the distribution, calculations shall be based on the number of pupils , and miles , and buses for the preceding school year ; except in the case of the number of buses for which current figures shall be used .

2. The computation for reimbursement of school divisions during their first year of school bus operation shall be based on the number of pupils and , miles and buses for the current year.

J. Reimbursement shall be based upon the actual number of school days pupils are transported during the regular school session.

K- J. Before any reimbursement for the transportation of pupils to and from public schools is made to a school division, a report must shall be submitted by the division superintendent to the Superintendent of Public Instruction certifying the correct net operating cost of transporting pupils (actual expenditure, less gas tax refunds), the average number of pupils transported daily, and the average daily mileage of each bus meeting the standards

and specifications of the Board of Education used in transporting pupils for the preceding school year. Such report shall also include a statement information covering the type of bus, letter identification, color, make and model of the body and chassis, an inventory of all safety equipment, and indicating that the number of bus meets inspection requirements inspections . Information on for the evaluation review of the pupil transportation program also programs shall be furnished annually on forms provided by the State Department of Education. Records of vehicle inspections and maintenance shall be presented for review at the time of the annual fleet assessment conducted by the Department of Education or at other times necessary to ensure compliance with §§ 2.12 and 4.11 of these regulations.

Article 2.

Supplemental Fund for Exclusive Transportation of Handicapped Pupils on Approved School Buses.

§ 3.2. The Supplemental Fund for Exclusive Transportation of Handicapped Pupils shall be distributed on the following bases to the extent that these provisions are consistent with the annual Appropriations Act:

1. All provisions in § 3.1 "Regular Approved Bus Fund" shall apply to the distribution of supplemental funds.

2. Reimbursement shall be allowed only for transportation of handicapped pupils who have been classified as such in Public Law 94-142, the Code of Virginia, and regulations of the Board of Education, and for those pupils who have not been identified but whose handicapping condition dictate exclusive transportation.

3. No supplemental reimbursement shall be made when both nonhandicapped pupils and handicapped pupils are transported on the same trip.

4. Supplemental reimbursement for exclusive transportation shall be based on approximately the same funding percentage as that provided in the regular approved bus fund program. Funding shall be subject to the availability of state funds appropriated for this purpose.

PART IV.

REIMBURSEMENT FROM SPECIAL PUPIL TRANSPORTATION FUND.

Article 3.

Special Transit Fund.

§ 4.1. § 3.3. Funds shall be available to school divisions for eligible pupils transported through contracts with public transportation systems (transit) for which other state aid is not available. The special transit fund shall be distributed for pupils transported on public transportation systems (transit) on the following bases to the extent that these

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provisions are consistent with the annual Appropriations Act:

§ 4.2. A. Local school boards shall be eligible for the same percentage of reimbursement of their expenditure for the transportation of eligible public school pupils on public transportation systems (transit) when part of the expense is borne by the pupil or parent. For counties or towns: The amount of reimbursement shall not exceed the average per pupil reimbursement for the previous school year for each pupil transported by county or town school divisions that operate a school bus system.

§ 4.3. B. Reimbursement shall be based on the actual number of pupils being transported, as certified by the division superintendent. Application for reimbursement shall be submitted on forms furnished by the Department of Education. For cities: The amount of reimbursement shall not exceed the average per pupil reimbursement for the previous school year for each pupil transported by city school divisions that operate a school bus system.

§ 4.4. C. Transportation provided for pupils eligible for reimbursement under contracts with public transportation systems shall meet those regulations established for commercial vehicles by the State Corporation Commission and other applicable state and federal regulations, or such vehicles shall meet all standards, rules, and regulations established by the Board of Education for public school bus systems. School divisions will not be eligible to include pupils transported in vehicles commonly referred to or licensed as passenger cars, cabs, and taxis. The average per pupil reimbursement shall be determined by dividing the total reimbursement paid to all divisions in the county-town category or the city category by the total average daily attendance of pupils transported in each respective category.

§ 4.5. D. The local school board shall make provisions when such transportation is provided that each vehicle be operated and maintained so as to insure safe service to the pupils. Insurance shall be provided by the owner of such vehicle(s) in amounts not less than those provided for in § 22.1-190 of the Code of Virginia. Evidence of such insurance shall be on file in the school board office. Funds shall be available to school divisions for eligible pupils transported through contracts with public transportation systems (transit).

§ 4.6. E. Reimbursement shall be available for pupils who are transported to and from public schools for the regular school session and will not be available for special trips and extra-curricular activities. Local school boards shall be eligible for the same percentage or reimbursement of their expenditure for the transportation of eligible public school pupils on public transit type buses when part of the expense is borne by the pupil or parent.

§ 4.7. F. In no case shall reimbursement exceed local school board expenditures for transporting such pupils. Transportation of pupils eligible for reimbursement under

contracts with public transit transportation systems shall be provided in accordance with those regulations established for commercial vehicles by the State Corporation Commission and other applicable state and federal regulations. School divisions will not be eligible to include pupils transported in vehicles commonly referred to or licensed as passenger cars, cabs, vans and taxis.

§ 4.8. The reimbursement shall be distributed on the following basis:

1. For counties or towns: The amount of reimbursement shall not exceed the average per pupil reimbursement for the previous school year for each pupil transported by county or town school divisions that operate a school bus system.

2. For cities: The amount of reimbursement shall not exceed the average per pupil reimbursement for the previous school year for each pupil transported by city school divisions that operate a school bus system.

G. The local school board shall make provisions when such transportation is provided that each vehicle be operated and maintained so as to insure safe service to the pupils. Insurance shall be provided by the owner of such vehicle(s) in amount not less than those provided for in § 22.1-190 of the Code of Virginia. Evidence of such insurance shall be on file in the school board office.

§ 4.9. H. The average per pupil reimbursement shall be determined by dividing the total reimbursement paid to all divisions in the county-town category or the city category by the total average daily attendance of pupils transported in each respective category. Reimbursement shall be available for pupils who are transported to and from public schools for the regular school session and will not be available for special trips and extracurricular activities.

§ 4.10. I. In the event sufficient funds are not available to reimburse for the total number of pupils eligible, this fund shall be distributed on pro rata basis. In no case, shall reimbursement exceed local school board expenditures for transporting such pupils.

J. In the event sufficient funds are not available to reimburse for the total number of pupils eligible, this fund shall be distributed on a pro rata basis.

Article 4.

Special Arrangements Fund for Transportation of Handicapped Pupils.

§ 3.4. The special arrangements fund for transportation of handicapped pupils shall be distributed on the following bases to the extent that these provisions are consistent with the annual Appropriations Act:

1. Funds shall be available to school divisions for eligible handicapped pupils, ages 2 to 21 inclusive, transported by contract with approved private

schools, taxicabs, airlines, intercity/interstate passenger buses, school board owned cars, or for the payment of money to parents in lieu of providing transportation services.

2. No reimbursement shall be distributed for pupils transported on vehicles which are not in compliance with all applicable federal school vehicle regulations.

3. Data on attendance, actual cost, and type of vehicles related to the special arrangement transportation to public, approved private, and regional schools shall be submitted each semester on forms provided by the Department of Education.

4. Reimbursement for eligible handicapped pupils shall be based on 60% of the actual cost up to an established maximum amount.

5. Pupils eligible for or claimed in reimbursement from any other transportation fund, state or federal, shall not be eligible for reimbursement from the special arrangements fund.

6. In the event sufficient funds are not available, reimbursement shall be distributed on a pro rata basis.

PART V IV. REQUIREMENTS FOR SCHOOL BUS DRIVERS.

~~§ 5.1.~~ § 4.1. No school board shall hire, employ, or enter into any agreement with any person for the purposes of operating a school bus transporting pupils unless the person shall:

A. Have a physical examination of a scope prescribed by the Board of Education with the advice of the Medical Society of Virginia and furnish a form prescribed by the Board of Education showing the results of such examination.

1. No person shall drive a school bus unless he is physically qualified to do so and has submitted a School Bus Driver's Application For Physician's Certificate signed by the applicant and the doctor for the applicable employment period.

2. A person is physically qualified to drive a school bus if he:

a. Has no loss of a foot, a leg, a hand, or an arm which interferes with the ability to control and safely drive a school bus;

b. Has no impairment of the use of a foot, a leg, a hand, fingers, or an arm, and no other structural defect or limitation likely to interfere with his ability to control and safely drive a school bus;

c. Has no known medical history or clinical

diagnosis of diabetes mellitus currently requiring insulin for control likely to interfere with his ability to control and safely drive a school bus;

d. Has no current clinical diagnosis of myocardial infarction, angina pectoris, coronary insufficiency, thrombosis, or any other cardiovascular disease of a variety known to be accompanied by syncope, dyspnea, collapse, or congestive cardiac failure;

e. Has no known medical history or clinical diagnosis of a respiratory dysfunction likely to interfere with his ability to control and drive a school bus safely;

f. Has no known current clinical diagnosis of high blood pressure likely to interfere with his ability to operate a school bus safely;

g. Has no known medical history or clinical diagnosis of rheumatic, arthritic, orthopedic, muscular, neuromuscular, or vascular disease which would interfere with his ability to control and operate a school bus safely;

h. Has no known medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause loss of consciousness or any loss of ability to control a school bus;

i. Has no known mental, nervous, organic, or functional disease or psychiatric disorder likely to interfere with his ability to drive a school bus safely;

j. Has both distant and near visual acuity of at least 20/40 (Snellen) in each eye with or without corrective lenses, and field of vision of at least 70 degrees in the horizontal meridian in each eye, and the ability to recognize the colors of traffic signals and devices showing standard red, green, and amber;

k. First perceives a forced-whispered voice in the better ear at not less than five feet with or without the use of a hearing aid or, if tested by use of an audiometric device, does not have an average hearing loss in the better ear greater than 40 decibels at 500 Hz, 1,000 Hz, and 2,000 Hz with or without a hearing aid when the audiometric device is calibrated to American National Standard (formerly ASA Standard) Z24.5-1951; and

l. Does not use an amphetamine, narcotic, or any habit-forming drug without appropriate physician supervision.

B. Furnish a statement or copy of records from the Department of Motor Vehicles showing that the person, within the preceding five years, has not been convicted of a charge of driving under the influence of intoxicating

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liquors or drugs, convicted of a felony, or assigned to any alcohol safety action program or driver alcohol rehabilitation program pursuant to § 18.2-271.1 of the Code of Virginia or, within the preceding 12 months, has been convicted of two or more moving traffic violations or has been required to attend a driver improvement clinic by the Commissioner of the Department of Motor Vehicles pursuant to § 46.1-514.11 of the Code of Virginia.

C. Furnish a statement signed by two reputable residents of the school division that the person is of good moral character.

D. Exhibit a license showing the person has successfully undertaken the examination prescribed by § 46.1-370 of the Code of Virginia.

E. Has reached the age of 17 and has not reached the age of 70 on the first day of the school year. (~~§§ 46.1-169 and 22.1-178 of the Code of Virginia, and Exemption of Hazardous Occupations Order No. 2, U.S. Department of Labor~~) 18.

~~§ 5.2. § 4.2.~~ Any school board may require successful completion of the American Red Cross first-aid course as a condition to employment to operate a school bus transporting pupils.

~~§ 5.3. § 4.3.~~ The documents required pursuant to ~~§§ 5.1 A and 5.1 B §§ 4.1 A and 4.1 B~~ of these regulations shall be furnished annually within 30 days prior to the anniversary date of the employment to operate a school bus. A school board may require the statement set forth in ~~§ 5.1 C § 4.1 C~~ to be furnished periodically.

~~§ 5.4. § 4.4.~~ The documents required pursuant to this section shall be filed with, and made a part of, the records of the school board employing such person as a school bus operator.

~~§ 5.5. § 4.5.~~ The State Department of Education shall furnish to the division superintendents the necessary forms for applicants to use to provide the information required by this section. Insofar as practicable, such forms shall be designed to limit paperwork, avoid the possibility of mistakes, and furnish all parties involved with a complete and accurate record of the information required. (§ 22.1-178 of the Code of Virginia)

~~§ 5.6. § 4.6.~~ As a condition to employment, every school bus driver shall submit a certificate signed by a licensed physician stating that the employee appears free of communicable tuberculosis. The school board may require the submission of such certificates annually, or at such intervals as it deems appropriate, as a condition to continued employment. (§ 22.1-300 of the Code of Virginia)

~~§ 5.7. § 4.7.~~ No person shall drive a school bus upon a highway in the Commonwealth unless such person has had a reasonable amount of experience in driving motor vehicles, and shall have passed a special examination

indicating the ability to operate a school bus without endangering the safety of pupil passengers and persons using the highway. To prepare for the examination required by this section, any person holding a valid operator's license issued under the provisions of § 46.1-369 of the Code of Virginia, may operate, under the direct supervision of a person holding a valid school bus license endorsement, a school bus which contains no pupil passengers. The Department of Motor Vehicles shall adopt such rules and regulations to provide for the examination of persons desiring to qualify to drive such buses in this state *Commonwealth* and for the granting of permits to qualified applicants. (§ 46.1-370 of the Code of Virginia)

~~§ 5.8. § 4.8.~~ Every driver of a school bus shall receive instruction before being allowed to operate a bus transporting children. This instruction shall include classroom, demonstration, and behind-the-wheel instruction. The length of the instructional program shall be determined by the experience of the applicant. *No person shall operate a school bus transporting pupils unless the person shall have:*

A. Classroom instruction shall include, but not be limited to, the following:

1. Responsibilities of the driver, pupil, parent, principal, and superintendent;
2. Applicable laws and regulations;
3. Local reports and policies governing pupil transportation;
4. Proper driving practices; and
5. Planning for emergencies.

1. Received classroom, demonstration, and behind-the-wheel instruction in accordance with the minimum provisions of the "Virginia School Bus Driver Training Curriculum Guide."

B. Demonstration instruction:

1. Pre-trip instruction;
2. Care of school bus;
3. Emergency evacuation drills;
4. Proper driving practices; and
5. Defensive driving techniques.

2. Completed a minimum of 12 classroom hours and 12 hours of behind-the-wheel training. A minimum of six of the 12 hours of behind-the-wheel time shall involve the operation of a bus with pupils on board while under the supervision of a designated bus driver trainer.

C. Behind-the-wheel instruction - under supervision of trainer:

1. Operate empty bus until proficient; and
2. Operate loaded bus - (minimum complete route for two days):

The superintendent or his designee shall maintain a record showing that the applicant has completed the training and has been approved to operate a school bus.

~~§ 5-9.~~ § 4.9. In-service training, (at least two hours before opening of schools and at least two hours during the second half of the school year) shall be devoted to improving the skills, attitudes, and knowledge of including orientation to maximize benefits of using safety programs and safety components shall be provided to all school bus drivers. At least two hours of in-service training shall be provided the first half of the school year and at least two hours during the second half.

~~§ 5-10.~~ § 4.10. The driver of a school bus shall be under the general direction and control of the superintendent and school board or the supervisor of transportation, and shall also be accountable to the principal of the school to which transportation is provided.

~~§ 5-11.~~ § 4.11. The driver of a school bus shall perform a daily pretrip safety inspection of the vehicle - immediately prior to transporting children. The items checked shall be at least equal to the pretrip inspection procedure contained in the "Virginia School Bus Driver Training Curriculum Guide."

~~§ 5-12.~~ § 4.12. The driver of a school bus shall report to the principal misconduct of pupils on the school bus or at waiting stations or stops on the way to or from school and shall be guided by the principal's advice and direction, subject to the regulations of the school board. When it becomes necessary for the driver to correct pupils, the driver shall stop at the nearest and safest place and restore order before proceeding. In no case shall a driver put a pupil off the bus between home and school as a disciplinary measure.

§ 4.13. The performance of each school bus driver shall be evaluated by the transportation director or their designee at least once each year. The results of the evaluation shall be discussed with the driver and included in the driver's personnel file.

§ 4.14. The driver of activity or extracurricular trip buses shall advise the pupils and sponsors of the location of the required emergency equipment prior to the beginning of any such trip.

§ 4.15. Local school bus driver training instructors shall hold a certificate for completion of an instructor course conducted or sponsored by the Department of Education.

§ 4.16. The name and driver license number of all persons operating a school bus used to transport pupils shall be submitted to the Department of Education annually. Each new driver employed during the school year shall be submitted by the 10th of each month.

PART VI V. MINIMUM STANDARDS FOR SCHOOL BUSES IN VIRGINIA.

Article 1. General Requirements.

~~§ 6-1.~~ § 5.1. The responsibility for compliance with these school bus specifications rests with dealers and manufacturers. If any dealer or manufacturer sells school bus vehicles which do not conform to any or all of these specifications, a general notice will be sent to all school divisions advising that equipment supplied by such dealer or manufacturer will be disapproved for school transportation until further notice. A copy of the notice will be sent to the dealer or manufacturer and will remain in effect until full compliance by the dealer or manufacturer is assured.

Dealers and manufacturers shall be given at least 30 days' notice of any changes in the specifications.

~~§ 6-2.~~ § 5.2. Minimum standards are applicable to all purchases of school bus equipment, new or used.

~~§ 6-3.~~ § 5.3. Buses must conform to the specifications relative to construction and design effective at the date of purchase. Any variation from the specifications, in the form of additional equipment or changes in style of equipment, without prior approval of the Supervisor of Pupil Transportation Service, Department of Education, is prohibited.

~~§ 6-4.~~ § 5.4. The Superintendent of Pupil Instruction is authorized to make such adjustments from time to time in technical specifications as are deemed necessary in the interest of safety and efficiency in school bus operation. This includes the issuance of chassis specifications by size, type and model year. Authority is also granted for conducting investigations and field tests of certain pertinent vehicle components.

~~§ 6-5.~~ § 5.5. All publicly owned, part publicly owned, or contract school buses, transporting pupils to and from public school, shall be painted a uniform color, national school bus yellow, and shall be identified and equipped as outlined in the standards and specifications.

~~§ 6-6.~~ § 5.6. Each school bus shall be given a number starting at one and continuing consecutively to the highest number which will be the total number of buses used. The number shall conform with that contained in the school bus inventory and record report. When a bus is sold or discarded, the number assigned to it should be given to a new bus. The numbers should remain consecutive with as

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few unassigned numbers as possible.

~~§ 6.7. § 5.7. Type I buses of conventional and metropolitan type range from 16 to 84 passenger capacity. Type II buses of small van conversion and cutaway van type range from 4 to 15 passenger capacity. The responsibility for purchasing buses which meet state and federal requirements rests with division superintendents and local school boards.~~

Article 2. The Bus Chassis.

~~§ 6.8. § 5.8. Air cleaner.~~

Bus shall be equipped with adequate oil-bath, dry element, or equivalent air cleaner mounted outside the passenger compartment.

~~§ 6.9. § 5.9. Alternator.~~

Alternator of heavy duty design with rectifier shall have minimum output of at least ~~65~~ 90 amperes with charge at idle type (12-volt system), and shall be ventilated, voltage-controlled, and current-controlled. Dual belt drive shall be used. *Actual required amperage to be specified on annual chassis specifications.*

Exception - Small Type A vehicles below 20 passenger capacity.

Alternator with rectifier shall have minimum output of at least ~~60~~ 90 amperes with 12-volt system and shall be ventilated, voltage-controlled, and current controlled. *Dual belt drive is not required.*

~~§ 6.10. § 5.10. Axles (See table 1)~~

A. Front axle or suspension shall be of sufficient capacity at ground to support a load which would be 10% in excess of actual gross vehicle weight.

B. Rear axle shall be single speed, full-floating type. Rear axle or other type of suspension assembly shall have gross weight rating at ground equal to or exceeding that portion of total weight which is supported by rear-suspension assembly.

1. Exception Type H A vehicles.

Requirement for full-floating rear axle does not apply to small vehicles (conversion type) approved as school buses.

2. Exception - Metropolitan Type D vehicles.

a. Front axle shall be wide-track, heavy-duty, bus type and shall have gross weight rating at ground equal to or exceeding that portion of total load which is supported by front axle.

b. Rear axle shall be single speed, full-floating, heavy-duty, bus type and shall have gross weight rating at ground equal to or exceeding that portion of total load which is supported by rear axle.

~~§ 6.11. § 5.11. Battery.~~

A. Storage battery, as established by manufacturer's rating, shall be of sufficient capacity to handle starting, lights, signal devices, heating, and other electrical equipment.

B. No bus shall be equipped with a battery of less than ~~460~~ 535 amperes cold cranking current at 0°F with 120 minutes reserve capacity at 80°F.

C. Battery shall be mounted in the engine compartment or in a body compartment in an adequate carrier and be readily accessible for servicing or removal. Annual chassis requirements will specify battery location for different types of chassis.

D. When battery is to be mounted outside of engine compartment, it may be temporarily mounted to chassis. Body company will permanently mount battery on sliding tray located in the left side of body skirt. Battery shall be connected with one-piece cables of sufficient length to allow tray to be pulled out for servicing. Cables shall be at least one gauge color coded, red positive-black ground. *Chassis manufacturers to supply proper length cables for body skirt mounting.*

~~§ 6.12. § 5.12. Brakes.~~

A. Four-wheel brakes, adequate at all times to control bus when fully loaded, shall be provided in accordance with Federal Motor Vehicle Safety Standards. (See table 1.)

B. Foot or service brakes shall meet Federal Motor Vehicle Safety Standard 105 for hydraulic brakes, and Standard 121 for air brakes except for deletion of anti-skid system on air brake models.

C. Chassis shall be equipped with auxiliary brakes capable of locking rear wheels, and capable of holding vehicle on any grade on which it is operated under any conditions of loading on a surface free from snow or ice. Operating controls of such auxiliary brakes shall be independent of operating controls of service brakes.

D. Chassis designed for any bus body shall be equipped with full compressed air brakes, split hydraulic vacuum actuated power, or assistor-type brakes.

1. Such installation shall be made by authorized representative of chassis or brake manufacturer and shall conform to recommendation of that manufacturer.

2. Hydraulic line pressure shall not exceed

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recommendation of chassis or brake manufacturer.

3. Reservoir capacity shall be at least 1,650 cubic inches for full compressed air systems, and at least 1,000 cubic inches, or equivalent, for vacuum actuated systems.

4. Buses having full compressed air systems shall be equipped with:

a. At least two reservoirs for the service brake (or one vessel divided into two compartments connected in series) and one 1,000 inch reservoir for the auxiliary braking system;

b. Safety valve mounted on the first reservoir to protect air brake system against excessive air pressure, and check valve mounted in optional location;

c. Air gauge mounted on instrument panel to register air pressure in air brake system; (See § 6-27 § 5.27 A 8 of these regulations) and

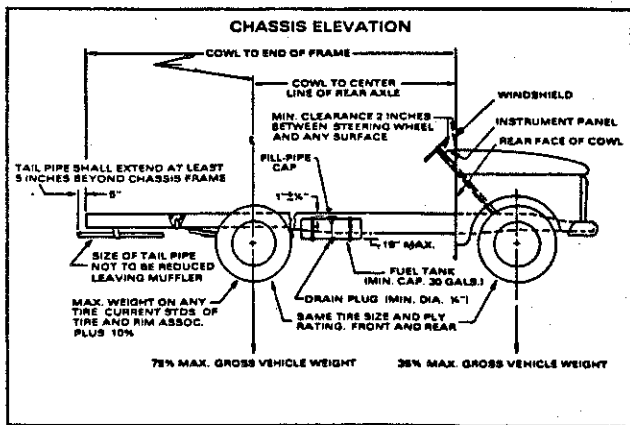
d. Audible low pressure indicator to warn driver if air pressure in air brake system falls below 60 pounds per square inch.

5. Buses having vacuum actuated systems shall be equipped with check valve located between source of supply and reservoir.

6. Exception Type H A vehicles.

Reserve vacuum tank not required.

Diagram 1.



~~§ 6-12~~ § 5.13. Bumper, front.

A. Front bumper shall be heavy-duty, channel steel at least seven inches in width with 3/16-inch thickness, painted black, and shall be furnished by chassis manufacturer as part of chassis.

B. Front bumper ~~must~~ shall extend to outer edges of fenders at bumper top line (to assure maximum fender protection) and be of sufficient strength to permit pushing vehicle of equal gross weight without permanent distortion to bumper, chassis, or body.

C. Exception Type H A vehicles.

Bumper shall be manufacturer's standard painted black.

D. Exception - Metropolitan Type D vehicles.

Same as above, except that front bumper shall be furnished by body manufacturer.

~~§ 6-14~~ § 5.14. Clutch.

Torque capacity shall be equal to or greater than the engine torque output.

Passenger Capacity	Minimum Diameter
up to 16	11
16-54	12
64-76 gas	13
64-84 diesel	14

~~§ 6-15~~ § 5.15. Color.

A. Chassis, including wheels, and front bumper shall be black.

B. Hood, cowl, and fenders shall be national school bus yellow.

C. Grill shall be national school bus yellow, if painted; otherwise, it shall be chrome or anodized aluminum.

~~§ 6-16~~ § 5.16. Drive shaft.

A. Drive shaft shall be protected by metal guard or guards to prevent it from whipping through floor or dropping to ground if broken.

B. Exception Type H A vehicles *conversion van*.

Standard does not apply to *conversion vans*.

~~§ 6-17~~ § 5.17. Electrical system.

1. Battery - see § 6-11 5.11.

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2. Alternator - see § 6-9 § 5.9 .

3. Lights and signals - see § 6-28 § 5.28 .

4. Wiring - see § 6-91 § 5.91 .

5. Chassis manufacturer shall install readily accessible electrical terminal so that body and chassis electrical load can be recorded through chassis ammeter or voltmeter without dismantling or disassembling chassis component. Chassis wiring system to terminal shall have minimum 100-ampere capacity. Chassis ammeter or voltmeter and wiring shall be compatible with generating capacity, and ammeter shall be capable of recording continuous draw of 100 amperes.

6. Each chassis circuit shall be color coded and a diagram of the circuits shall be included with the chassis.

§ 6-18: § 5.18. Engine.

The engine shall be of the internal-combustion, four-stroke cycle type, having not less than six cylinders. Thermostats with not less than 175° - 195°F rating shall be provided. Engine shall be equipped with a crankcase ventilating system to meet federal requirements. (See table 1)

§ 6-19: § 5.19. Exhaust system.

1. Exhaust pipe, muffler, and tail pipe shall be outside bus body attached to chassis.

2. Tail pipe shall be constructed of seamless or electrically welded tubing of 16-gauge steel or equivalent, and shall extend at least five inches beyond chassis frame. (See § 6-82: § 5.82)

3. Size of tail pipe shall not be reduced after it leaves muffler.

4. Exhaust system shall be properly insulated from fuel tank and tank connections by securely attached metal shield at any point where it is 12 inches or less from tank or tank connections.

5. Muffler shall be constructed of corrosion-resistant material.

6. Exception - *Type A and B Vehicles below 20 passenger* .

Tail pipe may exit behind rear wheel.

§ 6-20: § 5.20. Fenders, front.

1. Total spread of outer edges of front fenders, measured at fender line, shall exceed total spread of front tires when front wheels are in straight-ahead position.

2. Front fenders shall be properly braced and free from any body attachment.

3. Chassis sheet metal shall not extend beyond rear face of cowl.

§ 6-21: § 5.21. Frame.

1. Frame or equivalent shall be of such design as to correspond at least to standard practice for trucks of same general load characteristics which are used for severe service.

2. When frame side members are used, they shall be of one-piece construction. If frame side members are extended, such extension shall be designed and furnished by chassis manufacturer with a guarantee, and installation shall be made by either chassis or body manufacturer and guaranteed by company making installation. Extensions of frame lengths are permissible only when such alterations are behind rear hanger of rear spring, and shall not be for purpose of extending wheel base.

3. Holes in top or bottom flanges of frame side rails shall not be permitted except as provided in original chassis frame. There shall be no welding to frame side rails except by chassis or body manufacturer.

§ 6-22: § 5.22. Frame length - (See § 6-44 § 5.44)

§ 6-23: § 5.23. Fuel tank.

1. Fuel tank equipped with protective cage to meet FMVSS 301 shall have minimum capacity of 30 gallons, and be mounted directly on right side of chassis frame, filled and vented entirely outside body.

2. Fuel filter with replaceable element shall be installed between fuel tank and carburetor.

3. Fuel tank, fittings or lines, shall not extend above top of chassis frame rail.

4. If tank sizes other than 30 gallons are supplied, location of front of tank and filler spout must remain as specified below.

5. Drain plug at least 1/4 inch in diameter shall be located in center of bottom of tank.

6. Measurements shown below are for guidance of chassis manufacturers and serve only to prevent need for replacement of original tank. (Inspectors concerned with state or local approval of vehicle need not consider them unless tank does not fit.)

a. Tank or cage shall not extend in height above side member of chassis.

b. Distance from center line of chassis to outside of

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tank cage shall not be more than 44 inches.

c. Bottom of tank cage shall not be more than 19.0 inches below top of frame.

d. Distance from cowl to front of tank shall be 42 inches minimum.

e. Distance from cowl to center of fillpipe cap shall be 57 inches.

f. Distance from center line of chassis to center of fillpipe cap shall be 39.5 inches with plus or minus tolerance of 1/2 inch permitted.

g. d. Center of fillpipe cap shall be one inch below top of frame with plus or minus tolerance of 1/4 inch permitted.

7. Exceptions.

a. For Type H A vehicles, the fuel tank shall be manufacturer's standard, mounted, filled, and vented outside of body.

b. For school bus Type B of body-on-chassis type with manufacturer's rated seating capacity of 16 to 20 passengers, inclusive, fuel tank may, due to space limitation, be mounted behind rear wheels with fillpipe on right side of body and have capacity of less than 30 gallons.

e. On metropolitan type school buses, fuel tank of minimum 30-gallon capacity shall be mounted on right frame rail, and measurements in notes d and e above should be from forward service door post.

§ 6-24. § 5.24. Governor.

1. An approved engine governor set at 3,400 RPM is required on vehicles equipped with gasoline engines.

2. An approved road speed control governor shall be required on all buses and set at a maximum speed of 45 mph.

§ 6-25. § 5.25. Heating system, provision for.

The chassis engine shall have plugged openings for the purpose of supplying hot water for the bus heating system. The opening shall be suitable for attaching 3/4-inch pipe thread/hose connector. The engine shall be capable of supplying water having a temperature of at least 170°F at a flow rate of 50 pounds/minute at the return end of 30 feet of one-inch inside diameter automotive hot water heater hose. (SBMI Standards No. 001-Standard Code for Testing and Rating Automotive Bus Hot Water Heating and Ventilating Equipment.)

§ 6-26. § 5.26. Horn.

Bus shall be equipped with dual horns of standard make which meet requirements of Federal Motor Vehicle Standards.

§ 6-27. § 5.27. Instrument and instrument panel.

A. Chassis shall be equipped with following instruments and gauges:

1. Speedometer which will show speed;
2. Odometer which will show accrued mileage, including tenths of miles;
3. Ammeter or voltmeter with graduated scale;
4. Oil-pressure gauge;
5. Water-temperature gauge;
6. Fuel gauge;
7. Upper-beam headlamp indicator; and
8. Air-pressure or vacuum gauge, where air or vacuum brakes are used, and audible low-pressure indicator to warn driver if air pressure in air brake system falls below 60 pounds per square inch.

B. All instruments or gauges shall be mounted on instrument panel in such manner that each is clearly visible to driver in normal seated position. Lights in lieu of gauges are not acceptable.

C. Exceptions.

On all small Type A vehicles, both the ammeter or voltmeter and its wiring are to be compatible with generating capacity; also, § 6-27 § 5.27 A 8 does not apply.

§ 6-28. § 5.28. Lights and signals.

1. Each chassis shall be equipped with not less than two sealed beam headlights - beam controlled, and stop and tail lights, and two front turn signal lamps mounted on front fenders.

2. Lights shall be protected by fuse or circuit breakers.

3. Self-canceling directional signal switch shall be installed by the chassis manufacturer.

4. An approved back-up alarm signal is permissible complying with the Society of Automotive Engineers published Backup Alarm Standards (SAE 994b) for rubber tired vehicles is permitted.

§ 6-29. § 5.29. Oil filter.

Oil filter of replaceable element or cartridge type shall

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be provided and shall be connected by flexible oil lines if it is not of built-in engine-mounted design. Oil filter shall have oil capacity of at least one quart.

§ ~~6.30.~~ § 5.30. Openings.

All openings in floorboard or firewall between chassis and passenger-carrying compartment, such as for gearshift lever and auxiliary brake lever, shall be sealed unless altered by body manufacturer. (See § ~~6.51~~ § 5.51 10)

§ ~~6.31.~~ § 5.31. Overall length.

Overall length of a conventional bus shall not exceed 36 feet and metropolitan type not to exceed 40 feet.

§ ~~6.32.~~ § 5.32. Passenger load.

Gross vehicle weight (i.e., wet weight, plus body weight, plus driver's weight of 150 pounds, plus weight of maximum seated pupil load based on not less than 120 pounds per pupil) shall not exceed maximum gross vehicle weight rating as established by manufacturer.

§ ~~6.33.~~ § 5.33. Power or gradeability.

Chassis ~~must~~ shall be so geared and powered as to be capable of surmounting 3.7% grade at speed of at least 20 miles per hour with full load on continuous pull in direct drive.

§ ~~6.34.~~ § 5.34. Shock absorbers.

Bus shall be equipped with front and rear double-acting shock absorbers compatible with manufacturer's rated axle capacity.

§ ~~6.35.~~ § 5.35. Springs.

1. Springs or suspension assemblies shall be of ample resiliency under all load conditions and of adequate strength to sustain loaded bus without evidence of overload. (See table 1)

2. Springs or suspension assemblies shall be designed to carry their proportional share of gross vehicle weight in accordance with requirement for "Weight Distribution" as shown in § ~~6.40~~ § 5.40 .

3. Rear springs shall be of progressive or variable type.

4. Stationary eye of the front spring shall be protected by full wrapper leaf in addition to main leaf.

Exception - Type H A vehicles.

Springs that are regular equipment on vehicle to be purchased may be used.

§ ~~6.36.~~ § 5.36. Steering gear.

1. Steering gear shall be approved by chassis manufacturer and designed to assure safe and accurate performance when vehicle is operated with maximum load and maximum speed.

2. Steering mechanism shall provide for an easy adjustment for lost motion.

3. No changes shall be made in steering apparatus which are not approved by chassis manufacturer.

4. There shall be clearance of at least two inches between steering wheel and cowl instrument panel, windshield, or any other surface.

5. Power steering is required. It shall contain a provision to automatically bleed air from unit.

§ ~~6.37.~~ § 5.37. Tires and rims.

1. Tire and rim sizes, based upon current standards of Tire and Rim Association, shall be required. (See table 1)

2. Total weight imposed on any tire shall not be above current standard of Tire and Rim Association.

3. Dual rear tires shall be provided on all vehicles.

4. All tires on given vehicles shall be of same size and ply rating.

5. Spare tire, if required, shall be suitably mounted in accessible location outside passenger compartment.

Exception Type H vehicle A - conversion van.

Same as above, except that dual rear tires are not required and spare tire rack may be inside passenger compartment provided it does not interfere with aisle width or passenger seating.

§ ~~6.38.~~ § 5.38. Transmission.

1. Mechanical type transmission shall be synchromesh except first and reverse gears. Its design shall provide not less than four forward and one reverse speeds. With five-speed transmission, fifth gear shall be direct.

2. Transmission overdrive is not permitted.

3. Automatic transmissions are permissible when equipped with a parking pawl or when installed on a bus equipped with an air or hydraulic spring operated emergency parking brake system.

Exception - Type H A vehicles.

Three-speed transmissions are acceptable.

§ ~~6.39.~~ § 5.39. Turning radius.

Chassis with a wheel base of 264 inches or less shall have a right and left turning radius of not more than 42-1/2 feet, curb to curb measurement. *Chassis with a wheel base over 264 inches shall have a right and left turning radius of not more than 44-1/2 feet curb to curb measurement.*

§ 6-40. § 5.40. Weight distribution.

A. Weight distribution of fully loaded bus on level surface shall be such that not more than 75% of gross vehicle weight is on rear tires, and not more than 35% is on front tires.

B. Exception Metropolitan Type D vehicles.

With engine inside front of body, if entrance door is ahead of front wheels, not more than 75% of gross vehicle weight shall be on rear tires, nor more than 50% on front tires. If entrance door is behind front wheels, not more than 75% of gross vehicle weight shall be on rear tires, nor more than 40% on front tires. With engine in rear, not more than 75% of gross vehicle weight shall be on rear tires, nor more than 40% on front tires.

§ 6-41. § 5.41. Wheels.

Disc wheels are required. (See table 1)

Table 1.

TABLE OUTLINING MINIMUM LIMITS OF BUS CHASSIS AND TIRE AND RIM SIZES
(Weights expressed in thousands)

Bus Type	A	B	C	C	C	D	D
Rated Pupil Seating Capacity	8-20	16-25	29-34	52	64	75-76	82-84
Approx. Wheel Base-Inches	125	151	217	254	255-246	246-234	
Mfgs. G.V. W.	1,7	12,0	16,0	19,5	21,0	29,0	32,0
Rating Pounds							
Mini. Cowl To Rear Axle-Inches		102	125	192	225		
Mini. Engine Size Cu. In. Displ.	300	300	300	300	345	427	210 HP/1
Mfgs. Axle Rating-Pounds-Front	3,8	4,0	6,0	6,0	7,0	12,0	13,0
Rear	5,7	11,0	15,0	15,0	17,0	18,5	22,0
Approx. Rear Axle Ratio	4,1	5,2	6,2	7,2	7,2	6,2	5,2
Brake Linings Area-Sq. In.	270	370	500	500	575	746	792
Tire and Tube Sizes-Front and Rear	8,0-16,5	8,0-19,5	8,25-20	8,25-20	5,00-20	10,00-20	10,00-20
Ply Rating	8	8	10	10	10	10	12
Rim Sizes Front and Rear	6,0	5,5	6,5	6,5	7,0	7,5	7,5
Springs-Rated Cap. at Ground-Front	1,9	2,0	3,0	3,45	3,5	6,0	6,5
Rear	2,7	5,5	7,5	7,5	6,5	9,5	11,0

Article 3.
The Bus Body.

§ 6-42. § 5.42. Aisle.

1. Minimum clearance of all aisles, including aisle (or passageway between seats) leading to emergency door, shall be 12 inches. (See § 6-54 § 5.54 B 6)

2. Aisle supports of seat backs shall be slanted away from aisle sufficiently to give aisle clearance of 15 inches at top of seat backs.

3. Exception metropolitan type vehicles: *Exceptions.*

a. *Type D vehicles* with engine inside front of body: Minimum distance between barrier at rear of entrance stepwell and engine cover shall be 14 inches, measured at floor level.

b. *Type H A vehicles* to have minimum aisle width of 15 inches.

c. ~~16-18 passenger~~ *Type B F.C.* to have minimum aisle width of 14 inches.

d. *Buses equipped with wheelchair positions.* See § 6.2 of these regulations.

§ 6-43. § 5.43. Battery.

The battery shall be located in the engine compartment, except when otherwise specified on annual chassis specifications. (See § 6-11 3 and 4 § 5.11 C and D) when mounted outside engine compartment.

§ 6-44. § 5.44. Body sizes.

Sizes are based on knee-room clearance between rows of forward-facing seats, overall width, center aisle width, and average rump width. Body lengths for various capacity units will be designated in Specification Notices, issued periodically by the Supervisor of Pupil Transportation Service, Department of Education .

§ 6-45. § 5.45. Bumper, front. See § 6-13 § 5.13 of these regulations.

§ 6-46. § 5.46. Bumper, rear.

1. Rear bumper shall be of pressed steel channel at least 3/16 inch by 8 inches.

2. It shall be wrapped around back corners of bus. It shall extend forward at least 12 inches, measured from rear-most point of body at floor line.

3. Bumper shall be attached to chassis frame in such manner that it may be easily removed, shall be so braced as to develop full strength of bumper section from rear or side impact, and shall be so attached as

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to prevent hitching of rides.

4. Rear bumper shall extend beyond rear-most part of body surface at least one inch, measured at floor line.

Exception Type H A vehicles.

Rear bumper shall be standard type furnished by chassis manufacturer as part of chassis on conversion vans. Body manufacturer will furnish bumper on cutaway chassis.

~~§ 6.47.~~ § 5.47. Ceiling. See insulation and interior §§ 6.62 and 6.63 §§ 5.62 and 5.63 .

~~§ 6.48.~~ § 5.48. Chains. See wheel housings § 6.86 ~~D.~~ § 5.86 4.

~~§ 6.49.~~ § 5.49. Color.

1. School bus body including hood, cowl, and fenders shall be painted uniform color, national school bus yellow, according to

2. Grill shall be national school bus yellow, if painted; otherwise it shall be chrome or anodized aluminum.

3. Rear bumper and lettering shall be painted black.

4. Body trim shall be painted black. This includes B under § 6.72 § 5.72 2 .

5. Front turn signal lamp shall be painted black. Side body turn signals shall be black or cast aluminum.

~~§ 6.50.~~ § 5.50. Communication system - optional equipment.

A. Two-way communication systems.

For installation and use on Virginia school buses subject to the following provisions: When two-way communication equipment is needed on school buses for administrative or operational safety, private frequencies assigned specifically to local governmental agencies by the Federal Communications Commission should be used. Two-way equipment utilizing public citizens band channels may also be used where needed to enhance the safety of school bus operation. The use of the public citizens band type shall be restricted to those owned and licensed by the school board for official use only. Such mobile units on school buses shall be subject to written policies adopted by the local school board. Installation shall be subject to the State School Bus Standards and Department of Education Annual Inspection *Fleet Assessment* .

B. Public address system.

For use by driver, the system contains an inside speaker and an external speaker which is of special use when driver needs to caution young pupils about surrounding dangers at school bus stops. Inside speakers shall be recessed.

C. AM/FM radios and cassette players.

May be installed as a local option. If installed, they shall be properly mounted by the body manufacturer or local shop personnel. All wiring shall be properly connected and concealed and any speakers in the passenger compartment shall be of recessed type.

~~§ 6.51.~~ § 5.51. Construction. Type I and metropolitan B, C, and D vehicles.

1. Construction of body shall meet all requirements of Federal Motor Vehicles Safety Standards Number 220 (Roll-over), Number 221 (Joint Strength), and all other applicable federal standards.

2. Construction shall be of prime commercial quality steel or other metal with strength at least equivalent to all-steel as certified by bus body manufacturer. All such construction materials shall be fire-resistant.

3. Construction shall provide reasonable dustproof and watertight unit.

4. Bus body (including roof bows, body posts, strainers, stringers, floor, inner and outer linings, rub rails and other reinforcements) shall be of sufficient strength to support entire weight of fully loaded vehicle on its top or side if overturned. Bus body as unit shall be designed and built to provide impact and penetration resistance.

5. Side posts and roof bows. There shall be a body side post and roof bow fore and aft of each window opening. This may be a continuous bow or two separate pieces effectively joined.

6. Floor shall be of prime commercial quality steel of at least 14-gauge or other metal or other material at least equal in strength to 14-gauge steel. Floor shall be level from front to back and from side to side except in wheel housing, toeboard, and driver's seat platform areas.

7. Roof strainers. Two or more roof strainers or longitudinal members shall be provided to connect roof bows, to reinforce flattest portion of roof skin, and to space roof bows. These strainers may be installed between roof bows or applied externally. They shall extend from windshield header and, when combined with rear emergency door post, are to function as longitudinal members extending from windshield header to rear floor body cross member. At all points of contact between strainers or longitudinal members and other structural material, attachment shall be made by means of welding, riveting or bolting.

8. Side strainer(s). There shall be one or more side strainers or longitudinal members to connect vertical structural members and to provide impact and

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penetration resistance in event of contact with other vehicles or objects. Such strainer(s) shall be formed (not in flat strip) from metal of at least 16-gauge and three inches wide.

a. Side strainer(s) shall be installed in area between bottom of window and bottom of seat frame and shall extend completely around bus body except for door openings and body cowl panel. Side strainer(s) shall be fastened to each vertical structural member in any one or any combination of the following methods as long as stress continuity of members is maintained:

- (1) Installed between vertical members;
- (2) Installed behind panels but attached to vertical members; and
- (3) Installed outside external panels.

b. Fastening method employed shall be such that strength of strainer(s) is fully utilized.

c. Side strainer(s) of longitudinal member(s) may be combined with one of required rub rails (see § 6.72 § 5.72), or be in form of additional rub rail, as long as separate conditions and physical requirements for rub rails are met. No portion of side strainer or longitudinal member is to occupy same vertical position as rub rail.

9. Rear corner reinforcements. Rear corner framing of bus body between floor and window sill and between emergency door posts and last side posts shall consist of at least three structural members applied horizontally or vertically, two of which shall be vertical, to provide additional impact and penetration resistance equal to that provided by frame members in areas of sides of body. Such structural members shall be securely attached at each end.

Exception -

Extra vertical member required in 9 above may be deleted on units of less than 90 inches in width.

10. Floor sills. There shall be one main body sill at each side post and two intermediate body sills on approximately 10-inch centers. All sills shall be of equal height, not to exceed three inches. All sills shall extend width of body floor except where structural members or features restrict area.

Main body sill shall be equivalent to or heavier than 10-gauge and each intermediate body sill shall be equivalent to or heavier than 16-gauge, or each of all body sills shall be equivalent to or greater than 14-gauge. All sills shall be permanently attached to floor.

Connections between sides and floor system shall be capable of distributing loads from vertical posts to all floor sills.

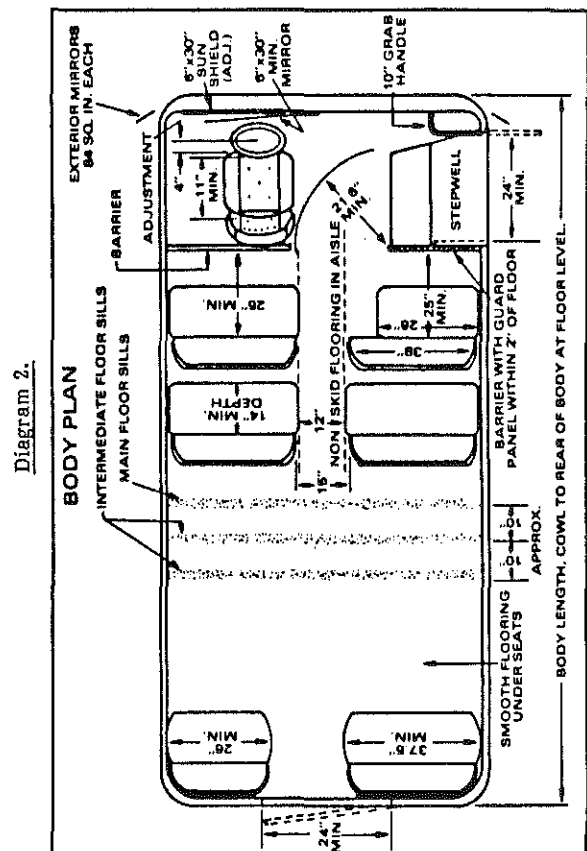
11. All openings between chassis and passenger-carrying compartment made due to alterations of body manufacturer ~~must~~ shall be sealed. (See § 6.68 § 5.68)

12. A cover shall be provided for the opening to the gasoline tank fillpipe.

13. A moisture and rustproof removable panel may shall be provided in the floor for access to the fuel tank sender gauge. It shall be designed for prolonged use and adequate fastening to the floor.

Exception - Type B vehicles.

Item 13 above does not apply.



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§ 6.52- § 5.52. Construction Type H A vehicles.

1. Construction of body shall meet all requirements of Federal Motor Vehicle Safety Standard Number 220 (Roll-over) and all other applicable federal standards.
2. Construction shall be of prime commercial quality steel or other metal strength at least equivalent to all steel as certified by bus body manufacturer. All such construction materials shall be fire-resistant.
3. Construction shall provide reasonably dustproof and watertight unit.
4. Bus body (including roof bows, body posts, strainers, stringers, floor, inner and outer linings, rub rails and other reinforcements) shall be of sufficient strength to support entire weight of fully loaded vehicle on its top or side if overturned. Bus body as unit shall be designed and built to provide impact and penetration resistance.
5. Floor. A plywood of 1/2 inch exterior B.B. Grade or equivalent shall be applied over the existing steel floor and securely fastened. Floor shall be level from front to back and from side to side except in wheel housing, toeboard and driver seat platform areas.

Exception -

Plywood may be deleted when provisions of Items 4 and 8a of § 6.51 § 5.51 for Type F C and D are met.

6. Roof strainers. Two or more roof strainers or longitudinal members shall be provided to connect roof bows to reinforce flattest portion of roof skin, and to space roof bows. These strainers may be installed between roof bows or applied externally. They shall extend from windshield header to rear body header over the emergency door. At all points of contact between strainers of longitudinal members and other structural material, attachment shall be made by means of welding, riveting, or bolting.

After load as called for in Static Load Test Code has been removed, none of the following defects shall be evident:

- 1- a. Failure or separation at joints where strainers are fastened to roof bows;
 - 2- b. Appreciable difference in deflection between adjacent strainers and roof bows;
 - 3- c. Twisting, buckling, or deformation of strainer cross section.
7. Side strainers. There shall be one longitudinal side strainer mounted at shoulder level (window sill level) and extending from front main vertical post to rear corner post. This member shall be attached to each

vertical structural member. Such strainer shall be formed of metal (not in flat strip).

a. There shall be one longitudinal side strainer(s) installed in the area between bottom of window and bottom of seat frame extending from front main vertical post to rear corner post. This member shall be attached to each vertical structural member.

b. Strainers may be fastened in any one or any combination of the following methods as long as stress continuity of members is maintained:

- (1) Installed between vertical members;
- (2) Installed behind panels but attached to vertical members; or
- (3) Installed outside external panels.

c. Fastening method employed shall be such that strength of strainers is fully utilized.

8. Area between floor and window line shall be restructured inside to include at least four vertical formed reinforcement members extending from floor to window line rail. They shall be securely attached at both ends.

9. Rear corner reinforcements. Rear corner framing of the bus body between floor and window sill and between emergency door post and last side post shall consist of at least one structural member applied horizontally to provide additional impact and penetration resistance equal to that provided by frame members in areas of sides of body. Such member shall be securely attached at each end. *Bodies over 90 inches in width shall comply with § 5.51 9.*

10. All openings between chassis and passenger carrying compartment made due to alterations by body manufacturers ~~must~~ shall be sealed. (See § 6.68 § 5.68 .)

§ 6.53- § 5.53. Defrosters.

Defrosters shall be of sufficient capacity to keep windshield clear of fog, ice, and snow and to defog the window to the left of the driver. (See § 6.59 § 5.59 .) ~~A windshield defogging~~ An auxiliary fan of sufficient capacity to defog the entrance door glass shall be installed above the windshield on the right side. An additional fan to the left of the driver is permissible. *Fans shall be placed so as not to block driver's view of outside rearview mirrors.*

Exception Type H A vehicle.

~~Defogging~~ Auxiliary fan not required.

§ 6.54- § 5.54. Doors.

A. Service door.

1. Service door shall be manually operated, under control of driver, and so designed as to afford easy release and prevent accidental opening. No parts shall come together so as to shear or crush fingers.
2. Service door shall be located on right side of bus opposite driver and within his direct view.
3. Service door shall have minimum horizontal opening of 24 inches and minimum vertical opening of 68 inches.
4. Service door shall be of split-type, jack-knife type, or sedan-type. (Split-type door includes any sectioned door which divides and opens inward or outward.) If one section of split-type door opens inward and other opens outward, front section shall open outward. The jack-knife type shall fold inward at the front of the door opening. ~~When both sections open outward, a safety catch shall be added to door handle to prevent door from opening when handle is moved slightly to activate traffic warning lights.~~
5. Lower as well as upper panels shall be of approved safety glass. (See § 6.88 § 5.88 1) Bottom of lower glass panel shall not be more than 35 inches from ground when bus is unloaded. Top of upper glass panel shall not be more than six inches from top of door.
6. Vertical closing edges shall be equipped with flexible material to protect children's fingers.
7. There shall be no door left of driver.

Exception Type H A vehicles.

Standard does not apply.

8. Exception - ~~Metropolitan~~ Type B and D vehicles.

Service doors may be hydraulically or electrically operated and shall be located as far forward as possible on the right side. ~~A manual switch to operate the traffic warning light system shall be mounted on the left side of the dash and labeled accordingly.~~

B. Emergency door Type B, C, and D vehicles .

1. Emergency door shall be located in center of rear end of bus.
2. Emergency door shall have minimum horizontal opening of 24 inches and minimum vertical opening of 45 inches measured from floor level.
3. Emergency door shall be hinged on right side and shall open outward and be equipped with an adequate strap or stop to prevent door from striking lamps or

right rear of body. Such strap or stop ~~must~~ shall allow door to open at least a 90 degree angle from closed position.

Exception Type D vehicles with rear engines.

Emergency door shall be located on the left side in the rear half of the body, shall be hinge on the left side and open outward. Door shall meet all requirements of FMVSS217 § 5.4.2.16.

4. Upper portion of emergency door shall be equipped with approved safety glass, exposed area of which shall not be less than 400 square inches. (See § 6.88 § 5.88 1) Lower portion of door, if in rear end of bus, may be equipped with approved safety glass, area of which shall not be less than 12 inches in height and 20 inches in width. This glass, if used, ~~must~~ shall be protected by metal guard on inside. This guard shall be free of any sharp edges that may cause injury to passengers.

5. There shall be no steps leading to emergency door.
6. No seat or other object shall be so placed in bus as to restrict any part of passageway leading to emergency door to opening smaller than rectangle of 12 inches in width and 48 inches in height, measured from floor level.
7. When not fully latched, emergency door shall actuate signal audible to driver by means of mechanism actuated by latch.
8. Words "EMERGENCY DOOR," both inside and outside in black letters two inches high shall be painted directly above emergency door. Words may be placed on the top of door outside if space is available.

9. The emergency door shall be designed to open from inside and outside bus. It shall be equipped with a slide bar and cam-operated lock located on left side of door and fastened to the door framing.

The slidebar shall be approximately 1-1/4 inches wide and 3/8 inch thick and shall have a minimum stroke of 1-1/4 inches. The slidebar shall have a bearing surface of a minimum of 3/4 inch with the door lock in a closed position. Control from driver's seat shall not be permitted. Provision for opening from outside shall consist of nondetachable device so designed as to prevent hitching-to, but to permit opening when necessary. Door lock shall be equipped with interior handle and guard that extends approximately to center of door. It shall lift up to release lock.

C. Emergency door Type H A vehicles.

1. Emergency door shall be located in center of rear end of bus and shall be equipped with fastening device for opening from inside and outside body.

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which may be quickly released but is designed to offer protection against accidental release. Control from driver's seat shall not be permitted. Provision for opening from outside shall consist of device designed to prevent hitching-to but to permit opening when necessary.

2. When not fully closed, emergency door shall actuate signal audible to driver.

3. Emergency door shall be marked "EMERGENCY DOOR" on inside and outside in painted black letters two inches high.

4. There shall be no steps leading to emergency door.

5. No seat or other object shall be placed in bus which restricts passageway to emergency door to less than 15 inches.

D. Security locking system.

A door locking system designed to prevent vandalism, which is approved by the *State Pupil Transportation Service*, Department of Education, may be installed provided it is equipped with an interlock in the chassis starting circuit and an audible alarm to indicate to the driver when an emergency door is locked while the ignition is in the "on" position. A cutoff switch on the interlock circuit or a lock and hasp on the rear door will not be permitted.

§ 6.55: § 5.55. Electrical system.

1. Battery - see § 6.11 § 5.11 .
2. Alternator - see § 6.9 § 5.9 .
3. Lights and signals - see § 6.28 § 5.28 .
4. Wiring - see § 6.91 § 5.91 .

§ 6.56: § 5.56. Emergency equipment.

A. Fire extinguisher.

1. Bus shall be equipped with one dry-chemical fire extinguisher of at least 2-1/2 pound capacity with pressure indicator, mounted in extinguisher manufacturer's bracket of automotive type, and located in full view and in an accessible place in the front of the bus excluding floor and area above bottom line of windshield.

2. Fire extinguisher shall bear label of Underwriters' Laboratories, Inc., showing rating of not less than 2A 10-B.C.

B. First-aid kit.

1. Bus shall carry Grade A metal first-aid kit,

unit-type, mounted in full view and in accessible place in the front of the bus.

2. The first-aid kit shall contain the following items:

Item	Unit
Bandage compress (sterile gauze pads) 4-inch	3
Bandage compress (sterile gauze pads) 2-inch	2
Adhesive absorbent bandage (nonadhering pad) 1 X 3 inch	2
Triangular bandage, 40-inch	2
Gauze bandage, 4-inch	2
Absorbent-gauze compress	1
Antiseptic applicator (swab type) 10 per unit	2
<i>(Zephiran Chloride/Green Soap type)</i>	
Bee sting applicator (swab type) 10 per unit	1

C. Flare.

1. Bus shall be equipped with three red bidirectional triangular flares meeting requirements of FMVSS-125.

2. Kit shall be securely mounted on the right of toeboard as far forward as practical or in the area to the left of the driver's seat.

Exception Type H A vehicles.

~~These~~ *Flares* may be mounted behind left rear seat.

§ 6.57: § 5.57. Floor - (See § 6.51 § 5.51 .)

§ 6.58: § 5.58. Floor covering.

1. Floor in underseat area, including tops of wheel housings, driver's compartment and toeboard shall be covered with fire-resistant rubber floor covering or an approved equivalent, having minimum over-all thickness of .125 inch. Driver's compartment and toeboard area shall be trimmed with molding strips behind the cowl face line.

2. Floor covering in aisle shall be of aisle-type fire-resistant rubber or an approved equivalent, nonskid, wear-resistant and ribbed. Minimum overall thickness shall be .1875 inch measured from tops of ribs. Rubber floor covering shall meet Federal Specifications ZZ-M71d.

3. Floor covering ~~must~~ *shall* be permanently bonded to floor, and ~~must~~ *shall* not crack when subjected to sudden changes in temperature. Bonding or adhesive material shall be waterproof and shall be of the type

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recommended by manufacturer of floor-covering material. All seams ~~must~~ shall be sealed with waterproof sealer.

~~§ 6.59:~~ § 5.59. Heaters.

1. Hot water heaters of fresh-air or combination fresh-air and recirculating type, with power defrosters, are required.

2. They shall bear name plate rating affixed by heater manufacturer on top of heater shell.

3. Heaters shall be capable of maintaining inside temperature of 50°F, with an outside temperature of 20°F when the bus is loaded to one-half capacity.

4. The heater wiring shall be connected to the cold side of the ignition switch through a continuous duty solenoid relay Cole Hersee No. 24106 or equivalent. (See ~~§ 6.91~~ § 5.91 4)

5. The power defroster shall deliver a sufficient amount of heated air distributed through a windshield duct, nozzle or nozzles to defog and deice the entire windshield, and to defog the driver's window. The duct, nozzle, or nozzles shall be designed to prevent objects from being placed in any manner which would obstruct the flow of air.

6. Water circulation cut-off ~~valve~~ valves in the supply and return lines, a minimum of 3/4 inch diameter, shall be at or near the engine. A water flow regulating valve in the pressure line for convenient operation by the driver is also required.

7. Heater hoses, including those in engine compartment, shall be supported in such manner that hose chafing against other objects will not occur nor shall suspended water lines interfere with routine vehicle maintenance.

8. All water hoses in driver or passenger area shall be shielded.

9. An auxiliary heater of recirculating type, having a minimum capacity of 60,000 BTU output, ~~may~~ shall be installed under the second seat behind the wheelhousing on the left side of the body. Such heater is required on all lift-gate buses and on any equipment with diesel engines. There shall be a grille or guard over exposed heater cores to prevent damage by pupils' feet.

10. A booster pump in the intake heater line shall be provided on all Type C and D buses equipped with a diesel engine.

11. Exception Type H A vehicles.

a. Front heater with high output ~~with~~ and defroster

shall be furnished by the chassis manufacturer.

b. The body manufacturer shall provide an additional underseat heater near the rear of the bus.

~~§ 6.60:~~ § 5.60. Identification - See Diagrams 3 and 4 and 5

For purpose of identification school buses shall be lettered as follows:

1. Lettering shall be placed according to Diagrams 3 and 4 and 5. Lettering shall be of black paint and conform to "Series B" for Standard Alphabets for Highway Signs.

2. Both the front and rear of the body shall bear the words, "SCHOOL BUS" in black letters eight inches in height.

3. All school buses shall have a number painted in black letters four inches high on the rear of the body, on the right side just back of the entrance door, and on the left side just back of the warning sign. (See Diagrams 3 and 4 and 5.) The number shall also be placed on the front bumper, approximately 18 inches from the right end in yellow letters four inches high.

4. The name of the school division shall be on each side of the bus in black letters four inches high - as "... COUNTY PUBLIC SCHOOLS," or "... CITY PUBLIC SCHOOLS."

5. Wheelchair symbol on lift-gate buses - standard access symbol, 12" x 12" size, may be applied to back and front of school bus by local school divisions. It shall be placed so as not to cover lettering, lamps or glass.

~~§ 6.61:~~ § 5.61. Inside height.

Inside body height shall be 72 inches or more, measured metal to metal, at any point on longitudinal center line from front vertical bow to rear vertical bow.

Exception Type H vehicles A conversion van.

Inside body height shall be 62 63 inch minimum.

~~§ 6.62:~~ § 5.62. Insulation.

Ceilings and walls shall be coated with proper materials to deaden sounds and to reduce vibrations to a minimum. Fiber glass thermal insulation (minimum thickness one inch) shall be used to insulate walls and roof between inner and outer panels.

~~§ 6.63:~~ § 5.63. Interior.

1. Interior of bus shall be free of all unnecessary projections likely to cause injury. This standard

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requires inner lining on ceilings and walls. Ceiling panels shall be constructed so as to contain lapped joints with all exposed edges hemmed to minimize sharpness. If lateral panels are used, forward panels shall be lapped by rear panels.

2. Ceilings in passenger compartment shall be free of all projections.

§ 6.64. § 5.64. Lights and signals - see Diagrams 3 and 4 and 5 .

No lights or signals other than herein specified shall be installed on school buses, except those required by Federal Regulations.

1. Clearance lights. Body shall be equipped with two red clearance lamps at rear, two amber clearance lamps at front, and intermediate side marker lamps on buses 30 feet or more in length.

They shall be of armour type.

2. Identification lamps. Three amber lamps shall be mounted on front and three red lamps on rear of body.

3. Stop and tail lamps. Bus shall be equipped with two matched stop and tail lamps of heavy duty type, which shall be in combination, emitting red light plainly visible from a distance of at least 500 feet to rear, and mounted on rear end with their centers not less than 12 nor more than 24 inches from plane side of body, and not less than six nor more than 18 inches below D-glass in rear of body. They shall be approximately seven inches in diameter. These lights shall be on the same horizontal line with the turn signal units and shall not flash. A pilot light shall be installed on the left side of the instrument panel and connected to the cold side of the brake light switch so that it will indicate when the stop lights are activated. A list of approved stop and tail lights will be supplied to the body manufacturers by the ~~Supervisor of Pupil Transportation Service, Department of Education~~ . The use of lights not on this list will not be approved.

4. For illumination of rear license plate, the type of stop and tail light with which the chassis is equipped may be used. The stop light connection will be made to this light.

5. Back-up lamp. Back-up lamp shall be mounted on the rear of the body and shall be illuminated when the ignition switch is energized and reverse gear is engaged.

6. Interior lamps. Interior lamps shall be provided which adequately illuminate aisles and stepwell.

7. Turn signal units. Bus shall be equipped with Class A, flashing turn signal units of heavy-duty type. These

signals ~~must~~ shall be independent units equipped with amber lens on all faces, and may be equipped with four-way hazard warning switch to cause simultaneous flashing of turn signal lamps when needed as vehicular traffic hazard warning. A pilot light or lights shall indicate when these lights are activated. The front lights shall be mounted near the front corners of chassis on each side. The rear lights shall be seven inches in diameter and mounted not less than six nor more than 18 inches from plane of the side of the body and not less than six nor more than 18 inches below D-glass in rear of body. They shall be on the same horizontal line with the stop and tail lights required in 3 above.

a. In addition to the turn signals described above, two amber lens *metal* turn signal lamps of armour type with a minimum of four candlepower each shall be mounted on the body side at approximate seat level height and located just to the rear of the entrance door on the right side of the body and approximately the same location on the left side. They are to be connected to and function with the regular turn signal lamps. Such lamps ~~must~~ shall provide 180° angle vision *and if painted, they shall be black* .

b. A list of approved turn signal lights will be supplied to the body manufacturers by the ~~Supervisor of Pupil Transportation Service, Department of Education~~ . The use of lights not on this list will not be approved.

c. Exception Type H A conversion vans.

Turn signals shall be chassis manufacturer's standard.

8. Hazard warning signal. The turn signal units shall also function as the hazard warning system. The system shall operate independently of the ignition switch and, when energized, shall cause all turn signal lamps to flash simultaneously.

9. Reflex reflectors. (Class A) Two amber lights and two amber reflectors (they may be combined) shall be mounted, one on each side, near the front of the chassis. Two four-inch red reflectors shall be mounted, one on each side near the rear of the body and two four-inch red reflectors shall be mounted on the rear above the bumper. Two intermediate amber four-inch reflectors, one on each side near the middle of the bus, shall be mounted on buses 30 feet or more in length. They shall be mounted on panel above floor line rub rail *and be metal encased* .

10. ~~Virginia~~ School bus traffic warning lights.

a. They shall consist of four lights, two front and two rear, containing 80 watts, 12-volt sealed beam clear spot units five inches in diameter with

seven-inch red acrylic lens, including component parts and location necessary for their operation. Information on such approved part and location will be supplied by the state Supervisor of Transportation. Buses shall be equipped with four red lamps and four amber lamps. One amber lamp shall be located near each red lamp, at the same level, but closer to the vertical center line of the bus. Lamps to be 80 watts, 12-volt sealed beam clear spot units five inches in diameter with seven inch acrylic lens, including component parts and location necessary for their operation. All lamps shall comply with SAE standards for school bus warning lamps. Information on such approved components will be supplied by the Pupil Transportation Service, Department of Education.

b. The control circuit shall be connected to the cold side of the ignition switch with the control switch mounted so that it is operated by the door control handle. The traffic warning light system shall be wired so that the amber lamps are activated manually by a hand operated switch. When door is opened, amber lamps will be automatically deactivated and red lamps, warning sign with flashing lamps and crossing control arm shall be activated. When door is closed, all lamps shall be deactivated. No lamps shall come on when door is reopened unless the manual switch is depressed. There shall also be a cancellation switch in case lamps are accidentally activated or when no stop needs to be made.

c. The motor-driven flasher and the relay shall be fastened to the fire wall on the right side or in some easily accessible place inside the bus body. The control circuit shall be connected to the cold side of the ignition switch with the master push button cancel switch mounted on the accessory console, clearly distinguished, visible and accessible to the driver.

d. The pilot lights shall be mounted on the instrument panel in or near the center so that they will be in plain view of the driver. The motor-driven flasher and the relay shall be fastened in a compartment in the driver area and be easily accessible for servicing.

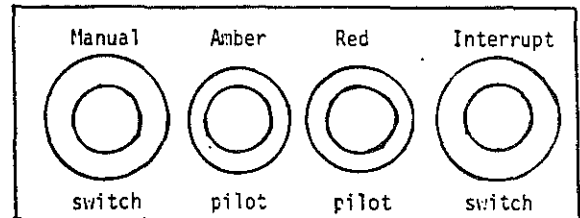
e. System shall contain an amber pilot light for amber lamps and a red pilot light for red lamps, clearly visible to the driver, to indicate when system is activated.

f. A three-inch black painted border around the lamps is required if not equipped with a black painted housing.

e. g. All joints shall be soldered or jointed by equally effective connectors.

h. The traffic warning lamp system shall require a separate control panel. This panel shall be as small as practicable, and switches and pilot lamps shall be located in conformance with the diagram below. All switches shall be properly identified by labels.

Diagram 3.
Traffic Warning Lamp Control Panel.



i. The panel shall be located at or near the entrance door control handle within easy reach, visible, and be readily accessible to the driver.

j. There shall be an interrupt feature in the system to interrupt the traffic warning sign and the crossing control arm when their use is not desired. This feature shall consist of a double throw relay and a push button momentary switch.

k. Manual switch, cancel switch and interrupt switch shall be push button or flip type momentary switches.

11. Virginia School bus traffic warning sign.

a. Warning sign shall be mounted on the left side near the front of the bus immediately below the window line.

b. Sign shall be of the Octagon series, 18 inches in diameter, 16-gauge cold rolled steel, and be equipped with windguard. The sign shall have a red background with a 1/2 inch white border, and the word "STOP" on both sides in white letters, six inches high and one inch wide.

c. Sign shall have double-faced alternately flashing red lamps, four inches in diameter, located at the top and bottommost portions of the sign, one above the other.

d. All wire shall be 16-gauge minimum. A No. 537 alternating flasher, or approved equal, mounted in body accessory panel shall be provided.

e. d. The sign shall be operated by a manual switch located on dash to the immediate left of the

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entrance door handle. The air control valve shall be an electric solenoid type or push-pull switch/control valve connected and energized through the red traffic warning lamps.

e. Air operated signs require air pressure regulator in addition to control valve. Source of supply to be the main air tank with a check valve at the tank.

f. Copper tubing or a high quality vacuum hose shall be used to supply vacuum to sign. Source of vacuum to be main supply line on the intake manifold ahead of the brake check valve.

g. f. Sign and components shall comply with all provisions of SAEJ1133. A list of approved traffic warning signs and components will be supplied by the Supervisor of Pupil Transportation Service, Department of Education.

12. School bus crossing control arm.

a. An approved crossing control arm shall be mounted on the right end of the front bumper with mounting brackets appropriate for the bumper configuration. Information on such approved arms will be supplied by the Pupil Transportation Service, Department of Education.

b. The arm shall be activated in conjunction with the traffic warning sign.

c. Wiring for an electric powered arm shall be grounded to a metal base at a suitable place on the bumper.

d. Source of supply for air operated arms to be the main air supply tank with check valve at tank.

e. Appropriate grommets or a loom shall be used where wires or tubes go through holes in bumper and firewall.

Diagram 3 4 .

Diagram 3- 4.

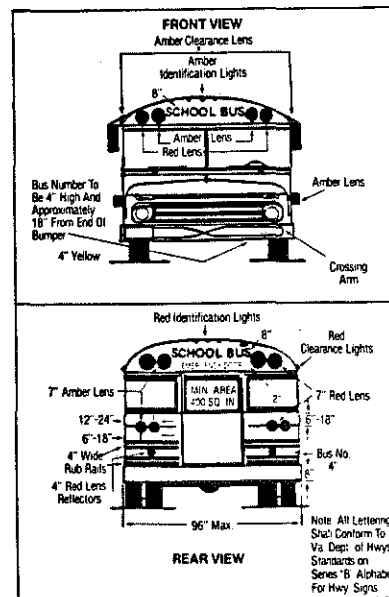
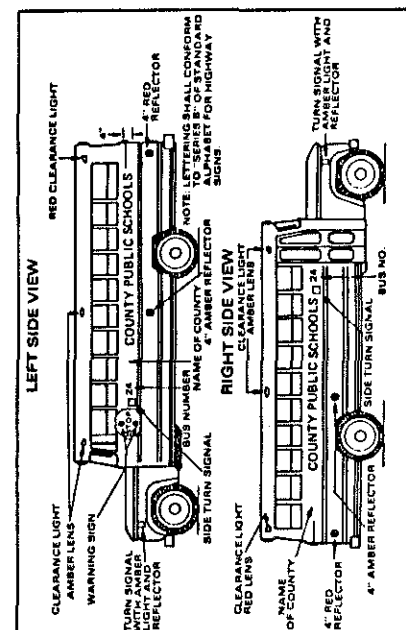


Diagram 4- 5.



§ 6-65. § 5.65. Metal treatment.

All metal parts that will be painted shall be chemically cleaned, etched, zinc-phosphate-coated, and zinc-chromate or epoxy-primed or conditioned by equivalent process.

§ 6-66. § 5.66. Mirrors.

1. Interior rear view mirror at least 6 x 30 inches, metal encased safety glass of at least 1/8 inch thickness, which will afford good view of pupils and roadway to rear and shall be installed in such a way that vibration will be reduced to a minimum. It shall have rounded corners and protected edges.

2. Two exterior rear view silver electro-plated copper back or chrome faced mirrors shall be provided, one to left and one to right of driver.

Each mirror shall be not less than 6 x 9 1/2 11 inches and shall be Junior West Coast Type. Mirrors shall be firmly supported by tripod type brackets fastened to top corners of bus body. Left and right mirrors shall be on same level and shall be mounted so that they can be adjusted to give driver clear view to left rear and right rear of bus.

a. Exterior crossview mirror at least 7-1/2 inches in diameter shall be located on left front fender of bus in such manner that seated driver may observe, through its use, areas to front of bus where direct observation is not possible. It shall not obstruct the left turn signal. ~~An additional~~ A hemispherical mirror may shall be mounted on the right front fender in a corresponding position.

b. An adjustable convex mirror with a minimum diameter of four inches and a maximum diameter of five inches may be mounted on each side on a separate arm attached to the mounting of the regular outside mirror. This convex mirror shall be mounted so that it can be positioned immediately below the regular outside mirror. *Stick on convex type mirrors to the face of regular outside mirrors are prohibited.*

3. A list of approved mirrors will be supplied to body manufacturers by the State Supervisor of Pupil Transportation Service, Department of Education. The use of mirrors not on this list will not be approved.

Exception Type H A vehicles.

Interior mirror to be 6 x 16 inches minimum and outside 6 x 10 9- 1/2 inches mounted on doors.

§ 6-67. § 5.67. Mounting.

1. Chassis frame shall extend to rear edge of rear body cross member. Bus body shall be attached to chassis frame in such manner as to prevent shifting or

separation of body from chassis under severe operating conditions.

2. Body front shall be attached and sealed to chassis cowl in such manner as to prevent entry of water, dust, and fumes through joint between chassis cowl and body.

3. Insulating material shall be placed at all contact points between body and chassis frame. Insulating material shall be approximately 1/4 inch thick, shall have quality of sidewall of automobile tire, and shall be so attached to chassis frame or body member that it will not move under severe operating conditions.

4. Exception Type H A conversion vans.

Standard does not apply.

§ 6-68. § 5.68. Openings.

Any openings in body or front fenders of chassis resulting from change necessary to furnish required components shall be sealed. (See §§ 6-30 and 6-51-11 §§ 5.30 and 5.51 10)

§ 6-69. § 5.69. Overall length.

Overall length of bus shall not exceed 36 feet for conventional flat faced cowl units or 40 feet for metropolitan type.

§ 6-70. § 5.70. Overall width.

Overall width of bus shall not exceed 100 inches, including traffic warning sign in closed position. *Outside rearview mirrors are excluded.*

§ 6-71. § 5.71. Posts - See §§ 6-51 and 6-88-3 §§ 5.51 and 6.88 3 .

§ 6-72. § 5.72. Rub rails.

1. There shall be one rub rail located on each side of bus immediately below window level which shall extend from rear side of entrance door completely around bus body (except for emergency door) to point of curvature near outside cowl on left side. If floor level rub rail extends to emergency door post in rear, this rub rail may stop at rear side post.

Exception -

This rub rail is not required between the front body post and rear side post if an internal frame member (fortress rail) of greater strength is positioned immediately below the window level. The rub rail must shall be applied from the last sidepost to the emergency doorpost.

2. There shall be one rub rail located on each side of

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bus approximately at seat level which shall extend from rear side of entrance door completely around bus body (except for emergency door) to point of curvature near outside cowl on left side. This rail shall be painted black.

3. There shall be one rub rail located approximately at floor line which shall extend from rear side of entrance door completely around bus body (except for emergency door) to point of curvature near outside cowl on left side, except at wheel housings. If the window level rub rail extends to emergency door post in rear, this rub rail may stop at rear side post.

4. All rub rails shall be attached at each body post and all other up-right structural members.

5. All rub rails shall be of four inches or more in width, shall be of 16-gauge steel, and shall be constructed in corrugated or ribbed fashion.

6. All rub rails shall be applied outside body or outside body posts. Pressed-in or snap-on rub rails do not satisfy this requirement.

7. Certain exceptions may be approved for heater air-intake and for rear engine type buses.

Exception Type H A vehicles.

Rail required in 1 above does not apply *on conversion vans*.

§ 6.73. § 5.73. Seat belt for driver.

~~Seat belt for driver shall be provided. Belt shall be equipped with retractor on each side of sufficient quality and strength to keep it retracted and off floor when not in use. A locking retractor type seat belt shall be provided for the driver. Each belt section shall be booted so as to keep the buckle and button-type latch off the floor and within easy reach of the driver. Belt shall be anchored in such a manner or guided at the seat frame so as to prevent the driver from sliding sideways from under the belt.~~

§ 6.74. § 5.74. Seats.

1. All seats shall have minimum depth of 14 inches.

2. In determining seating capacity of bus, allowable average rump width shall be 13 inches. (See § 6.44 § 5.44.)

3. All seats shall be forward facing. They shall have two legs securely fastened to the floor with the other end supported by rail or bracket on side wall.

a. A two-passenger left rear seat, minimum of 26 inches in length, and a three-passenger right rear seat, minimum of 37.5 inches in length, will be

provided.

b. The right front seat will have a two-passenger cushion, minimum of 26 inches in length and a three-passenger back which serves as a barrier for the next seat.

c. Seating plans for buses with wheelchair positions see §§ 6.2 and 6.12.

4. Seat cushions shall have 24-hour glass coil type springs interlaced and securely fastened to plywood base having minimum thickness of 1/2 inch. Urethane foam may be used in place of springs if sample is submitted and approved each year.

Passenger seat cushion retention system shall be employed to prevent passenger seat cushions from disengaging from seat frames in event of accident. Each seat cushion retention system shall be capable of withstanding vertical static load equal to minimum of five times weight of cushion. System shall also be capable of withstanding forward or rearward static load equal to 20 times weight of cushion.

5. No bus shall be equipped with jump seats or portable seats.

6. Seat spacing shall provide a minimum of 25 inch knee room at center of seat, when measured horizontally from back to back, at cushion level.

7. Seat and back cushions of all seats shall be designed to safely support designated number of passengers under normal road conditions encountered in school bus service. Covering of seat cushions shall be of material having 42 ounce finished weight, 54 inch width, and finished vinyl coating of 1.06 broken twill and shall be medium brown or green in color. Material on polyester drill and polyester cotton twill knit backing with equal vinyl coating which meets or exceeds the laboratory test results for the 42 ounce 1.06 covering may be used. Padding and covering on all seats shall comply with provisions of Federal Motor Vehicles Safety Standard No. 302.

8. Minimum distance between steering wheel and back rest of driver's seat shall be 11 inches. Driver's seat shall have fore-and-aft adjustment of not less than four inches and up and down adjustment of three inches. It shall be manually adjustable and strongly attached to floor.

9. Minimum of 36-inch headroom for sitting position above top of undepressed cushion line of all seats shall be provided. Measurement shall be made vertically not more than seven inches from side wall at cushion height and at fore-and-aft center of cushion.

10. Backs of all seats of similar size shall be of same width at top and of same height from floor and shall

slant at same angle with floor.

11. Seat back heights shall be between 19 and 24 inches measured from cushion level.

§ 6-75. § 5.75. Barriers.

1. Barrier shall be installed at rear of driver's seat in such a position as neither to interfere with adjustment of driver's seat nor to obstruct ~~21-6~~ 21.0 inch entranceway to the aisle.

2. Barrier shall be installed at rear of entrance stepwell. Placement shall not restrict entrance passageway at any level to less than ~~21-6~~ 21.0 inches. Barrier to coincide with length of the right front seat cushion with minimum width of 26 inches and shall have a modesty panel to extend from bottom of barrier to floor.

3. Lift-gate units shall have a barrier or padded stanchion with modesty panel forward of each standard seating position and between lift-gate and first seat to rear of lift-gate see § 6.12 2 .

§ 6-76. § 5.76. Stanchions and guard rails.

Padded stanchions may be used in lieu of barriers, if permitted by federal regulations. A modesty panel is required with all stanchions except the one immediately behind the driver's seat.

§ 6-77. § 5.77. Steering wheel - See § 6-36-4 § 5.36 4 .

§ 6-78. § 5.78. Steps.

1. First step at service door shall be not less than 12 inches and not more than 16 inches from ground, based on standard chassis specifications.

2. Service door entrance may be equipped with two-step or three-step stepwell. Risers in each case shall be approximately equal.

3. Steps shall be enclosed to prevent accumulation of ice and snow.

4. Steps shall not protrude beyond side body line.

5. Grab handle not less than ~~10~~ 20 inches in length shall be provided in unobstructed location inside doorway, but shall not be attached so that it will interfere with the opening of the glove compartment door. This handle shall be designed to eliminate exposed ends that would catch passenger clothing and shall be so placed in a position to aid small children entering the bus .

6. Step covering. All steps, including floorline platform area, shall be covered with 3/16-inch rubber metal-backed treads with at least 1-1/2-inch white

nosing (or three inch white rubber step edge with metal back at floorline platform area.)

a. Step tread minimum overall thickness shall be 3/16-inch ribbed design, similar to ribbed design of the rubber aisle;

b. Metal back of tread, minimum 24-gauge cold roll steel, shall be permanently bonded to ribbed rubber; grooved design shall be such that said grooves run at 90#0 angle to long dimensions of step tread;

c. 3/16-inch ribbed step tread shall have a 1-1/2-inch white nosing as integral piece without any joint; and

d. Rubber portion of step treads shall have following characteristics:

a. Special compounding for good abrasion resistance and high coefficient of friction.

b. Flexibility so that it can be bent around a 1/2-inch mandrel both at 20°F and 130°F without breaking, cracking, or crazing.

c. Show a durometer hardness 85 to 95.

§ 6-79. § 5.79. Stirrup steps.

There shall be one folding stirrup step and suitably located handle on each side of front of body for easy accessibility for cleaning windshield and lamps.

Exception Type H A vehicles.

Standard does not apply.

§ 6-80. § 5.80. Storage compartment.

Metal storage compartment for tools and chains is required. ~~If provided, the metal container shall have adequate strength and capacity for storage of tire chains and such tools as may be necessary for minor emergency repairs. Such storage container may be located either inside or outside passenger compartment but if inside, it shall have cover (seat cushion may not serve for this purpose) capable of being securely latched and shall be fastened to floor under right rear seat frame. If outside, it shall be located in body skirt on right side of body. (A local school division may waive this requirement if chains or tools are not carried on bus and a written request for deletion has been filed with the Pupil Transportation Service, Department of Education and noted in the purchase agreement).~~

If provided, the metal container shall have adequate strength and capacity for storage of chains and other emergency tools. Such container shall be located outside passenger compartment in body skirt on the right side of body with a door hinged at the top or front and equipped

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with an adequate fastener.

~~§ 6.81.~~ § 5.81. Sun shield.

Interior adjustable transparent sun shield, darkest shade available, not less than 60 x 30 inches shall be installed in position convenient for use by driver.

Exception Type H A vehicles.

Manufacturer's standard is acceptable.

~~§ 6.82.~~ § 5.82. Tail pipe.

Tail pipe shall extend to but not more than 1/2 inch beyond outer edge of rear bumper. (See ~~§ 6.19~~ § 5.19 2.)

~~§ 6.83.~~ § 5.83. Undercoating.

Entire underside of bus body, including floor sections, cross members, and below floor line side panels, shall be coated with rust-proofing compound for which compound manufacturer has issued notarized certification of compliance to bus body builder that compounds meets or exceeds all performance requirements of Federal Specification TT-C-520 *a b* using modified test procedures for following requirements:

1. Salt spray resistance - pass test modified to 5.0% salt and 1,000 hours;
2. Abrasion resistance - pass;
3. Fire resistance - pass.

Undercoating compound shall be applied with suitable airless or conventional spray equipment to recommend film thickness and shall show no evidence of voids in cured film. Undercoating is expected to prevent rust under all bus service conditions for minimum of five years.

~~§ 6.84.~~ § 5.84. Ventilation.

1. Body shall be equipped with suitable, controlled ventilating system of sufficient capacity to maintain proper quantity of air under operating conditions without opening of windows except in extremely warm weather.
2. Static-type, nonclosable, exhaust roof ventilators shall be installed in low-pressure area of roof panel.

~~§ 6.85.~~ § 5.85. Water test.

Each and every school bus body, after it is mounted on chassis ready for delivery, shall be subjected to a thorough water test in which water under pressure equal to a driving rain is forced against the entire bus body from various directions. Any leaks detected are to be repaired before the bus is declared ready for delivery.

~~§ 6.86.~~ § 5.86. Wheel housings.

1. Wheel housings shall be of full open type.
2. Wheel housings shall be designed to support seat and passenger loads and shall be attached to floor sheets in such manner as to prevent any dust or water from entering the body.
3. Inside height of wheel housings above floor line shall not exceed 10 inches.
4. Wheel housings shall provide clearance for dual wheels as established by National Association of Chain Manufacturers.

Exception -

Standard does not apply to Type H A conversion vans.

~~§ 6.87.~~ § 5.87. Width - See ~~§ 6.70~~ § 5.70 .

~~§ 6.88.~~ § 5.88. Windshield and windows.

1. All glass in windshield, window, and doors shall be of approved safety glass, so mounted that permanent mark is visible, and of sufficient quality to prevent distortion of view in any direction. Windshield ~~must~~ shall be AS1 and all other glass shall be AS2.
2. Plastic glazing material of a thickness comparable to AS2 glass, meeting ANSI Standard C26.1 and FMVSS No. 205, may be used in side windows behind the driver's compartment.
3. Windshield shall be large enough to permit driver to see roadway clearly, shall be slanted to reduce glare, and shall be installed between front corner posts that are so designed and placed as to afford minimum obstruction to driver's view of roadway.
4. Windshield shall have horizontal gradient band starting slightly above line of driver's vision and gradually decreasing in light transmission to 20% or less of windshield.
5. Each full side window shall provide unobstructed emergency opening at least nine inches high and 22 inches wide, obtained either by lowering of window or by use of knock-out type split-sash windows.
6. Approved tinted glass or plastic glazing material may be used as needed for care of handicapped pupils.
7. All exposed edges of glass shall be banded.
8. *A pushout emergency exit window, nearest the center of body, is required on each side of all Type D buses.*

§ 6.89. § 5.89. Windshield washers.

Windshield washers meeting federal requirements shall be provided and shall be controlled by push button switch located on instrument panel. Reservoir shall be mounted in engine compartment.

§ 6.90. § 5.90. Windshield wipers.

1. Bus shall be equipped with two variable-speed windshield wipers of air or electric type powered by two motors of sufficient power to operate wipers.
2. Blades and arms shall be of such size that minimum blade length will be 12 inches with longer blades being used whenever possible.
3. Wiper motor and arm linkage shall be shielded to prevent objects from being placed against them.

Exception Type H A vehicles.

One variable speed motor is acceptable.

§ 6.91. § 5.91. Wiring.

1. All wiring shall conform to current standards of Society of Automotive Engineers.

2. Circuits.

a. Wiring shall be arranged in at least 12 regular circuits as follows:

- (1) head, tail, stop (brake) and instrument panel lamps
- (2) clearance lamps
- (3) dome and stepwell lamps
- (4) starter motor
- (5) ignition
- (6) turn-signal units
- (7) alternately flashing red signal lamps
- (8) horns
- (9) heater and defroster
- (10) emergency door buzzer
- (11) defogging auxiliary fan
- (12) traffic warning sign and crossing control arm

b. Any of above combination circuits may be subdivided into additional independent circuits.

c. Whenever possible, all other electrical functions (such as electric-type windshield wipers) shall be provided with independent and properly protected circuits.

d. Each body circuit shall be color coded and a diagram of the circuits shall be attached to the body in a readily accessible location.

3. A separate fuse or circuit breaker shall be provided for each circuit except starter motor and ignition circuits.

4. A continuous duty solenoid relay, Cole Hersee No. 24106 or approved equal, operated by the ignition switch, shall be provided to supply current to the heater, emergency door buzzer, defogging auxiliary fan(s), and traffic warning sign booster pump (Circuits 9, 10, 11, and 12).

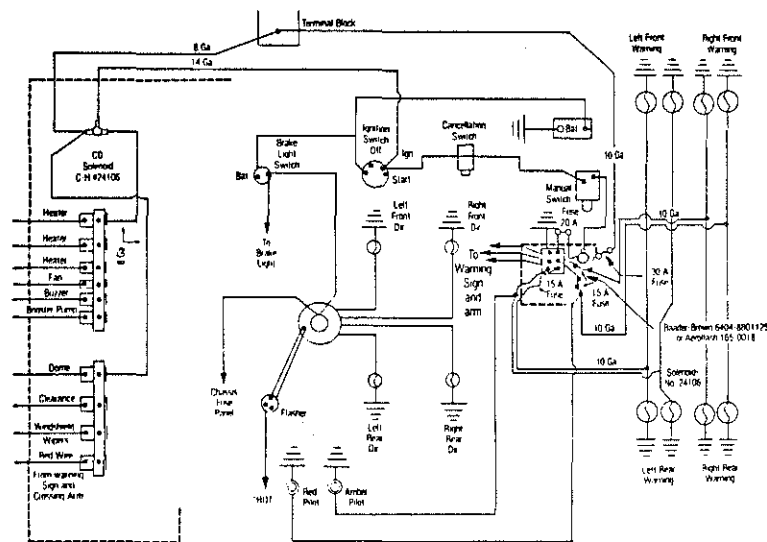
5. All wires within body shall be insulated and protected by covering of fibrous loom (or equivalent) which will protect them from external damage and minimize dangers from short circuits. Whenever wires pass through body member, additional protection in form of appropriate type of insert shall be provided.

6. All light circuits shall be such as to provide, as nearly as possible, bulb design voltage at lightbulb terminals.

7. Wires shall be fastened securely at intervals of not more than 24 inches. All joints shall be soldered or jointed by equally effective connectors.

Virginia School Bus Wiring Diagram.

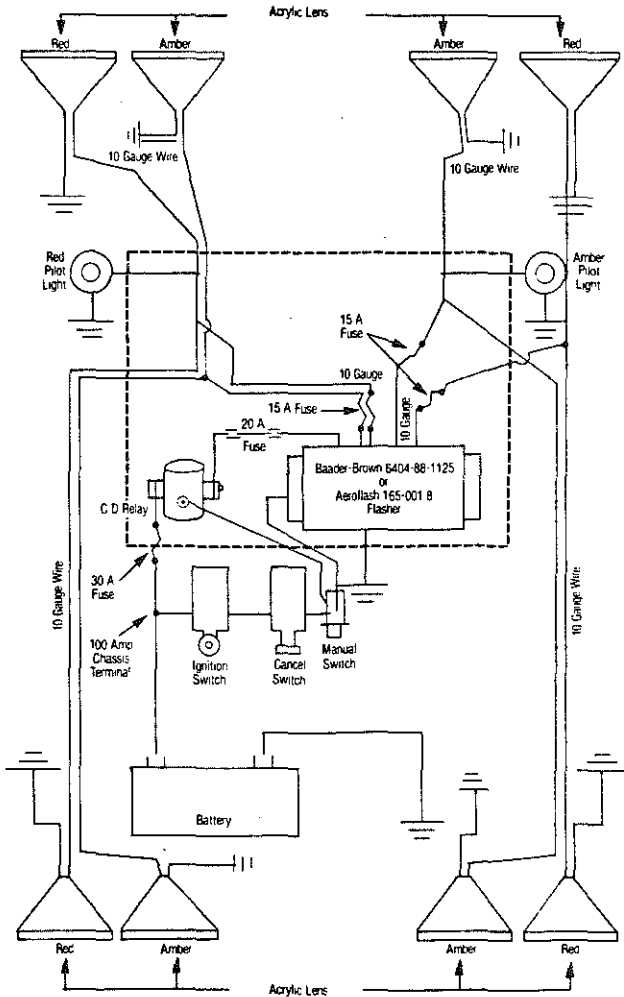
Diagram 6.



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Wiring Diagram for Virginia School Bus Traffic Lights.

Diagram 7.



PART VI.

STANDARDS FOR LIFT-GATE SCHOOL BUSES.

§ 6.1. General requirements.

A. School buses or school vehicles designed for transporting children with special transportation needs shall comply with Virginia's standards applicable to school buses and Federal Motor Vehicle Safety Standards as applicable to their GVWR category.

B. Any school bus that is used for the transportation of children who are confined to a wheelchair or other restraining devices which prohibit use of the regular service entrance, shall be equipped with a power lift, unless a ramp is needed for unusual circumstances.

C. Lift shall be located on the right side of the body, in no way attached to the exterior sides of the bus but confined within the perimeter of the school bus body when not extended.

§ 6.2. Aisles.

All aisles leading to the emergency door from wheelchair area shall be a minimum of 30 inches in width.

§ 6.3. Communications.

Special education buses may be equipped with a two-way radio communication system. (See § 5.50 A.)

§ 6.4. Fastening devices.

1. Wheelchair fastening devices shall be provided and attached to the floor or walls or both to enable securement of wheelchairs in the vehicle. The devices shall be of the type that require human intervention to unlatch or disengage. The fastening devices shall be designed to withstand forces up to 2,000 pounds per tiedown leg or clamping mechanism or 4,000 pounds total for each wheelchair, whichever is the lesser of the two.

2. Additional fastening devices may be needed to assist the student due to the many different configurations of chairs and exceptionalities.

§ 6.5. Glazing.

Tinted glazing may be installed in all doors, windows and windshield.

§ 6.6. Heaters.

An additional heater(s) shall be installed in the rear portion of the bus behind wheel wells as required in § 5.59 9.

§ 6.7. Identification.

Buses with wheelchair lifts used for transporting physically handicapped children shall display universal handicapped symbols located on the front and rear of the vehicle below the windowline. Such emblems shall be white on blue, shall be a minimum of nine inches and a maximum of 12 inches in size, and may be reflectorized. It shall be placed so as not to cover lettering, lamps or glass.

§ 6.8. Power lift.

1. Lifting mechanism shall be able to lift minimum pay load of 800 pounds. A clear opening and platform to accommodate a 30-inch wide wheelchair shall be provided.
2. When the platform is in the fully up position, it shall be locked in position mechanically by means other than a support, or lug in the door.
3. Controls shall be provided that enable the operator to activate the lift mechanism from either inside or outside of the bus. There shall be a means of preventing the lift platform from falling while in operation due to a power failure.
4. Power lifts shall be so equipped that they may be manually raised in the event of power failure of the power lift mechanism.
5. Lift travel shall allow the lift platform to rest securely on the ground.
6. All edges of the platform shall be designed to restrain wheelchair and to prevent operator's feet from being entangled during the raising and lowering process.
7. Up and down movements of the lift platform shall be perpendicular to the plan of the bus body in all positions.
8. A restraining device shall be affixed to the outer edge (curb end) of the platform that will prohibit the wheelchair from rolling off the platform when the lift is in any position other than fully extended to ground level.
9. A self-adjusting, skid resistant plate shall be installed on the outer edge of the platform to minimize the incline from the lift platform to the ground level. This plate, if so designed, may also suffice as the restraining device described in item 8 above. The lift platform shall be skid resistant.
10. A circuit breaker or fuse energized through the ignition side of the accessory solenoid, shall be installed between power source and lift motor if electrical power is used.
11. The lift mechanism shall be equipped with

adjustable limit switches or by-pass valves to prevent excessive pressure from building in the hydraulic system when the platform reaches the full up position or full down position.

§ 6.9. Ramps.

When a power lift system is not adequate to load and unload students having special and unique needs, a ramp device may be installed.

1. If a ramp is used, it shall be of sufficient strength and rigidity to support the special device, occupant, and attendant(s). It shall be equipped with a protective flange on each longitudinal side to keep special device on the ramp.
2. Floor of ramp shall be of nonskid construction.
3. Ramp shall be of weight and design, and equipped with handle(s), to permit one person to put ramp in place and return it to its storage place.

§ 6.10. Regular service entrance.

1. In Type D vehicles, there shall be three step risers, of equal height, in the entrance well.
2. An additional fold-out step may be provided which will provide for the step level to be no more than six inches from the ground level.
3. Three step risers in Type C vehicles are optional.

§ 6.11. Assistive devices.

Seat frames may be equipped with attachments or devices to which belts, assistive harnesses or other devices may be attached.

§ 6.12. Seating arrangements.

1. Flexibility in seat spacing to accommodate special devices shall be permitted due to the constant changing of passenger requirements.
2. There shall be a barrier or padded stanchion with modesty panel forward of each standard seating position and between lift-gate and first seat to rear of lift-gate. A wheelchair position immediately forward of lift-gate shall have a barrier between lift and wheelchair. (See § 5.75.)

§ 6.13. Special light.

Lights shall be placed inside the bus to sufficiently illuminate lift area and shall be activated from door area.

§ 6.14. Special service entrance.

1. Bus bodies may have a special service entrance

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constructed in the body to accommodate a wheelchair lift for the loading and unloading of passengers.

2. The opening to accommodate the special service entrance shall be at any convenient point on the right (curb side) of the bus and far enough to the rear to prevent the door(s), when open, from obstructing the right front regular service door (excluding a regular front service door lift).

3. The opening shall not extend below the floor level. Outboard type lifts shall be used.

4. The opening, with doors open, shall be of sufficient width to allow the passage of wheelchairs. The minimum clear opening through the door and the lift mechanism shall be 30 inches in width.

5. A drip moulding shall be installed above the opening to effectively divert water from entrance.

6. Entrance shall be of sufficient width and depth to accommodate various mechanical lifts and related accessories as well as the lifting platform.

7. Door posts and headers from entrance shall be reinforced sufficiently to provide support and strength equivalent to the areas of the side of the bus not used for service doors.

§ 6.15. Special service entrance doors.

1. A single door may be used if the width of the door opening does not exceed 40 inches.

2. Two doors shall be used if any single door opening would have to exceed 40 inches.

3. All doors shall open outwardly.

4. All doors shall have positive fastening devices to hold doors in the open position.

5. All doors shall be weather sealed and on buses with double doors, they shall be so constructed that a flange on the forward door overlaps the edge of the rear door when closed.

6. When dual doors are provided, the rear door shall have at least a one-point fastening device to the header. The forward mounted door shall have at least three-point fastening devices. One shall be to the header, one to the floor line of the body, and the other shall be into the rear door. These locking devices shall afford maximum safety when the doors are in the closed position. The door and hinge mechanism shall be of a strength that will provide for the same type of use as that of a standard entrance door.

7. Door materials, panels and structural strength shall

be equivalent to the conventional service and emergency doors. Color, rub rail extensions, lettering and other exterior features shall match adjacent sections of the body.

8. Each door shall have windows set in rubber compatible within one-inch of the lower line of adjacent sash.

9. Door(s) shall be equipped with a device that will actuate a red flashing visible signal located in the driver's compartment when door(s) is not securely closed and ignition is in "on" position.

10. A switch shall be installed so that the lifting mechanism will not operate when the lift platform door(s) is closed.

§ 6.16. Special optional equipment.

Special seats for aides may be installed on an optional basis. The location, restraints, and so forth shall be assessed and approved on an individual unit basis.

PART VII. ACTIVITY BUSES.

§ 7.1. Activity buses owned or operated under contract by or for the school board, which are used to transport pupils to and from school activity events, shall comply with all applicable regulations and standards prescribed for school buses except as noted in this article.

A. Exceptions, general regulations.

1. An activity bus transporting school pupils shall be operated at a safe speed not in excess of 55 miles per hour, or minimum legal speed allowable.

2. No standees shall be permitted.

3. The lettered identification and traffic warning devices do not apply. The name of the school division or regional vocational/special education school shall be placed on both sides of the bus.

4. Stops for the purpose of loading or discharging pupils on the travel portion of the highway shall not be permitted.

B. Exception, driver requirements.

Every driver of school activity buses shall receive appropriate instruction and training before being allowed to operate a vehicle transporting children. The length of the instructional program shall be determined by the experience of the applicant and the type of vehicle to be operated.

C. Exceptions, minimum standards for school buses in Virginia.

- 1. Buses shall not be painted national school bus yellow.*
- 2. An approved road speed control governor shall be required and set at a maximum speed of 55 mph.*
- 3. Other type seats and increased spacing may be used provided all provisions of Federal Standard FMVSS222 are met.*
- 4. Buses may be equipped with luggage compartments in the body skirt provided they do not reduce ground clearance to less than 14.50 inches from bottom of compartment and that the addition of compartments does not exceed the vehicle GVWR.*
- 5. Approved tinted glass or plastic glazing material is permitted.*
- 6. Air conditioning units may be installed on an optional basis. Application requires heavier electrical components and assessment by the Pupil Transportation Service, Department of Education, on an individual unit basis.*

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 AGRICULTURE AND CONSUMER SERVICES (BOARD OF)

Title of Regulation: VR 115-02-15. Rules and Regulations for the Registration of Poultry Dealers.

Statutory Authority: §§ 3.1-726, 3.1-735, and 3.1-736 of the Code of Virginia

Effective Date: December 23, 1987

Summary:

The regulation adopted by the Board of Agriculture and Consumer Services entitled "Rules and Regulations for the Registration of Poultry Dealers" (VR 115-12-15) requires that poultry dealers and their agents doing business in Virginia register with the State Veterinarian no later than January 8, 1988. It sets basic standards of sanitation for them to observe in their businesses and requires them to keep records, subject to inspection by the State Veterinarian or his representatives, of all transactions in poultry; each record must be kept for a period of two years. Nothing in the regulation applies to those selling fertile eggs or poultry which they have produced or have contracted to raise or sell, to those selling table eggs, and to bird fanciers pursuing their hobby. The final adopted regulation is identical to the proposed regulation.

VR 115-02-15. Rules and Regulations for the Registration of Poultry Dealers.

§ 1. Definitions.

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

"Agent" means any person, firm, association, partnership, or corporation buying, receiving, soliciting, or negotiating the sale of poultry for or on behalf of any poultry dealer.

"Approved disinfectant" means any chemical approved by the United States Department of Agriculture as a disinfectant when used according to direction for the purpose specified.

"Biosecurity" means a regimen of cleaning poultry-related equipment and the disinfection of such equipment with an approved disinfectant to prevent the spread of avian influenza and other infectious and contagious poultry diseases.

"Dealer" or "poultry dealer" means any person who engages in the business of buying and selling, exchanging, or bartering eggs or live poultry in the Commonwealth of Virginia for his own account or that of another person.

"Poultry" means all domestic birds, including but not limited to chickens, ducks, and turkeys, as well as all native and exotic wild birds, including those wild birds indigenous to the Commonwealth.

§ 2. Exceptions.

Nothing in this regulation shall apply to:

1. Any entity, including persons, companies, or hatcheries, that sells fertile eggs or poultry which it has produced or has contracted to raise or sell;
2. Eggs sold to grocery stores for table use or to other vendors handling table eggs; and
3. Bird fanciers buying, selling, or trading birds or fertile eggs strictly as a hobby.

§ 3. Dealer registration.

Every poultry dealer and every agent of every poultry dealer doing business in Virginia shall be registered with the State Veterinarian; application for registration shall be made on forms provided by the State Veterinarian. Initial registration shall be made no later than January 8, 1988; each poultry dealer shall renew his registration no later than January 8 of each even-numbered year thereafter. Registration cards will be issued to all poultry dealers and their agents. Dealers and their agents shall have the cards in their possession while engaged in the business of dealing in poultry.

§ 4. Records requirement.

All registered poultry dealers and their agents shall maintain a record of all poultry that they purchase or sell.

§ 5. Contents of records.

The records required by § 4 of this regulation shall include the following information, which shall be recorded daily for each transaction of that day:

1. The date of the transaction;
2. The kind of poultry in each lot purchased or sold, with the number of each kind specified;

3. The name and address of the seller, and in addition, if different, the name and address of the producer;

4. The name and address of the purchaser, and in addition, if different, the name and address of the ultimate purchaser;

5. The date and result of any test conducted on each lot of poultry or a copy of an official test record; and

6. The kind of birds (e.g. layers, market turkeys, turkey breeders, broilers, broiler breeders, ducks, geese, guinea hens).

§ 6. The records required in §§ 4 and 5 of these regulations shall be kept in the possession of the poultry dealer or his agent for a period of two years after the date of each transaction.

§ 7. Inspection of records.

Every poultry dealer or his agent shall, during all reasonable hours, permit the State Veterinarian or his representative to have access to and to copy any and all records maintained pursuant to these regulations.

§ 8. Biosecurity.

1. Every poultry dealer and his agents and employees shall institute biosecurity measures in all business dealings (including live haul and egg pick-up) involving visits to farms.

2. Every poultry dealer and his agents and employees shall assure that coops, cages, vehicles, and loading equipment carried onto premises where poultry is raised, be cleaned and disinfected daily with an approved disinfectant. In addition, every poultry dealer and his agents and employees shall wear freshly laundered outer garments daily. Boots shall be disinfected prior to entering any premises where poultry is raised.

3. During an outbreak of avian influenza or other infectious or contagious poultry disease, other reasonable biosecurity measures may be instituted, as prescribed by the State Veterinarian, which may include more rigorous and more frequent cleaning and disinfection.

§ 9. Out-of-state poultry.

Poultry dealers importing poultry into Virginia shall comply with the health requirements governing the admission of poultry into Virginia, § 9 of Regulation VR 115-02-12 "Health Requirements Governing the Admission of Livestock, Poultry, Companion Animals, and Other Animals or Birds Into Virginia," as well as the requirements of these present regulations. The dealer shall deliver a copy of the official health certificate to the final

purchaser.

§ 10. Denial, suspension, or cancellation of registration.

The State Veterinarian may, after due notice and opportunity for hearing to the individual or firm involved, deny an application for registration, or suspend or cancel the registration as a poultry dealer of any poultry dealer or his agent when the State Veterinarian has determined any of the following:

1. That the poultry dealer or his agent has violated state or federal statutes or regulations governing the interstate or intrastate movement, shipment, or transportation of poultry;

2. That the poultry dealer or his agent has made false or misleading statements in his application for registration;

3. That the poultry dealer or his agent has sold poultry that he knew or should have known was sick or exposed to infectious or contagious disease;

4. That the poultry dealer or his agent has knowingly made false or misleading entries in the records required by these regulations; or

5. That the poultry dealer or his agent has failed to comply with any provision of these regulations.

Forms to be implemented:

Form VDACS - 03213, Application for Registration as a Dealer in Cattle or Poultry

Forms to be eliminated:

Form VDACS - 03213, Application Cattle Dealer or Agent Registration

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Agent Registration

APPLICATION

FOR REGISTRATION AS A DEALER IN CATTLE OR POULTRY

BUREAU OF VETERINARY SERVICES

I hereby wish to make application to be registered by the Virginia State Veterinarian as a dealer in:

Cattle _____ Poultry _____
(Check only one)

Business Address: _____ Home Address: _____

Telephone () _____ Telephone () _____

Address at which records will be kept: _____

Format of records (for example: card file, notebook) _____

Employer's name and address: _____

Names and Addresses _____

of agents employed _____

by you: _____

In signing this application, I certify that all entries are true and correct to the best of my knowledge, and I certify that I have read requirements of regulation authorizing the State Veterinarian or his representative to have access to and to copy any and all records of my dealership required by regulation:

Date _____ Signature _____

For Office Use Only

Date application received: _____ Date approved: _____

Date application rejected: _____

Reasons: _____

Date card mailed: _____ Card Number _____

VDACS--03213

STATE AIR POLLUTION CONTROL BOARD

Title of Regulation: VR 120-01. Regulations for the Control and Abatement of Air Pollution: Open Burning.

Statutory Authority: § 10-17.18 (b) of the Code of Virginia.

Effective Date: January 1, 1988

Summary:

The regulation amendments concern the Open Burning Rule (4-40). A summary of the amendments follows:

1. Delete the requirement that regional directors make an on-site inspection of the burning location prior to issuing permits.
2. Redesignate portions of Roanoke County as rural. Those portions designated as rural would be consistent with the Roanoke County Comprehensive Development Plan adopted by the Board of Supervisors.
3. Add provisions which specify the minimum operating conditions for the use of special incineration devices in AQCR VII.
4. Add the destroying of strings and plastic ground cover associated with the growing of stake tomatoes as an exempted agricultural practice.
5. Clarify and relocate the conditions concerning availability of collection services pertaining to homeowners' burning of household refuse and leaves and tree, yard and garden trimmings.
6. Add a provision to prohibit the burning of commercial/industrial waste.
7. Clarify with regard to the use of special incineration devices (open pit incinerators) the applicability of the rule, the application of the prohibitions in § 120-04-4003, and the conditions for use of these devices under a permit.
8. Clarify the provision that allows open burning to be used to eliminate a hazard to public safety, particularly with regard to disposal of waste explosives.
9. Add a provision that requires compliance with the emission standards for noncriteria pollutants for disposal of hazardous waste by flare or flare stack.
10. Refer to Department of Waste Management (DWM) regulations in the generic sense (as opposed to specific numerical citations) and clarify that compliance with DWM regulations is required for solid waste disposal.
11. Add provisions which allow for jointly issued

permits or for DWM permits to replace board permits.

12. Add a specific reference to DWM statutory provisions such that the regulated community understands that compliance with board regulations does not relieve one of the responsibility to comply with DWM regulations.

13. Add definitions for "junkyard" and "automobile graveyard" and delete the reference to the state code, in the definition of salvage operation, which defines those two terms.

14. Add definitions for "hazardous waste," "built-up area," "commercial waste" and "industrial waste."

VR 120-01. Regulations for the Control and Abatement of Air Pollution: Open Burning.

PART IV. EXISTING SOURCES.

EMISSION STANDARDS FOR OPEN BURNING. (RULE 4-40)

§ 120-04-4001. Applicability.

A. Except as provided in subsection C of this section, the provisions of this rule apply to any person who permits or engages in open burning and or who permits or engages in burning using open pit incinerators [~~trench burners~~], conical burners (teepee burners) and other devices or methods which the board determines are specifically designed to provide good combustion performance.

B. The provisions of this rule apply throughout the Commonwealth of Virginia.

C. The provisions of this rule do not apply to such an extent as to prohibit the burning of leaves by persons on property where they reside if the local governing body of the county, city or town in which such persons reside has enacted an otherwise valid ordinance (under the provisions of § 10-17.18 (b) of the Virginia Air Pollution Control Law) regulating such burning in all or any part of the locality.

§ 120-04-4002. Definitions.

A. For the purpose of these regulations and subsequent amendments or any orders issued by the board, the words or terms shall have the meaning given them in subsection C of this section.

B. As used in this rule, all terms not defined herein shall have the meaning given them in Part I, unless otherwise required by context.

C. Terms defined:

"Automobile graveyard" means any lot or place which is

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exposed to the weather and upon which more than five motor vehicles of any kind, incapable of being operated, and which it would not be economically practical to make operative, are placed, located or found.

"Built-up area" means any area with a substantial portion covered by industrial, commercial or residential buildings.

["Commercial waste" means all waste generated by establishments engaged in business operations. This category includes, but is not limited to, waste resulting from the operation of stores, markets, office buildings, restaurants and shopping centers.

"Construction waste" means solid waste which is produced or generated during construction of structures. Construction waste consists of lumber, wire, sheetrock, broken brick, shingles, glass, pipes, concrete, and metal and plastics if the metal or plastics are a part of the materials of construction or empty containers for such materials. Paints, coatings, solvents, asbestos, any liquid, compressed gases or semi-liquids, and garbage are not construction wastes and the disposal of such materials shall be in accordance with the regulations of the Department of Waste Management.

"Debris waste" means stumps, wood, brush, and leaves from land clearing operations.

"Demolition waste" means that solid waste which is produced by the destruction of structures and their foundations and includes the same materials as construction waste.]

"Garbage" means rotting animal and vegetable matter accumulated by a household in the course of ordinary day-to-day living.

"Hazardous waste" means refuse or combination of refuse which, because of its quantity, concentration or physical, chemical or infectious characteristics may:

1. Cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating illness; or
2. Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed, or otherwise managed.

"Household refuse" means waste material and trash normally accumulated by a household in the course of ordinary day-to-day living.

["Industrial waste" means all waste generated on the premises of manufacturing and industrial operations such as, but not limited to, those carried on in factories, processing plants, refineries, slaughter houses, and steel mills.]

"Junk" means old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, debris, waste, or junked, dismantled, or wrecked automobiles, or parts thereof, iron, steel, and other old or scrap ferrous or nonferrous material.

"Junkyard" means an establishment or place of business which is maintained, operated, or used for storing, keeping, buying, or selling junk, or for the maintenance or operation of an automobile graveyard, and the term shall include garbage dumps and sanitary fills.

"Opening burning" means the burning of any matter in such a manner that the products resulting from combustion are emitted directly into the atmosphere without passing through a stack, duct or chimney.

["Open pit incinerator" means a device used to burn waste for the primary purpose of reducing the volume by removing combustible matter. Such devices function by directing a curtain of air at an angle across the top of a trench or similarly enclosed space, thus reducing the amount of combustion by-products emitted into the atmosphere. The term also includes trench burners, air curtain destructors and over draft incinerators.]

"Refuse" means trash, rubbish, garbage and other forms of solid or liquid waste, including, but not limited to, wastes resultant from residential, agricultural, commercial, industrial, institutional, trade, construction, land clearing, forest management and emergency operations.

"Salvage operation" means any operation consisting of a business, trade or industry participating in salvaging or reclaiming any product or material, such as, but not limited to, reprocessing of used motor oils, metals, chemicals, shipping containers or drums, and specifically including automobile graveyards and junkyards as defined in § 33-279.3 of the Code of Virginia (1950), as amended .

"Smoke" means small gas-borne particulate matter consisting mostly, but not exclusively, of carbon, ash and other material in concentrations sufficient to form a visible plume.

§ 120-04-4003. Open burning prohibitions.

A. No owner or other person shall cause or permit open burning of refuse except as provided in § 120-04-4004 [or use of special incineration devices except as provided in § 120-04-4005].

B. No owner or other person shall cause or permit open burning [or the use of a special incineration device for disposal] of rubber tires, asphaltic materials, crankcase oil, impregnated wood or other rubber or petroleum based materials except when conducting bona fide fire fighting instruction at fire fighting training schools having permanent facilities.

C. No owner or other person shall cause or permit open

burning [or the use of a special incineration device for disposal] of toxic or hazardous materials waste or containers for such materials [or open burning that may cause or contribute to a violation of Rule 4-3] .

D. No owner or other person shall cause or permit open burning [or the use of a special incineration device] for the purpose of a salvage operation or for the disposal of commercial/industrial waste .

E. Open burning [or the use of special incineration devices] permitted under the provisions of this rule does not exempt or excuse any owner or other person from the consequences, liability, damages or injuries which may result from such conduct; nor does it excuse or exempt any owner or other person from complying with other applicable laws, ordinances, regulations and orders of the governmental entities having jurisdiction, even though the open burning is conducted in compliance with this rule. In this regard special attention should be directed to § 10-62 and § 10-63 of the Forest Fire Law of Virginia (See Appendix O). Excerpts from the Forest Fire Law of Virginia are presented for information purposes only; the board has no authority to enforce the provisions thereof.

[F. With regard to the provisions of subsection E of this section, special attention should also be directed to the regulations of the Department of Waste Management. No disposal of waste by open burning shall take place in violation of the regulations of the Department of Waste Management.]

[F. G.] Upon declaration of an Alert, Warning or Emergency Stage of an Air Pollution Episode as described in Part VII or when deemed advisable by the board to prevent a hazard to, or an unreasonable burden upon, public health or welfare, no owner or other person shall cause or permit open burning [or use of a special incineration device]; and any in-process burning [or use of special incineration devices] shall be immediately terminated in the designated Air Quality Control Region.

§ 120-04-4004. Permissible open burning.

Open burning is permitted in the following instances provided the provisions of subsections A through F B through [F G] of § 120-04-4003 are met:

A. Upon the request of an owner or a responsible civil or military public official, the board may approve open burning under controlled conditions for the elimination of a hazard which constitutes a threat to the public health, safety or welfare and which cannot be remedied by other means consonant with the circumstances presented by the hazard. [Such uses of open buring may include, but are not limited to, the following:

1. Destruction of deteriorated or unused explosives and munitions on government or private property when other means of disposal are not available.

2. Disposal of debris caused by floods, tornadoes, hurricanes or other natural disasters where alternate means of disposal are not economical or practical and when it is in the best interest of the citizens of the Commonwealth.]

B. Open burning is permitted for training and instruction of government and public fire fighters under the supervision of the designated official and industrial in-house fire fighting personnel with clearance from the local fire fighting authority. The designated official in charge of the training shall notify and obtain the approval of the regional director prior to conducting the training exercise. Training schools where permanent facilities are installed for fire fighting instruction are exempt from this notification requirement.

C. Open burning is permitted for camp fires or other fires that are used solely for recreational purposes, for ceremonial occasions, for outdoor noncommercial preparation of food, and for warming of outdoor workers provided the materials specified in subsections B and C of § 120-04-4003 are not burned.

D. In localities or portions of localities inside urban areas where no collection service is available at the adjacent street or public road and in localities or portions of localities outside urban areas, Open burning is permitted for the disposal of leaves and tree, yard and garden trimmings located on the premises of private residences, provided the following conditions are met:

1. The burning takes place on the premises of the private residence.

2. The location of the burning is not less than 300 feet from any occupied building unless the occupant(s) has given prior permission. [unless the occupants have given prior permission,] other than a building located on the property on which the burning is conducted.

3. There must be no [publicly financed] collection service available at the adjacent street or public road. [This condition applies only to urban areas.]

E. In localities or portions of localities where no collection service is available on the adjacent street or public road on a schedule of at least once per week and where no collection boxes or stations are provided by the locality, Open burning is permitted for the disposal of household refuse by homeowners or tenants, provided the following conditions are met:

1. The burning takes place on the premises of the dwelling.

2. Animal carcasses or animal wastes are not burned.

3. Garbage is not burned.

4. The location of the burning is not less than 300 feet

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from any occupied building ~~unless the occupant(s) has given prior permission.~~ [~~unless the occupants have given prior permission,~~] other than a building located on the property on which the burning is conducted.

5. [~~The must be~~] no collection service [~~is~~] available at the adjacent street or public road on a schedule of at least once per week and no collection boxes or stations are provided by the locality.

F. Open burning is permitted for the destruction of any combustible liquid or gaseous material by burning in a flare or flare stack. Use of a flare or flare stack for the destruction of hazardous waste or commercial/industrial waste is allowed provided written approval is obtained from the board [and the facility is in compliance with Rule 4-3 and Rule 5-3] . Permits issued under Part VIII may be used to satisfy the requirement for written approval.

G. Except in Air Quality Control Region 7, open burning is permitted for disposal of land clearing refuse on the site of clearing operations resulting from property maintenance, from the development or modification of roads and highways, parking areas, railroad tracks, pipelines, power and communication lines, buildings or building areas, sanitary landfills, or from any other clearing operations which may be approved by the executive director, provided the following conditions are met:

1. All reasonable effort ~~must~~ shall be made to minimize the amount of material that is burned. Such efforts shall include, but are not limited to, the removal of pulpwood, sawlogs and firewood.

2. The material to be burned shall consist of brush, stumps and similar land clearing refuse generated at the site and shall not include demolition material or any refuse brought in from other sites.

3. The burning shall be at least 500 feet from any occupied building ~~or buildings (unless the occupants have given prior permission)~~ [~~unless the occupants have given prior permission,~~] other than a building located on the property on which the burning is conducted; burning shall be conducted at the greatest distance practicable from highways and air fields. If the regional director determines that it is necessary to protect public health and welfare, he may direct that any of the above cited distances be increased.

4. The burning shall be attended at all times and conducted to ensure the best possible combustion with a minimum of smoke being produced. Under no circumstances should the burning be allowed to smolder beyond the minimum period of time necessary for the destruction of the materials.

5. The burning shall be conducted only when the prevailing winds are away from any city, town or

built-up area.

H. When any burning contemplated by subsection G of this section ; is to occur within cities or urban areas, persons responsible for the burning shall, prior thereto, obtain a permit from the regional director. Such permits may be granted only after an on-site inspection and confirmation by the regional director that the burning can and will comply with the conditions in subsection G of this section and any other conditions which are deemed necessary by the regional director to ensure that the burning will not endanger the public health and welfare or to ensure compliance with any applicable provisions of these regulations.

I. Open burning is permitted for forest management and agriculture practices approved by the board (see Appendix D), provided the following conditions are met:

1. The burning shall be at least 1000 feet from any occupied building ~~or buildings unless the occupant(s) has given prior permission.~~ [~~unless the occupants have given prior permission,~~] other than a building located on the property on which the burning is conducted.

2. The burning shall be attended at all times.

J. Except in Air Quality Control Region 7, open burning is permitted for disposal of refuse on the site of local landfills provided that the locally elected officials (or their designated representative) obtain a permit beforehand from the executive director. Such permits may be granted only after an on-site inspection and confirmation by the regional director that the burning can and will comply with the conditions in subsection J, paragraphs 1 through 7 of this section and any other conditions which are deemed necessary by the executive director to ensure that the burning will not endanger the public health and welfare or to ensure compliance with any applicable provisions of these regulations. The permit may be issued for each occasion of burning or for a period of time, not to exceed two years, as deemed appropriate by the executive director.

1. The burning ~~must~~ shall take place on the premises of a local sanitary landfill (the establishment and operation of which meets the provisions [of Chapter XXVIII] of the [Rules and] Regulations of the [State] Department of [~~Health Waste Management~~]) or other area operated under the authority of the locality and approved by the executive director.

2. The burning shall be attended at all times.

3. The material to be burned shall consist only of the following:

a. Brush, tree trimmings, yard and garden trimmings, and similar land clearing refuse.

b. Clean burning [~~waste from~~] construction [~~waste~~] and demolition [~~operations waste~~] and similar materials.

4. All reasonable effort ~~must~~ shall be made to minimize the amount of material that is burned. Such efforts shall include, but are not limited to, the removal of pulpwood, sawlogs, firewood and other marketable material.

5. No materials may be burned in violation of [~~Chapter XXVIII, Part IV, Article 2, Section E of the Rules and the~~] regulations of the Department of [~~Health, Disposal of Solid~~] Waste [~~Management~~]. Special attention should be directed to § 10-62 and § 10-63 of the Forest Fire Law of Virginia (See Appendix O). Excerpts from the Forest Fire Law of Virginia are presented for information purposes only; the board has no authority to enforce the provisions thereof.

6. The regional director ~~must~~ shall be notified of the days during which the burning will occur.

7. The burning shall not take place on land that has been filled and covered so as to present an underground fire hazard due to the presence of methane gas. The exact site of the burning shall be established in coordination with the regional consultant of the ~~Division~~ Bureau of Solid and Hazardous Waste Management, State Department of ~~Health~~ Waste Management and the local fire official; and no other site shall be used without the approval of these officials.

[8. By mutual consent through a memorandum of agreement, the board and Department of Waste Management may provide that permits issued by the respective agencies be administered by a single procedure addressing the needs of both agencies or that the department may incorporate the board's provisions into its permits and be the sole grantor of permits for waste disposal in landfills.]

§ 120-04-4005. Special incineration devices.

[Use of special incineration devices is permitted as specified below provided the provisions of subsections B through G of § 120-04-4003 are met:]

A. The provisions of this section shall apply to open pit incinerators [~~(trench burners)~~], conical burners (teepee burners) and other devices or methods which the board determines are specifically designed to provide good combustion performance.

B. Prior to the initial installation (or reinstallation, in cases of relocation) and operation of devices or methods subject to the provisions of this section, persons responsible for the burning shall obtain a permit from the regional director. Such permits may be granted only after

~~an on site inspection and~~ confirmation by the regional director that the burning can and will comply with the emission standards in [~~Rules 4-1 and 4-3~~ Rule 4-1] and any conditions which are deemed necessary by the regional director to ensure that the operation of the devices will not endanger the public health and welfare or to ensure compliance with any applicable provisions of these regulations.

C. Permits granted under this section in AQCR 7 shall at a minimum contain the following conditions:

1. All reasonable effort shall be made to minimize the amount of material that is burned. Such efforts shall include, but are not limited to, the removal of pulpwood, sawlogs and firewood.

2. The material to be burned shall consist of brush, stumps and similar land clearing refuse generated at the site and shall not include demolition material or any refuse brought in from other sites.

3. The burning shall be at least 500 feet from any occupied building [unless the occupants have given prior permission,] other than a building located on the property on which the burning is conducted; burning shall be conducted at the greatest distance practicable from highways and air fields. If the regional director determines that it is necessary to protect public health and welfare, he may direct that any of the above cited distances be increased.

4. The burning shall be attended at all times and conducted to ensure the best possible combustion with a minimum of smoke being produced. Under no circumstances should the burning be allowed to smolder beyond the minimum period of time necessary for the destruction of the materials.

5. The burning shall be conducted only when the prevailing winds are away from any city, town or built-up area.

[D. Use of open pit incinerators shall only be allowed for the disposal of debris waste and clean burning construction waste and demolition waste.

E. Permits issued under this section shall be limited in duration to one year.

F. Permits issued under this section prior to (effective date of revision) may at the executive director's discretion remain in effect until (two years after effective date of revisions).]

APPENDIX C URBAN AREAS.

Urban areas are geographically defined as follows:

<u>Title</u>	<u>Geographical Area</u>
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Lynchburg Urban Area	Lynchburg City Campbell County	C. To control disease in pine seedlings.
Newport News - Hampton Urban Area	Hampton City Newport News City Poquoson City Williamsburg City James City County York County	D. To prepare forest land for planting or seeding. E. To create a favorable habitat for certain species of wildlife. F. To remove dead vegetation for the maintenance of railroad, highway and public utility right-of-way.
Norfolk - Portsmouth Urban Area	Chesapeake City Norfolk City Portsmouth City Suffolk City Virginia Beach City	III. In the absence of other means of disposal, open burning may be used for the following agricultural practices: A. To destroy undesirable vegetation. B. To clear orchards and orchard prunings. C. To destroy fertilizer and chemical containers. D. To denature seed and grain which may no longer be suitable for agricultural purposes. E. To prevent loss from frost or freeze damage.
Petersburg - Colonial Heights Urban Area	Colonial Heights City Hopewell City Petersburg City	F. To create a favorable habitat for certain species of wildlife.
Richmond Urban Area	Richmond City Chesterfield County Hanover County Henrico County	G. To destroy strings and plastic ground cover remaining in [the] field after being used in growing staked tomatoes.
Roanoke Urban Area	Roanoke City Salem City †Roanoke County	
National Capital Urban Area	Alexandria City Fairfax City Falls Church City Manassas City Manassas Park City Arlington County Fairfax County Loudoun County Prince William County	

† Does not include those portions of the county designated as rural village or rural preserve in the Roanoke County Comprehensive Development Plan [approved by the Roanoke County Board of Supervisors on June 25, 1985].

APPENDIX D FOREST MANAGEMENT AND AGRICULTURE PRACTICES.

I. Open burning is permitted in accordance with Sections II and III of this appendix provided the provisions of subsections A through F of § 120-04-4003 are met.

II. Open burning may be used for the following forest management practices:

A. To reduce forest fuels and minimize the effect of wild fires.

B. To control undesirable growth of hardwoods.

APPENDIX O FOREST FIRE LAW OF VIRGINIA.

§ 10-62. Regulating the burning of woods, brush, etc.; penalties.

(a) It shall be unlawful for any owner or lessee of land to set fire to, or to procure another to set fire to, any woods, brush, logs, leaves, grass, debris, or other inflammable material upon such land unless he previously has taken all reasonable care and precaution, by having cut and piled the same or carefully cleared around the same, to prevent the spread of such fire to lands other than those owned or leased by him. It shall also be unlawful for any employee of any such owner or lessee of land to set fire to or to procure another to set fire to any woods, brush, logs, leaves, grass, debris, or other inflammable material, upon such land unless he has taken similar precautions to prevent the spread of such fire to any other land.

(b) During the period beginning March 1 and ending May 15 of each year, even though the precautions required by the foregoing paragraph have been taken, it shall be unlawful, in any county or city or portion thereof organized for forest fire control under the direction of the State Forester, for any person to set fire to, or to procure another to set fire to, any brush, leaves, grass, debris or field containing dry grass or other inflammable material

capable of spreading fire, located in or within 300' of any woodland, brushland, or field containing dry grass or other inflammable material, except between the hours of 4:00 p.m. and 12:00 midnight.

(c) The provisions of subsection (b) of this section shall not apply to any fires which may be set on rights-of-way of railroad companies by their duly authorized employees.

(d) Any person violating any provisions of this section shall be guilty of a Class 4 misdemeanor for each separate offense. If any forest fire originates as a result of the violation by any person of any provision of this section, such person shall, in addition to the above penalty, be liable to the Commonwealth and to each county or city which enters into a contract as provided in § 10-46.1 for the full amount of all expenses incurred by the Commonwealth and the county or city respectively in suppressing such fire, such amounts to be recoverable by action brought by the State Forester in the name of the Commonwealth on behalf of the Commonwealth and by the board of supervisors on behalf of the county or by the council on behalf of the city.

Subsection (b) of this section shall not become effective in any county or city of the Commonwealth until it has been approved by a majority vote of the governing body of such county or city.

§ 10-63. Failure to extinguish fires built in open.

Whoever builds a fire in the open air, or uses a fire built by another in the open air within 150' of any woodland, brushland or field containing dry grass or other inflammable material, shall, before leaving such fire untended, totally extinguish it. Any person failing to do so shall be guilty of a Class 4 misdemeanor. Whenever it is established that a forest fire originated from such fire, the person building or using such fire shall, in addition to the above penalty, be liable for the full amount of all costs incurred in suppressing the fire.

CRIMINAL JUSTICE SERVICES BOARD

Title of Regulation: VR 240-01-14. Rules Relating to Compulsory Minimum Training Standards for Correctional Officers of the Department of Corrections, Division of Adult Institutions.

Statutory Authority: § 9-170 of the Code of Virginia.

Effective Date: January 1, 1988

Summary:

The Criminal Justice Services Board has adopted regulations relating to Compulsory Minimum Training Standards for Officers of the Department of Corrections, Division of Adult Institutions. These regulations will be effective along with the existing

regulations for Officers of the Department of Corrections, Division of Adult Institutions, being last amended February 12, 1982.

The adopted regulations provide for performance-based training and testing in the training standards for Officers of the Department of Corrections, Division of Adult Institutions, and set forth operational procedures and administrative requirements for approved training facilities conducting basic schools.

The results of the public hearing did not significantly alter the content of the regulations as submitted in proposed form.

VR 240-01-14. Rules Relating to Compulsory Minimum Training Standards for Correctional Officers of the Department of Corrections, Division of Adult Institutions.

§ 1. Definitions.

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

"Agency administrator" means any chief of police, sheriff or agency head of a state, local law-enforcement agency, or the director of the Department of Corrections, or his designee.

"Approved training school" means a training school which provides instruction of at least the minimum training standards as mandated by the board and has been approved by the department for the specific purpose of training criminal justice personnel.

"Board" means the Criminal Justice Services Board.

"Corrections facility director/manager" means the chief administrative officer of a correctional facility.

"Department" means the Department of Criminal Justice Services.

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

"Full-Time attendance" means that officers in training shall attend all classes and shall not be placed on duty or call except in cases of emergency for the duration of the school.

"School director" means the chief administrative officer of an approved training school.

§ 2. Compulsory minimum training standards.

Pursuant to the provisions of § 9-170 of the Code of Virginia, the board establishes the following as the compulsory minimum training standards for full-time correctional officers of the Department of Corrections,

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Division of Adult Institutions.

The performance objectives constituting the institutional and academy for staff development core and sub-core curricula is detailed in the document entitled, "Performance-Based Training and Testing Objectives for Compulsory Minimum Training for Correctional Officers of the Department of Corrections, Division of Adult Institutions" (June, 1986), which is incorporated by reference and made a part of these regulations.

A. Basic correctional officer training - institutional training.

1. Core curriculum.

4.0 Key Control

5.0 Tool Control

6.0 Control/Account for Inmates

10.0 Search Procedures - Persons

11.0 Search Procedures - Objects

12.0 Search Procedures - Vehicles

13.0 Search Procedures - Areas

14.0 Control of Movement In and Out of Facility - Perimeter

15.0 Control of Movement In and Out of Tower

16.0 Control of Movement In and Out of Sally Port

17.0 Control of Movement In and Out of Visiting Room

18.0 Control of Movement In and Out of Gates

19.0 Radio/Telephone Communications

20.0 Control of Movement - Control Room

21.0 Control of Movement - Master Control

22.0 Maintaining Effective Security Equipment

23.0 Control of Contraband

24.0 Control of Movement Using Restraints

24.1 Identification of Restraints

24.2 Use of Restraints

25.0 Control of Inmate Movement - Internal

26.0 Transportation and Escorting

32.0 Communication of Critical Information to Correctional Officers

33.0 Communication of Critical Information to Supervisors

34.0 Enforcing Laws, Rules and Regulations

35.0 Enforcing Laws, Rules and Regulations - Behavior Adjustment

36.0 Enforcing Laws, Rules and Regulations - Adjustment Committee

37.0 Enforcing Laws, Rules - ICC

43.0 Use of Force - Firearms

44.0 Emergency Preparedness and Response - Riot or Disturbance

45.0 Emergency Preparedness and Response

46.0 Emergency Preparedness and Response - Hostage

47.0 Emergency Preparedness and Response - Minor Disturbance

48.0 Emergency Preparedness and Response - First Aid

50.0 Inmate Supervision - Providing Information

52.0 Inmate Supervision - Work/Recreation

53.0 Inmate Welfare - Receiving

54.0 Inmate Welfare - Medical Care

55.0 Inmate Welfare - Mail

56.0 Inmate Welfare - Personal Property

57.0 Inmate Welfare - Housekeeping/Laundry

TOTAL INSTITUTIONAL CURRICULUM HOURS - 80

B. Basic correctional officer training - academy for staff development.

1. Core curriculum.

1.0 Role of the Correctional System

2.0 Corrections Within the Criminal Justice System

3.0 Corrections As a Profession

7.0 Law-Enforcement Techniques

8.0 Secure and Safeguard of Crime Scene

- 9.0 Testifying
- 10.0 Search Procedures - Persons
- 23.0 Control of Contraband
 - 23.1 Control of Drug Use
 - 23.2 Identification of Controlled/Abused Substance
 - 23.3 Identification of Materials Used to Achieve Intoxication
 - 23.4 Identification of Materials Used to Make Weapons
 - 23.5 Procedure for Handling Contraband
- 24.0 Control of Movement Using Restraints
 - 24.1 Identification of Restraints
 - 24.2 Use of Restraints
- 28.0 Crisis Prevention/Inmate
- 29.0 Crisis Prevention/I.D. of Potential Problems
- 30.0 Crisis Prevention/I.D. of Mentally Disturbed Inmates
- 31.0 Conflict Management/Crisis Intervention
- 34.0 Enforcing Laws, Rules and Regulations
- 35.0 Enforcing Laws, Rules and Regulations - Behavior Adjustment
- 38.0 Enforcing Laws, Rules - Grievance
- 39.0 Use of Force
- 40.0 Use of Force - Defensive Tactics
- 41.0 Use of Force - Baton
- 42.0 Use of Force - Chemical Agents
- 43.0 Use of Force - Firearms
- [44.0 Emergency Preparedness and Response - Riot or Disturbance]
- 45.0 Emergency Preparedness and Response
- 46.0 Emergency Preparedness and Response - Hostage
- 49.0 Inmate Supervision - Interpersonal Communications
- 50.0 Inmate Supervision - Providing Information

51.0 Inmate Supervision - Limitations

52.0 Inmate Supervision - Work/Recreation

TOTAL CORE CURRICULUM HOURS - 120

2. Sub-core curriculum (required for all correctional officers who, in the performance of duties, are required to transport inmates by vehicular means).

27.0 Vehicle Operation.

TOTAL SUB-CORE CURRICULUM HOURS - 16

TOTAL CURRICULUM HOURS - 216

§ 3. Applicability.

A. Every person employed as a full-time correctional officer, and who has not met the compulsory minimum training standards for correctional officers subsequent to the effective date of these regulations, shall meet the training standards herein established unless provided otherwise in accordance with § 3.B of these regulations.

B. The director may grant an exemption or partial exemption of the compulsory minimum training standards established herein, in accordance with § 9-173 of the Code of Virginia.

§ 4. Time requirement for completion of training.

A. Every correctional officer who is required to comply with the compulsory minimum training standards shall satisfactorily complete such training within 12 months of the date of appointment unless provided otherwise in accordance with § 4.B of these regulations.

B. The director may grant an extension of the time limit for completion of the minimum training required upon presentation of evidence by the agency administrator that the officer was unable to complete the required training within the specified time limit due to illness, injury, military service or special duty assignment required and performed in the public interest. However, each agency administrator shall request such extension prior to expiration of any time limit.

[C. Any correctional officer who originally complied with all training requirements and later separated from correctional officer status, more than 12 months but less than 24 months, upon reentry as a correctional officer will be required to complete all compulsory minimum training standards set forth in § 2 A.1 of these regulations.]

[D.] Any correctional officer who originally complied with all training requirements and later separated from correctional officer status, in excess of 24 months, upon reentry as a correctional officer shall be required to complete all compulsory minimum training standards unless provided otherwise in accordance with [§

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~~2-B~~ § 2 A.1] of these regulations.

§ 5. How minimum training may be attained.

A. The compulsory minimum training standards shall be attained by attending and satisfactorily completing an approved training school.

B. Officers attending an approved training school are required to be present for all classes and should not be placed on duty or on call except in cases of emergency. In the event of such an emergency, the agency administrator shall advise the school director within 24 hours. Officers will be responsible for any material missed during an excused absence.

C. All approved training schools which begin on or after January 1, 1989, shall be conducted in conformance with the Rules Relating to Compulsory Minimum Training Standards for Correctional Officers of the Department of Corrections, Division of Adult Institutions, as adopted by the board on October 7, 1987. However, the period January 1, 1988, through December 31, 1988, shall serve as a transition period wherein training schools may be approved by the department to conduct training in accordance with the Rules Relating to Compulsory Minimum Training Standards For Correctional Officers of the Department of Corrections, Division of Institutional Services, as amended by the board on February 12, 1982, or according to the Rules Relating to Compulsory Minimum Training Standards for Correctional Officers of the Department of Corrections, Division of Adult Institutions, as adopted by the board on October 7, 1987. Every correctional officer satisfactorily completing training approved by the department under the rules amended February 12, 1982, or under the rules adopted on October 7, 1987, shall be deemed to have complied with the compulsory minimum training standards for correctional officers.

§ 6. Approved training schools.

A. Correctional officer training schools shall be approved by the department prior to the first scheduled class. Approval is requested by making application to the director on forms provided by the department. The director may approve those schools, which, on the basis of curricula, instructors, facilities and examinations provide the required minimum training. One application for all mandated training shall be submitted prior to the beginning of each fiscal year. A curriculum listing performance objective by number, the instructors, dates, and times for the entire proposed session shall be submitted to the department 30 days prior to the beginning of each such proposed session. An exemption to the 30-day requirement may be granted for good cause shown by the school director.

B. Each school director shall be required to maintain a file of all lesson plans and supporting material for each subject contained in the compulsory minimum training

standards.

C. Schools which are approved shall be subject to inspection and review by the director or staff.

D. The department may suspend the approval of an approved training school upon written notice, which shall contain the reason(s) upon which the suspension is based, to the school's director. The school's director may request a hearing before the director or his designee. The request shall be in writing and must be received by the department within 15 days of the date of the notice of suspension. The school's director may appeal the decision of the director or his designee to the board. Such request shall be in writing and must be received by the board within 15 days of the date of the decision of the director or his designee.

E. The department may revoke the approval of an approved training school upon written notice, which shall contain the reason(s) upon which the revocation is based, to the school's director. The school's director may request a hearing before the director or his designee. The request shall be in writing and must be received by the department within 15 days of the date of the notice of revocation. The school's director may appeal the decision of the director or his designee to the board. Such request shall be in writing and must be received by the board within 15 days of the date of the decision of the director or his designee.

§ 7. Grading.

A. Each officer shall comply with the requirements of all the performance objectives set forth in § 2 and the document entitled, "Performance-Based Training and Testing Objectives for Compulsory Minimum Training for Correctional Officers of the State Department of Corrections, Division of Adult Institutions" (June, 1986). All approved training schools shall utilize testing procedures which indicate that every officer, prior to satisfactory completion of the training school, has met the requirements set forth in each performance objective specified in the document entitled, "Performance-Based Training and Testing Objectives for Compulsory Minimum Training for Correctional Officers of the State Department of Corrections, Division of Adult Institutions" (June, 1986). An officer may be tested and retested as may be necessary within the time limits of § 4 of these regulations and in accordance with each academy's written policy. An officer shall not be certified as having complied with the compulsory minimum training standards unless all applicable requirements have been met.

B. The school director shall submit a grade report on each officer on forms provided by the department.

C. The following firearms training will be required for each officer attending an approved school:

1. Nomenclature and care of service revolver;

2. Safety (on the firearms range, on duty and off duty);

3. Legal responsibilities and liabilities of firearms;

4. Service revolver (handling, firing principles);

5. Dry firing and application of basic shooting principles;

6. Prequalification shooting (96 rounds, minimum);

7. Basic Correctional Firearms Qualification Course - Minimum 70% qualification required

8. Shotgun Qualification Course - Minimum 80% qualification required

9. Special Weapons Qualification Courses - Minimum 80% qualification required

a. .223 caliber mini-14 rifle

b. AR-15 semi-automatic rifle

§ 8. Failure to comply with rules and regulations.

Any correctional officer attending an approved training school shall comply with the rules and regulations promulgated by the board and any other rules and regulations within the authority of the school director. The school director shall be responsible for enforcement of all rules and regulations established to govern the conduct of attendees. If the school director considers a violation of the rules and regulations detrimental to the welfare of the school, the school director may expel the officer from the school. Notification of such action shall immediately be reported, in writing, to the corrections facility director manager of the officer and the director.

§ 9. Administrative requirements.

A. Reports shall be required from the agency administrator and school director on forms approved or provided by the department and at such times as designated by the director.

B. The school director shall, within 30 days upon completion of an approved training school session, comply with the following:

1. Prepare a grade report on each officer maintaining the original for academy records and forwarding a copy to the corrections facility director/manager of the officer.

2. Submit to the department a roster containing the names of those officers who have satisfactorily completed all training requirements and, if applicable, a revised curriculum for the training session.

C. The school director shall furnish each instructor with the applicable performance objectives for the assigned subject matter.

D. Approved correctional officer training schools shall maintain accurate records of all tests, grades and testing procedures. Training school records shall be maintained in accordance with the provisions of these rules and §§ 42.1-76 through 42.1-91 of the Code of Virginia.

§ 10. Effective date.

These regulations shall be effective on and after January 1, 1988, and until amended or rescinded.

§ 11. Recission of previous rules.

The Rules Relating to Compulsory Minimum Training Standards for Correctional Officers of the Department of Corrections, Division of Institutional Services, as amended on February 12, 1982, are hereby rescinded effective January 1, 1989.

VIRGINIA FIRE SERVICES BOARD DEPARTMENT OF FIRE PROGRAMS

Title of Regulation: VR 310-01-3. Regulations Establishing Certification Standards for Fire Investigators.

Statutory Authority: § 9-155 of the Code of Virginia.

Effective Date: December 23, 1987

REGISTRAR'S NOTICE: Due to its length, the Virginia Fire Services Board and the Department of Fire Programs Regulations Establishing Certification Standards for Fire Investigators are not being published. However, in accordance with § 9-6.14:22 of the Code of Virginia a summary in lieu of full text is being published. The full text of the regulation is available for inspection at the offices of the Registrar of Regulations and the Department of Fire Programs.

Summary:

The Regulations Establishing Certifications Standards for Fire Investigators are promulgated to comply with § 27-34.2:1 of the Code of Virginia. The purpose of the regulation is to establish, in writing, the standards which fire investigators, authorized by their localities to have police powers, must meet before they may function under that authorization. The regulations also contain the administrative procedures which the Department of Fire Programs will follow in administering the regulations.

The substantial changes made to the proposed regulation are outlined below:

1. Article 2, § 2.4.

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The deleted wording implied that only fire instructors or fire investigators certified to teach in police academies could be used and they had to be certified by both the Department of Fire Programs and the Department of Criminal Justice Services.

Such requirements would have imposed a near unattainable condition for selecting instructors.

2. Article 7, § 2.16.

The wording which was deleted broadens the scope of those eligible for fire investigator training. That wording would, in effect, eliminate police officers and others not holding the certifications set out in the wording. This was a carry over from outdated NFPA Standards when only fire service personnel were envisioned as being fire investigators.

3. Article 8, § 2.17, paragraph 2.

The added wording defines the grading categories.

4. Article 8, § 2.17, paragraph 5.

Requiring a letter be submitted to the department stating a fire investigator will not carry or have access to firearms is an unnecessary requirement and eliminates one more piece of paper which would be generated.

5. Article 11, § 2.20.

Inserts the Fire Services Board as approving body of rules and regulations governing attendees at training schools.

DEPARTMENT OF SOCIAL SERVICES (BOARD OF)

Title of Regulation: VR 615-50-3. Minimum Standards for Local Agency Operated Volunteer Respite [Child] Care Programs.

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

Effective Date: April 1, 1988

Summary:

This regulation establishes minimum standards for the provision of volunteer staffed respite care for children by local departments of social services/public welfare. This regulation sets forth requirements in the areas of staffing, standards for care, physical environment, and compliance. This regulation will require local agency operated volunteer respite child care programs to meet standards that do not currently exist for such programs.

Significant changes in this regulation made due to public comment are the inclusion of a requirement for volunteers to have a test for communicable tuberculosis and strengthening of the requirements surrounding the Child Protective Services Central Registry check.

VR 615-50-3. Minimum Standards for Local Agency Operated Volunteer Respite [Child] Care Programs.

PART I. INTRODUCTION.

§ 1.1. Definitions.

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

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

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

"Child/children" means any child who needs services and seeks assistance in meeting those needs from the local welfare/social service agency.

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

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

"Corporal punishment" means any type of physical 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.

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

"Respite child care" means nonresidential child care provided to [children of] agency clients who have been identified as needing occasional relief from continuous child care responsibility. This relief is designed to enhance parental functioning.

"Staff" means paid employees of the agency.

"Volunteer" means any person providing direct or indirect services on behalf of the agency who has registered with the local agency by completing a Volunteer Services Application.

PART II. STANDARDS.

§ 2.1. Standards for volunteers.

A. Age.

Volunteers who are considered in the children to adult ratio shall be 18 years of age or over.

B. Criminal records.

1. Volunteers who come in contact with children shall identify any criminal convictions and be willing to consent to a criminal records search.

2. Volunteers who come in contact with children shall not have been convicted of a felony or misdemeanor which jeopardizes the safety or proper care of children.

C. Child abuse or neglect records.

1. Volunteers who come in contact with children shall consent to a search of the Child Protective Services Central Registry.

2. The agency [~~will consider any information found in the Child Protective Services Central Registry before placing volunteers in contact with children.~~ shall not permit contact between children and volunteers who have a founded or unfounded/reason-to-suspect child abuse or neglect record in the Child Protective Service Central Registry.]

D. Interviews and references.

The agency shall assure through interviews and reference checks that the volunteer:

1. Is knowledgeable in and physically and mentally capable of providing the necessary care for children;

2. Is able to sustain positive and constructive relationships with children in care, and to relate to clients [and children] with respect, courtesy and understanding;

3. Is capable of handling emergencies with dependability and good judgment; and,

4. Is able to communicate and follow instructions sufficiently to assure adequate care, safety, and protection for children.

E. Training.

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

F. Medical requirements.

[1. Any volunteer who comes in contact with children shall submit a statement from the local health department or licensed physician that he is free from tuberculosis in a communicable form.

2.] The volunteer shall submit the results of a physical [and or] mental health examination [, or both,] when requested by the agency based on indications of a physical or mental health problem.

§ 2.2. Standards for care.

A. Nondiscrimination.

Respite child care shall be provided which does not discriminate on the basis of race, color, sex, national origin, age, religion, or [~~handicap~~: disability.]

B. Supervision.

1. There shall be a plan for seeking assistance from police, firefighters, and medical professionals in an emergency.

2. Children shall be supervised by an adult at all times. Volunteers under the age of 18 cannot be left in charge.

3. The ratio of adults to children shall be based on the following:

a. There shall be one adult to four infants.

b. There shall be one adult to six children two years old and older.

c. Any child with a [~~handicap~~ disability] which requires extra attention of volunteers counts as two children.

C. Food.

1. Children shall receive meals and snacks appropriate to the number of hours in care and the daily nutritional needs of each child.

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

3. Drinking water shall be available at all times.

D. Transportation.

1. Transportation of clients shall be in accordance with agency policy.

2. Children shall be transported using restraint devices in accordance with the weight and age requirement of the Code of Virginia.

E. Medical care.

1. The respite care program shall have:

a. The name, address, and phone number of each

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child's physician easily accessible;

b. First aid supplies easily accessible in case of accidents; and

c. At least one staff person with a current certificate in basic first aid accessible during hours of operation.

2. The respite care program staff and volunteers shall:

a. Give prescription medication 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 medications, 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 promptly;

d. Have authorization for emergency medical care for each child; and

e. Have documentation that each child in care is current with required immunizations.

F. Management of behavior.

1. The staff and volunteers shall establish rules that encourage desired behavior and discourage undesired behavior in cooperation with the parent/guardian of children in care.

2. The staff and volunteers shall not use corporal punishment.

3. The staff and volunteers shall not humiliate or frighten the child in disciplining the child.

4. The staff and volunteers shall not withhold [nor force] food, [withhold nor] force naps, or punish toileting accidents in disciplining the child.

G. Activities.

The staff and volunteers shall provide structured activities appropriate to the children's ages as well as unstructured experiences in social interaction.

H. Abuse or neglect reporting responsibilities.

Volunteers shall report any suspected abuse or neglect of any child in the program in accordance with procedures prescribed by the agency.

§ 2.3. Physical environment.

A. Accommodations.

The facility used by the respite care program shall:

a. Be in compliance with all state and local ordinances;

b. Include a working telephone; and

c. Have the phone numbers for police, fire, and rescue personnel easily accessible.

B. Space.

The facility shall provide at least 25 square feet of space per child in care.

PART III. COMPLIANCE REGULATIONS.

§ 3.1. Documentation of compliance.

Documentation of compliance with these regulations shall be the responsibility of the agency.

§ 3.2. Allowable variance.

Variance on a particular standard [~~is permissible~~ may be permitted] if the variance does not jeopardize the safety and proper care of children or violate federal, state, or local law. Variances [~~will~~ shall] be discussed with and approved by the [~~appropriate Regional Office Services Specialist~~ state Department of Social Services.]

VIRGINIA WASTE MANAGEMENT BOARD

Title of Regulation: VR 672-10-1. Hazardous Waste Management Regulations: Amendment 8.

Statutory Authority: § 10-266(11) of the Code of Virginia.

Effective Date: January 1, 1988

REGISTRAR'S NOTICE: Due to its length, Amendment 8 to the Hazardous Waste Management Regulations will not be 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 at the office of the Department of Waste Management.

Summary:

Changes contained in Amendment 8 to Virginia Hazardous Waste Management Regulations fall into two categories. The majority of modifications and additions were made in response to the changes made by the U.S. Environmental Protection Agency (EPA) in the federal regulations implementing the Resource

Conservation and Recovery Act of 1976 (RCRA) and the Hazardous and Solid Waste Amendments of 1984 (HSWA).

In order to maintain its authorization to conduct the hazardous waste management program in Virginia, the department is required to update its regulations and conform them to the federal requirements.

Certain changes were promulgated by EPA in response to the congressional mandates and "hammer" provisions contained in HSWA. These regulations appeared as initial HSWA codification rules [50 Fed.Reg., 1978ff, January 14, 1985] and the follow-up codification rules [50 Fed.Reg., 28702ff, July 15, 1985]. The subject matter of these rules is as follows:

1. Procedural changes for waste delisting petitions;
2. Clarification of household waste exclusion;
3. Requirement for waste minimization;
4. Prohibition of management in salt domes;
5. Prohibition of disposal of liquids in landfills;
6. Prohibition against use of hazardous waste as dust suppressant;
7. Requirements for installation of double liners;
8. Removal of exemptions for groundwater monitoring;
9. Corrective action requirements for releases to the environment;
10. Procedural changes to permitting requirements;
11. Requirement for preparation and transmittal of health risk exposure information.

In addition to the above codification rules, EPA promulgated the following changes to its regulations which are also reflected in Amendment 8:

1. Additions to the lists of hazardous wastes published in the following issues of the Federal Register:

Volume 50, pages 42936 and 53315
Volume 51, pages 5330 and 6541;

2. Substantial revision of management standards for tanks (51 Fed.Reg., 25422ff, July 14, 1986);
3. Regulation of used oil (50 Fed.Reg., 49164ff, November 29, 1985);
4. Regulation of small quantity generators of hazardous waste (51 Fed.Reg., 10174ff, March 24, 1986); and

5. Changes in the financial responsibility requirements resulting from the settlement of a suit against EPA (51 Fed.Reg., 16443ff, May 2, 1986).

In addition to the federally mandated revisions, the department revised § 6.4.E of the Hazardous Waste Management Regulations dealing with the conditional exemption of certain hazardous waste generators from the requirements to possess a permit for storage of such wastes. The revision requires these generators to notify the executive director of the exact location of all waste accumulation areas as one of the preconditions for the exemption.

As the result of the reorganization of the state government and the establishment of the Department of Waste Management, numerous editorial changes were made throughout the regulations.

A section-by-section summary of all changes contained in Amendment 8 follows:

A. Modifications to Part I.

The following additions and changes in definitions have been made as the result of changes to other parts of the Virginia Hazardous Waste Management Regulations:

Above-ground tank
Ancillary equipment
Component
Corrosion expert
Existing tank system
Hazardous substance
Hazardous waste fuel
HSWA
Inground tank
Installation expert
Leak detection system
New tank system
Onground tank
Regulated unit of facility
Small quantity generator
Solid waste management unit
Sump
Tank system
Underground tank
Unfit-for use
Used oil
Zone of engineering control

B. Changes to Part III.

1. The following sections have been changed for reasons shown:

Exemption for certain reclaimers	3.1.A.10
Household waste	3.1.B.1
Special requirements for waste generated by exempt generators	3.2

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Used oil burnt for energy recovery not regulated	3.3.A.2c
Exemption for industrial alcohol	3.3.A.3a
Exemption for used oil recycled rather than burned	3.3.A.3c
Exemption for fuels derived from petroleum refining	3.3.A.3h
Exemption for petroleum coke	3.3.A.3i
Change in the wording of preamble	3.10.D
Exemption for small quantity generators	3.10.D.6

2. The following changes and additions have been made to Appendix 3.1:

a. Change definitions of the following wastes listed in Table 3.1-1:

Degreasing solvents (F001)
Spent halogenated solvents (F002)
Spent nonhalogenated solvents (F003)
Spent nonhalogenated solvents (F004)
Spent nonhalogenated solvents (F005)

b. Add following new listed wastes to Table 3.1-2:

Dinitrotoluene washwaters (K111)
Reaction by-product water - Toluenediamine (TDA) (K112)
Condensed light ends - TDA (K113)
Vicinals - TDA (K114)
Heavy ends - TDA (K115)
Condensate from solvent recovery - Toluenediisocyanate (TDI) (K116)
Wastewater from ethylenedibromide (EDB) production (K117)
Spent solids - EDB (K118)
Still bottoms - EDB (K136)

c. Change all entries in Table 3.1-3 and Table 3.1-4 by adding appropriate CAS Numbers.

d. Add following new wastes to Table 3.1-4:

2-Amino-1-methylbenzene (o-toluidine) (U238)
4-Amino-1-methylbenzene (p-toluidine) (U353)
Ethylene glycol monoethyl ether (U359)

C. Changes to Part IV.

Delete § 4.1 D.

D. Changes to Part V.

1. Add new requirements for nonexempt small quantity generator in § 5 C.

2. Change the wording of certification required by § 5.3 C.

3. Change EPA Form 8700-22 shown in Appendix 5.1.

E. Changes to Part VI.

The following changes and additions have been made to the cited sections:

Change requirements for accumulation in tanks	6.4.E.1a
Add new section requiring identification of accumulation areas	6.4.E.1e
Reserve an empty section	6.4.E.2
Allow 180-day accumulation for nonexempt small quantity generators	6.4.E.5
Allow 270-day accumulation for nonexempt small quantity generators	6.4.E.6
Exemption for small quantity generators	6.4.E.7
Requirement for waste minimization certification	6.5.B.1c
Exemption for certain generators from minimization requirements	6.5.F
New requirements for exporters of hazardous waste	6.6
New requirements for importers of hazardous waste	6.7

F. Modifications to Part VII.

The following changes and additions have been made to the cited sections:

Added exemption for certain generators and new requirements for exporters	7.5.A.1
Acceptance of waste without manifest prohibited	7.5.B.1
New requirements for exports under a shipping paper	7.5.C.2
New requirements for exports under a manifest	7.5.E.3
New requirements for exports under a manifest	7.5.E.4
Exemption for reclamation agreements	7.5.F
Requirement for release notification for transfer facilities	7.7.E

G. Modifications to Part VIII.

The following changes and additions have been made to the cited sections:

Facilities denied permits not eligible for interim status	8.A.2
Sample financial guarantee bond	Appendix 8.2
Sample letter from chief financial officer	Appendix 8.8
Sample corporate guarantee for liability coverage	Appendix 8.11

H. Modifications to Part IX.

The following changes and additions have been made to the cited sections:

Remove reference to federal regulations	9.E.4
New requirement for notification of releases	9.1.C.3

Change references for tanks	9.1.D.5f
Change references for tanks	9.1.F.2d
Prohibition of placement of waste in salt domes	9.1.I
Change reference for tanks	9.4.B.2c
Add reference for tanks	9.4.B.2f
Add requirement for identification waste reduction efforts	9.4.D.8
Add requirement for description of waste reduction efforts	9.4.D.9
Add requirement for certification of waste reduction efforts	9.4.D.10
Change requirements for closures of disposal facilities	9.6.A.2
Change closure performance standards	9.6.B
Change requirements for closure plans	9.6.C
Change time allowed for closure	9.6.D
Change requirements for disposal/decontamination of facilities	9.6.E
Change requirements for certification of closure	9.6.F
Add requirement for a survey plat	9.6.G
Add requirement for post-closure care	9.6.H
Add requirement for post-closure plan	9.6.I
Add requirement for post-closure notices	9.6.J
Add requirement for certification of post-closure care	9.6.K
Add requirement for financial responsibility for tanks	9.7.A.2
Change requirements for closure cost estimates	9.7.B.1
Change preamble for inflation adjustment requirement	9.7.B.2
Change preamble for plan revision requirement	9.7.B.3
Change requirement for reimbursement for closure activities	9.7.C.1j
Change requirement to fund stand-by trust	9.7.C.2d(2)
Allow director to draw on letter of credit	9.7.C.3h
Allow owner to request reimbursement	9.7.C.4e
Change requirement for release from financial responsibility	9.7.C.8
Change requirement for post-closure estimates	9.7.D.1
Change preamble to requirement for inflation adjustment	9.7.D.2
Change preamble to requirement for post-closure plan changes	9.7.D.3
Change requirement for financial assurance for post-closure care	9.7.E
Change requirements for sudden accidental occurrences	9.7.G.1
Change requirements for nonsudden accidental occurrences	9.7.G.2
Change requirements for cover period	9.7.G.5
Allow corporate guarantee as a financial mechanism	9.7.G.7
Change requirements for management of waste in tanks	9.9

Change requirement for design and operation of surface impoundments	9.10.B
Add design requirements-two or more liners for surface impoundments	9.10.H
Add design requirements-two or more liners for waste piles	9.11.H
Change requirement for design and operation of landfills	9.13.B
Free liquids ban	9.13.G
Allow regulation of burners of hazardous waste under § 9.14	9.14.A.1b
Special requirements for burning dioxin-containing wastes	9.14.F
Special requirements for burning dioxin-containing wastes	9.15.G

I. Modifications to Part X.

The following changes and additions have been made to the cited sections:

Add requirement for notification of releases	10.1.C.4
Change reference to tanks	10.1.F.2d
Ban on disposal in salt dome formations	10.1.I.3
Add applicability for recordkeeping requirements	10.4.A
Change reference to tanks	10.4.C.2f
Add requirement for certification	10.4.C.2i
Change requirements for releases from solid waste management units	10.5
Add requirement for corrective action	10.5.L
Change requirements for post-closure of disposal facilities	10.6.A.2
Change requirements for controls of post-closure escapes	10.6.B.2
Require to comply with § 10.6	10.6.B.3
Change requirements for closure plan	10.6.C
Change requirements for time allowed for closure	10.6.D
Change requirements for disposal or decontamination of equipment	10.6.E
Change requirements for certification of closure	10.6.F
Add requirement for a survey plat	10.6.G
Change requirements for post-closure care and use of property	10.6.H
Change requirements for post-closure plan	10.6.I
Add requirement for post-closure notices	10.6.J
Add requirement for certification of completion of post-closure care	10.6.K
Add requirement for tanks	10.7.A.2c
Change requirement for written closure cost estimate	10.7.B.1
Change requirement for adjustment for inflation	10.7.B.2
Change requirements for closure plan changes	10.7.B.3

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Allow reimbursements for closure activities	10.7.C.1j
Change requirements for funding of stand-by trust fund ..	10.7.C.2d(2)
Change requirement for surety liability	10.7.C.3e
Allow director to draw on letter of credit	10.7.C.4h
Change requirements for owner reimbursement	10.7.C.5e
Change requirements for financial release	10.7.C.9
Change requirement for annual post-closure cost estimate	10.7.D.1
Change requirements for adjustments for inflation	10.7.D.2
Change requirements for post-closure plan changes	10.7.D.3
Change requirements for financial assurance for post-closure care	10.7.E
Change requirements for coverage of sudden accidental occurrences	10.7.G.1
Change requirements for nonsudden accidental occurrences ...	10.7.G.2
Allow for corporate guarantee	10.7.G.7
Required wording of corporate guarantee	10.7.K.11
Change requirements for management of waste in tanks	10.9
Require liners for surface impoundments	10.10.B.1
Require two or more liners for new impoundments	10.10.B.3
Allow alternative design and operating practices	10.10.B.4
Provide waiver for monofills	10.10.B.5
Section deleted/reserved	10.10.C
Section deleted	10.10.G.2c
Redesignate § 10.10.G.2d as § 10.10.G.2c	
Remove reference to § 10.10.C	10.10.H.4b(1)
Delete § 10.10.I.2b and redesignate old § 10.10.I.2c	10.10.I.2b
Delete section	10.10.I.4
Delete and reserve section	10.11.C
Delete and reserve section	10.11.D
Delete section and redesignate § 10.11.E.3c	10.11.E.3b
Change requirements for design and operation of landfills	10.13.B
Section deleted and reserved	10.13.C
Old section deleted; § 10.13.D.3c redesignated	10.13.D.3b
Old section deleted; § 10.13.K.2c redesignated	10.13.K.2b
Section deleted	10.13.K.3
Change requirements for ban on free liquids in landfills	10.13.O
Allow burners of waste in boilers to be regulated under Part X	10.14.A.1b

J. Modifications to Part XI.

The following changes and additions have been made to the cited sections:

Change preamble to require post-closure permits	11.1
Change to reflect exemptions to 90-day rule	11.1.B.1
Revise wording for exemption for dual issuance of permits	11.1.D
Change requirement for permit application	11.2.A
Add exemption from completeness requirement	11.2.C.4
Change requirements for existing facilities	11.2.D
Change requirement for new HWM facilities	11.2.E.1
Add exemption for PCB facilities	11.2.E.3
Add requirement for exposure information	11.2.J
Allow director to require additional information	11.2.K
Change wording of the preamble	11.3.A.1
Disallow interim status for facilities denied a permit	11.3.A.6
Change requirements for ownership transfer	11.3.C.4
Allow changes for compliance with tank requirements	11.3.C.6
Add provisions for automatic termination of interim status	11.3.E
Change reference to tank requirements	11.5.B.5
Remove reference to tank requirements	11.5.B.7
Add references to tank requirements	11.5.E
Require documentation of notices on deeds	11.5.F
Require cost estimates for closure and post-closure care	11.5.G
Change requirement for tanks	11.5.J.2
Section deleted and reserved	11.5.J.3c
Change requirements for exemption from monitoring	11.5.J.4b
Section deleted and reserved	11.5.J.4d
Change requirement for description of inspections	11.5.J.4e
Change requirements for bulk liquids	11.5.J.7h
Add requirements for NPDES permit issued after 11/8/84	11.8.B.3g
Allow issuance of R&D permits	11.9.D
Change requirements for retaining records	11.10.J.2
Allow director to add conditions for protection of environment	11.12.A.2
Add requirement for five-year review of permits	11.13.D
Add requirement to modify permit to assure compliance	11.19.A.6
Re-number whole section	11.21
Change requirements for ownership transfer	11.21.D
Change availability of information to public	11.28.B

K. Modifications to Part XIII.

The following changes and additions have been made to the cited sections:

- Use of waste oil for road treatment prohibited 13.2.D.2*
- Change requirements for wastes burned for energy recovery . 13.3*
- Add requirements for used oil burned for energy recovery 13.4*
- Section deleted and reserved 13.6.B.2*
- Section deleted 13.6.B.4*

L. Modifications to Part XIV.

The following changes and additions have been made to the cited sections:

- Change requirements for delisting petitions 14.1.C.2*
- Change requirements for characteristic wastes 14.1.C.4*
- Change requirements for toxic wastes 14.1.C.5*
- Change requirements for acutely toxic wastes 14.1.C.6*
- Expand requirements for sampling of wastes 14.1.C.7*
- Add methods for resolution of petitions 14.1.D*
- Add requirements for issuance of variances for tanks 14.4.B*
- Change requirements for variances to management procedures 14.5.D*

M. Editorial changes to the entire regulation.

The reorganization of the Virginia Hazardous Waste Management Program reflecting the creation of the new Department of Waste Management required editorial revisions of the entire regulation to remove references to the Board of Health, the Health Commissioner, the Division of Solid and Hazardous Waste Management and to the Bureau of Hazardous Waste Management and to substitute current terms.

STATE CORPORATION COMMISSION

STATE CORPORATION COMMISSION

September 10, 1987

Administrative Letter 1987-12

TO: All Companies Licensed to Write Title Insurance in Virginia and All Licensed Title Insurance Agents in Virginia.

RE: Revision to Title Insurance Financial Responsibility Requirement.

During the 1986 Session, the Virginia General Assembly amended the Code of Virginia as it relates to title insurance agents' qualifications. The language in § 38.2-1814.1 requires that in addition to being appointed to sell title insurance by a title insurance company, every title insurance agent must comply with additional requirements. One of the requirements is that every agent shall annually supply the Commission with adequate proof of financial responsibility in a manner selected by the Commission.

On December 29, 1986, the Bureau of Insurance issued Administrative Letter 1986-23 which stated that in order to meet the financial responsibility requirements of § 38.2-1814.1, "the applicant shall file and keep in force a bond with the Commission in favor of the Commonwealth in the penal sum of \$25,000 with authorized corporate sureties approved by the Commission".

It has come to the Bureau's attention that it has become very difficult for some title insurance agents to obtain a surety bond to comply with the law as directed in the administrative letter.

After further review of this issue, effective immediately, the Commission will no longer require a title insurance agent to file and keep in force a surety bond to satisfy the requirements of § 38.2-1814.1.

A valid title insurance agent's appointment by a title insurance company pursuant to § 38.2-1833 shall be deemed by the Commission to satisfy the requirements of adequate proof of financial responsibility.

/s/ Steven T. Foster
Commissioner of Insurance

* * * * *

Bureau of Insurance

September 16, 1987

Administrative Letter 1987-13

TO: All Companies Licensed to Transact Insurance in the Commonwealth of Virginia.

RE: Request for Assistance in Updating Agent Address Records.

During the past few months, the Bureau of Insurance has had cause to send written communications to a large number of licensed insurance agents and agencies in Virginia.

We have found that approximately 10% of these letters have been returned to us because the agent or agency cannot be found at the address contained in our records. There are presently approximately 79,000 licensed agents and agencies in Virginia, which means that our records may conceivably be outdated with regard to approximately 7,500 to 8,000 individuals and agencies.

Section 38.2-1826 of the Code of Virginia, as amended, requires each licensed agent to report to the Commission, and to every insurer by which he is appointed, any change in his residence or name. This is to be reported within 30 days of any such change.

There is no requirement that insurers pass this information along to us, nor are we at this time requesting that they do so.

We are requesting, however, that each recipient of this Administrative Letter pass along to all of its agents licensed in Virginia the Bureau's request that any agent who has not notified us of his current residence address or current name, or who is not sure whether he has done so, please contact the Bureau of Insurance IN WRITING (no telephone calls, please) at the address below. It should be noted that failure to comply with the requirements of § 38.1-1826 could result in monetary penalties, suspension, or revocation of the agent's license. We would also like to be informed of changes of name or business address of any licensed insurance agencies.

The cooperation of all insurers in this matter will be appreciated.

Kindly address any inquiries or notifications concerning this Administrative Letter to:

Agents Licensing Section
Bureau of Insurance
State Corporation Commission of Virginia
Post Office Box 1157
Richmond, Virginia 23209

/s/ Steven T. Foster
Commissioner of Insurance

* * * * *

Bureau of Insurance

Administrative Letter 1987-14

TO: All Companies Licensed to Write Certain Property and

Casualty Lines of Insurance in Virginia.

RE: Implementation of § 38.2-231 of the Code of Virginia.

DATE: October 6, 1987

Certain amendments to § 38.1-231 of the Code of Virginia were enacted by the General Assembly effective July 1, 1987. Notice requirements for certain commercial liability policy reductions in coverage and certain increases in rate for such commercial liability policies were enacted, in addition to amendments in the commercial liability termination requirements previously enacted July 1, 1986. Due to numerous inquiries from insurers regarding these statutory changes, it was decided that the following guidelines for implementation of § 38.2-231 might be useful for insurers in their compliance with Virginia law. Each insurer should, however, carefully review these statutory provisions instead of relying solely on the summary provided herein.

CANCELLATION AND NONRENEWAL

No cancellation or nonrenewal of a policy providing personal injury or property damage liability coverage to a business entity shall be effective unless the insurer delivers or mails to the named insured a written notice of the cancellation or nonrenewal. The notice shall:

1. Be in type size authorized by § 38.2-311;
2. State the date (not less than 45 days after delivery or mailing, and not less than 15 days for nonpayment of premium) the cancellation or nonrenewal is to be effective;
3. State the specific reason for the cancellation or nonrenewal; and
4. Advise the insured of the right to request, in writing, within 15 days of the receipt of the notice, a review by the Commissioner of Insurance.

Notice of nonrenewal is not required when an insurer renews an insured in a newly filed program unless the insurer is changing from one insurer in a group to another insurer in the same group.

REDUCTION IN COVERAGE

The term "reduction in coverage" shall include, but not be limited to, any diminution in the scope of coverage, decrease in limits of liability, addition of exclusions, increase in deductibles, or reduction in the policy term which is initiated by an insurer. Reduction in coverage does not mean a reduction which was filed with and approved by the Commission and applicable to an entire line, classification, or subclassification of insurance.

No reduction in coverage initiated by an insurer of a policy providing personal injury or property damage

liability coverage to a business entity, which is subject to § 38.2-1912 (delayed effect of rates - 60 day prior filing rule) shall be effective unless the insurer delivers or mails to the named insured a written notice of the coverage reduction. (Section 38.2-1912 currently applies to medical malpractice liability policies only.)

The notice shall:

1. Be in a type size authorized by § 38.2-311;
2. State the date (not less than 45 days after delivery or mailing) the reduction in coverage is to be effective;
3. State the nature of the reduction(s) in coverage;
4. State the specific reason(s) for the reduction(s) in coverage; and
5. Advise the insured of the right to request, in writing, within 15 days of receipt of the notice, a review by the Commissioner of Insurance.

If the insurer does not provide the required notice, coverage shall remain in effect until 45 days after proper notice is given unless the insured obtains replacement coverage or elects to cancel sooner. In this event, coverage shall cease under the prior policy on the effective date of the replacement policy or the elected cancellation date.

If the insured refuses the reduction in coverage, coverage for any period that extends beyond the expiration date will be under the prior policy's terms and conditions. If the insured accepts the reduction in coverage, the reduction will take effect upon the expiration of the prior policy.

Notice of reduction in coverage shall not be required if the insurer, after written demand, has not received, within 45 days after mailing or delivering the demand, sufficient information from the insured to provide the required notice, or if the required notice is waived in writing by the insured.

INCREASE IN RATE

No increase in the filed rate greater than 25% and initiated by the insurer of a policy providing personal injury or property damage liability coverage to a business entity shall be effective unless the insurer delivers or mails to the Named Insured a written notice of the rate increase. The notice shall:

1. Be in a type size authorized by § 38.2-311;
2. State the date (not less than 45 days after delivery or mailing) the increase in rate is to be effective;
3. State the amount of the rate increase (\$ or %);

State Corporation Commission

4. State the specific reason(s) for the increase in rate; and

5. Advise the insured of the right to request, in writing, within 15 days of receipt of the notice, a review by the Commissioner of Insurance.

If the insurer does not provide notice in the manner required by statute, the rates in effect under the prior policy shall remain in effect until 45 days after proper notice is given unless the insured obtains replacement coverage or elects to cancel sooner. In this event, coverage shall cease under the prior policy on the effective date of the replacement policy or the elected cancellation date.

If the insured refuses the increase in rate, rates for any period that extend beyond the expiration date will be those under the prior policy. If the insured accepts the increase in rate, the increase will take effect upon the expiration of the prior policy.

Notice of the increase in rate shall not be required if the insurer, after written demand, has not received, within 45 days after mailing or delivering the demand, sufficient information from the insured to provide the required notice, or if the required notice is waived in writing by the insured.

MAILING REQUIREMENTS THAT APPLY TO ALL NOTICES

No notice mailed by an insurer in compliance with § 38.2-231 shall be effective unless:

1. The notice is sent by registered or certified mail, or the insurer obtains a written receipt from the Postal Service showing the name and address stated in the policy;
2. The insurer retains a duplicate copy of the notice; and
3. The insurer certifies on the duplicate copy that it is a true copy of the notice mailed to the insured.

It should be noted that items 2 and 3 currently apply only to cancellations and nonrenewal of a policy.

MOST FREQUENTLY ASKED QUESTIONS REGARDING § 38.2-231.

1. Q. What is the definition of "filed rate"?

A. Filed rate means any rate of premium, policy fee, membership fee, or any other charge made by an insurer for or in connection with a contract or policy of insurance which is required to be filed by the insurer with the State Corporation Commission. This includes increased limits factors, minimum premiums, company deviations, package modifications, and any

other factors used to determine the policy rate(s). It also includes an initial filing of, or any changes in an already filed, experience and/or schedule rating plans. It does not include changes in an individual policyholder's rating factors based on experience or judgment as long as there have been no applicable changes in the plan.

The cumulative effect of all rating factors that have been initiated by the insurer should be used in determining if statutory notice is required. Policy changes that are requested by the insured that affect the rate do not need to be included.

2. Q. What policy dates and lines of business are affected?

A. All policies providing personal injury or property damage liability coverage to a business entity that are effective on or after 8/15/87 are subject to the notice provisions. This includes the business pursuits liability endorsements attached to personal lines policies, dwelling policies, and farmowners policies. Automobile and workers' compensation policies are not affected.

3. Q. If the insured rejects the reduction in coverage or the increase in rate, what must the company do to comply with the Code?

A. The company must continue coverage with the same forms and rates as on the expiring policy for the duration of the 45 day notification period, or until the expiration date of the expiring policy, whichever is later.

4. Q. Does the notification requirement apply to "a" rates?

A. No, "a" rates are not filed and do not come under the scope of the law.

5. Q. Must the increase in rate be shown as a dollar or percent figure?

A. Either form is acceptable, as long as the insured can reasonably understand the notice information.

6. Q. Subsections A and A1 of § 38.2-231 state that cancellations, nonrenewals, reductions in coverage, and increases in rate shall not be effective unless "...the insurer delivers or mails to the named insured..." written notice (emphasis added). Subsections A2 and A3 also use the wording "mailed or delivered" in referring to the notices. Subsection B goes on to cite mailing requirements for notices mailed by the insurer; however, no requirements are cited for delivered notices. What rules apply?

A. While the code cites no specific provisions, the insurer must be able to document that it delivered the proper notice to the insured within the required time frame.

State Corporation Commission

7. Q. What is the definition of a business entity?

A. A business entity may include an individual, partnership or corporation, county, city or town, board, commission or association controlled by the Commonwealth or other governmental authority.

8. Q. What happens if a company has filed new rates or forms that trigger the notice provision, but the company does not meet the 45 day notice requirement. Since the company is required to continue coverage under the terms of the prior contract, would the Bureau cite the company for using rates and forms that were not approved?

A. The provisions of § 38.2-231 are intended to protect the insured from certain rate increases and coverage decreases without appropriate and timely notification to the insured. The Bureau feels it would not be in the public interest to cite a carrier for this particular violation of the Code in the event the violation is solely due to an insurer's compliance with § 38.2-231.

9. Q. Is notice of an increase in rate required of an insurer renewing insureds in newly filed programs, i.e. from the CLM GL program to the Simplified program?

A. Yes. Unlike reductions in coverage, there is no statutory exemption for any increases in rate which are greater than 25%.

10. Q. What policy term is used in determining whether a rate increase notice is required?

A. The rate(s) for the policy term immediately preceding the renewal policy is to be used for determining whether notice is required. Multi-year policies that are re-rated annually should use the latest annual term.

11. Q. The state requires the insurer to provide the insured with the specific reason(s) for the reduction in coverage or the increase in rate. What constitutes a specific reason?

A. Specific reasons for reduction in coverage or increase in rate may include terminology such as "rate filing of (date)" and "form revision of (date)."

12. Q. The insured is allowed to request a review of the insurer's action by the Commissioner of Insurance. What kind of review will be made?

A. Review by the Commissioner means that the Bureau will verify that the notice requirements of the Code have been met.

13. Q. How long is an insurer required to maintain records of notices required by § 38.2-231?

A. Every insurer shall maintain for at least one year records of cancellations, refusals to renew, reductions

in coverage and rate increases subject to § 38.2-231 and copies of every notice or statement required by subsections A, A1 and B that it sends to any of its insureds.

/s/ Steven T. Foster
Commissioner of Insurance

* * * * *

Bureau of Insurance

October 7, 1987

Administrative Letter 1987-15

TO: All Health Maintenance Organizations.

RE: Insurance Regulation 28.

On September 1, 1987, Insurance Regulation 28, entitled "Rules Governing Health Maintenance Organizations," became effective. Immediate attention must be given to the form filings required by subsection 7(A)(3) of this regulation and the filing of provider contracts addressed by subsection 12(C).

Subsection 7(A)(3) requires that each health maintenance organization (HMO) licensed in Virginia report quarterly all uncovered expenses for the previous three months. Attached is a reproducible form, Supplementary Statement, Covered and Uncovered Expenses, which every licensed HMO must complete and file for the three month periods ending on December 31, March 31, and June 30 and September 30 on or before March 1, May 15, August 15 and November 15 respectively of each year. Proper completion and timely submission of this form is critical to the monitoring of an HMO's compliance with net worth requirements set forth in subsection 7(A) of Regulation 28. In filling out the Supplementary Statement, please note the following guidelines:

1. Subsection 7(H) is very explicit in defining what constitutes a "covered" expense and the instructions on the Supplementary Statement reflect this. Unless an incurred expense fits into one of the specifically designated "covered" categories, it shall not be reported as covered unless prior written approval is obtained from the State Corporation Commission through the Bureau of Insurance. Any HMO shall not presume to report expenses as covered because of security deposits, surety bonds, insolvency insurance, affiliate guarantees or other mechanisms outside of the definition of covered expense given by subsection 7(H).

2. Subsection 7(H)(1) prescribes very specific "hold harmless" language for all provider contracts after September 1, 1987, if an HMO wishes to report expenses incurred under those contracts as covered. Expenses incurred under provider contracts without

State Corporation Commission

the precise language of subsection 7(H)(1) (Subsection 7(H)(2) for subcontracting providers) must be reported as uncovered. For provider contracts in effect prior to September 1, 1987, subsection 7(H)(3) does allow expenses within the scope of "substantially similar hold harmless agreements" to be reported as covered until September 1, 1988.

3. The Supplementary Statement relates to all expenses incurred by the total HMO entity, not just expenses incurred or allocated to Virginia service areas. For multijurisdictional HMOs, medical expenses incurred under provider contracts without the hold harmless language prescribed by subsection 7(H) must be reported as covered until September 1, 1988.

3. The Supplementary Statement relates to all expenses incurred by the total HMO entity, not just expenses incurred or allocated to Virginia service areas. For multijurisdictional HMOs, medical expenses incurred under provider contracts without the hold harmless language prescribed by subsection 7(H) must be reported as uncovered.

4. In the Supplementary Statement, expenses are reported for a previous three month period only. This is unlike Virginia's requirements for Report No. 2, Statement of Revenue and Expenses, in an HMO's Annual and Quarterly Statement blanks, where revenue and expenses are cumulative and year-to-date.

5. HMOs should follow subsection 7(H) as a guideline for breaking out covered versus uncovered liabilities in completing Report No. 1 - Part B: Balance Sheet Liability and Net Worth of their Annual and Quarterly Statements.

All HMOs licensed in Virginia must begin filing of the Supplementary Statement with their submission of the Quarterly Statement for the third quarter due on November 15, 1987.

Subsection 12(C) of Regulation 28 addresses the statutory filing requirements of Virginia Code § 38.2-4311, pursuant to which contracts to provide health care services must be filed fifteen days before use. Each individual contract need not be filed provided that certain conditions are met:

1. Individual contracts must contain the same precise language as contained in the standard contract used by the HMO and filed with the Commission.

2. The HMO has filed with the Commission a current list of the names and locations of the providers who have signed the standard contract.

Any HMO using this "list system" shall file an updated list on March 1, May 15, August 15 and November 15 of each year. The initial provider list and all subsequent updates should be formatted so as to clearly relate each individual provider to a particular

standard contract on file. Each filed contract must be identified by a form number in the lower left-hand corner of the contract form.

3. The HMO itself must maintain its own complete file of all individual contracts made with health care providers. This file shall be subject to examination.

An HMO is required to file with the Commission only those contracts relating to delivery systems serving Virginia residents. Multijurisdictional HMOs must file contracts with non-Virginia providers if such providers are part of a delivery system rendering "in-area" health care services to Virginia enrollees. For example, an HMO in the Washington, D.C. metropolitan area would generally file contracts with Virginia, Maryland, and D.C. providers.

Multistate HMOs filing financial reports with covered medical expenses incurred in jurisdictions not contiguous to Virginia must be able to substantiate these by providing the appropriate provider contracts during any examination by the Commission.

The filing requirements of subsection 12(C) include subcontracts between entities which have contracted directly with the HMO and health care providers rendering services to enrollees, i.e. between an IPA-like entity and health care professionals. Attention is again directed to subsection 7(H)(2) regarding the treatment of covered expenses incurred within the scope of subcontracts.

All provider contracts submitted should be clearly identified with a contract form number in the lower left-hand corner of the front page.

All filings and inquiries should be directed to:

Company Licensing Section
Bureau of Insurance
State Corporation Commission of Virginia
P.O. Box 1157
Richmond, Virginia 23209

/s/ Steven T. Foster
Commissioner of Insurance

SUPPLEMENTARY STATEMENT
COVERED AND UNCOVERED EXPENSES
FOR THE QUARTER ENDING _____
OF THE _____
(NAME)

EXPENSES	COVERED	UNCOVERED	TOTAL
MEDICAL AND HOSPITAL			
(1) PHYSICIAN SERVICES
(2) OTHER PROFESSIONAL SERVICES
(3) OUTSIDE REFERRALS
(4) EMERGENCY ROOM
(5) OUT OF AREA-OTHER
(6) OCCUPANCY
(7) DEPRECIATION AND AMORTIZATION
(8) INPATIENT
(9) INSURANCE
(10) OTHER MEDICAL
(11) INCENTIVE POOL ADJUSTMENT
(12) TOTAL MEDICAL AND HOSPITAL (ITEMS 1-11)			
ADMINISTRATION			
(13) COMPENSATION
(14) INTEREST EXPENSE
(15) OCCUPANCY
(16) DEPRECIATION AND AMORTIZATION
(17) MARKETING
(18) OTHER
(19) TOTAL ADMINISTRATION (ITEMS 13-19)			
(20) TOTAL EXPENSES INCURRED (ITEMS 12+19)			
RECONCILIATION			
(21) GENERAL EXPENSES UNPAID AT END OF PREVIOUS QUARTER
(22) GENERAL EXPENSES UNPAID AT END OF CURRENT QUARTER
(23) GENERAL EXPENSES PAID DURING CURRENT QUARTER (ITEMS 20+21-22)			

* SEE INSTRUCTIONS ON BACK

SOCC01140-11

State Corporation Commission

INSTRUCTIONS

Supplementary Statement of Covered and Uncovered Expenses to be Submitted to the Virginia State Corporation Commission, Bureau of Insurance

The information contained in this statement must be reported on a noncumulative quarterly basis as opposed to the Quarterly and Annual Financial Reports ("Orange Blanks"), which are reported cumulatively.

Please note: This report should represent a breakdown of the HMO's total expenses, not just expenses allocated to Virginia business.

Covered expenses are 1) any expenses of an HMO which is owed or paid to a health care provider under contract if the contract has previously been submitted to the Bureau of Insurance and contains acceptable language holding enrollees harmless ("hold harmless language"), 2) any interest expense relating to repayment of any fully subordinated debt, 3) a non-cash expense - i.e. - depreciation, and 4) any other expense which has had prior approval by the Commission to be reported as covered.

Any expense which is not covered is considered uncovered.

GOVERNOR

GOVERNOR'S COMMENTS ON PROPOSED REGULATIONS

(Required by § 9-6.12:9.1 of the Code of Virginia)

VIRGINIA FIRE SERVICES BOARD DEPARTMENT OF FIRE PROGRAMS

Title of Regulation: VR 310-01-3. Regulations Establishing Certification Standards for Fire Investigators.

Governor's Comment:

No substantive objection to the proposed regulations for training fire investigators, which are consistent with the technical standards set by the National Fire Protection Association. I would, however, request that the regulations be re-evaluated after a one-year period to determine if the additional curriculum in law enforcement and criminal investigation can be accomplished by alternative methods, thereby reducing the amount of classroom time.

/s/ Gerald L. Baliles
October 29, 1987

DEPARTMENT OF LABOR AND INDUSTRY

Title of Regulation: VR 425-01-28. Proposed Regulations.

Office of the Governor

November 3, 1987

Ms. Carol Amato
Commissioner
Department of Labor and Industry
205 North Fourth Street
Richmond, Virginia 23219

RE: Proposed Regulation VR 425-01-28

Reference is made herein to the above captioned regulation amending the minimum numeric ratio of journeymen to apprentices from 3:1 to 1:1.

Virginians can be proud of their apprenticeship training program. Our vast and skilled workforce is among our most precious human resources. Our program helps to ensure that the Commonwealth's skilled workforce is sufficient to meet both present and future manpower needs. Through classroom and on-the-job training the apprenticeship program has certified more than 31,000 skilled workers into the Commonwealth's labor force.

Over the nearly fifty years of its existence the apprenticeship program in Virginia has changed, reflecting changes in the workplace and the evolving complexion of apprenticeship trades. The Apprenticeship Council and the Department of Labor and Industry have worked diligently to ensure that this voluntary joint venture between the

private and public sectors realizes its fullest potential.

I am aware that many viewpoints are represented in the full spectrum of training program sponsors. I am also cognizant of the consensus that must determine the direction of the program.

I have watched with great interest as those Virginians who spend their valuable time in the public arena have studied numeric ratio. It is important that a program be maintained the integrity of which is ultimately ensured.

That is why when substantive changes were made prior to the final adoption of this regulation I asked that additional time be allowed for further public comment.

I believe the lengthy and vigorous debate that has surrounded this regulation has brought the most relevant and pressing issues to the forefront. I am confident that the Council has examined these issues and the comments provided by those most affected by the numeric ratio issue.

It is critical that a program exist that provides for optimum training, eliminates needless paperwork and ensures fair competition in the marketplace.

For this reason, I urge you to consider several amendments to the proposed regulation as adopted. First, I propose that on January 1, 1988, the numeric ratio be amended from 1:3 to 1:2. This interim ratio will give the Council ample time to consider program evaluation criteria that will ensure the future quality of apprenticeship programs. For the period during which the ratio remains 1:2, I further recommend that 1) sponsors presently operating under emergency ratios be permitted to continue to do so until their emergency ratios expire, and 2) the authority to approve emergency ratios be given to the director of the Apprenticeship Training Division, leaving the Apprenticeship Council to hear appeals.

Finally, I recommend that the numeric ratio be lowered from 1:2 to 1:1 on June 1, 1989.

Over the course of the next several months I will closely examine budget proposals from the 1988-90 biennium which have the potential to expand this program while ensuring the highest quality environment for the training of tomorrow's skilled workers.

I trust you will give my recommendation you utmost consideration. Again my thanks to you and the Apprenticeship Council for your patient and diligent leadership.

/s/ Gerald L. Baliles
Governor

Governor

VIRGINIA BOARD OF OPTOMETRY

Governor

Title of Regulation: **VR 510-01-1. Regulations of the Board of Optometry (Section pertaining to continuing education, Part VI).**

Governor's Comment:

The regulations appear carefully drawn to ensure the availability of an adequate number of continuing education courses for optometrists in Virginia. Because of the positive impact and policy considerations addressed by these regulations, I have no objections to these proposals as presented; however, I encourage the Board to seek alternative means of recovering the costs of review and approval of these courses.

/s/ Gerald L. Baliles
October 29, 1987

DEPARTMENT OF SOCIAL SERVICES

Title of Regulation: **VR 615-01-20. Lump Sum Payments in the Aid to Dependent Children (ADC) Program.**

Office of the Governor

October 26, 1987

Mr. Larry D. Jackson
Commissioner
Department of Social Services
8007 Discovery Drive
Richmond, Virginia 23229-8699

I have reviewed the regulations for Lump Sum Payments in the Aid to Dependent Children (ADC) Program (VR 615-01-20) under the procedures of Executive Order Number Five (86).

The regulations appear carefully drawn to bring Virginia's provisions for treatment of lump sum payments into compliance with federal standards for purposes of determining ADC eligibility. I am concerned, however, that the standards involving casualty property loss payments do not include a provision for those situations in which, through no fault of the recipient, those payments are not expended at the end of a 12-month period.

I would urge the Board to consider standards which would preserve the recipient's eligibility in those cases where he or she has made a good-faith effort to comply with the time limits imposed by the regulations but has failed to comply because of circumstances beyond his or her control. I would also ask that any provision for these situations contain adequate safeguards to minimize the possibility of fraud or abuse in establishing or maintaining ADC eligibility.

/s/ Gerald L. Baliles

DELEGATIONS OF DUTIES AND RESPONSIBILITIES

The 1987 General Assembly passed Legislation allowing an agency's chief executive officer to delegate to any officer or employee of his agency the duties and responsibilities conferred upon him by law and, in the case of an agency with a supervisory board, such board may delegate its duties and responsibilities. Section 1-17.2 of the Code of Virginia requires that when duties and responsibilities conferred or imposed upon a chief executive officer or supervisory board are delegated, such reports are to be published in the Virginia Register of Regulations as soon after filing as practicable.

DEPARTMENT FOR THE DEAF AND HARD OF HEARING

Address:

Department for the Deaf and Hard of Hearing
James Monroe Building
7th Floor
101 North 14th Street
Richmond, Virginia 23219-3678

Telephone: (804) 225-2570 Voice/TDD

Title of Chief Executive Officer:
Director

Duty or Responsibility Delegated:
Supervising administration of the Department in the Director's absence.

Position Receiving Delegation:
Deputy Director

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Title of Chief Executive Officer:
Director

Duty or Responsibility Delegated:
Preparing and submitting requests for appropriations, subject to approval by the Director.

Position Receiving Delegation:
Deputy Director, Accountant

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Title of Chief Executive Officer:
Director

Duty or Responsibility Delegated:
To request and obtain information and assistance from other agencies and organizations to enable the Director to properly exercise her powers and duties.

Position Receiving Delegation:
Deputy Director; Human Resources Developer B;
Human Resources Developer C

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Title of Chief Executive Officer:
Director

Duty or Responsibility Delegated:

To employ personnel to carry out agency and Code purposes, subject to approval by the Director.

Position Receiving Delegation:
Deputy Director

DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES

Address:

Department of Mental Health, Mental Retardation and Substance Abuse Services
P.O. Box 1797
Richmond, Virginia 23214

Telephone: (804) 786-3921

Title of Chief Executive Officer:
Commissioner

Duty or Responsibility Delegated:
Duties of Commissioner - Chief executive officer of the Department with the following duties and powers:

1. Supervise and manage the Department and its system of facilities;
2. Employ personnel to carry out the purposes of Title 37.1 of the Code of Virginia;
3. Make and enter into contracts and agreements necessary and incidental to the performance of the Department's duties and the execution of its powers;
4. Accepts, hold and enjoy gifts, donations and bequests on behalf of the Department from the United States government and agencies, and instrumentalities and other sources subject to the approval of Governor;
5. Accept, execute and administer any trust subject to the approval of the Governor;
6. Transfer between mental health and mental retardation facilities school-age residents appropriate for public school programs and to negotiate with other school division for placements to ameliorate the impact on those school divisions located in a jurisdiction in which mental health or mental retardation facilities are situated.

Position Receiving Delegation:
Deputy Commissioner

Delegations

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Title of Chief Executive Officer:
Commissioner

Duty or Responsibility Delegated:
Transfer of patients from one facility to another - Order the transfer of a resident or patient from one state hospital to another or from one training center for the mentally retarded to another.

Position Receiving Delegation:
Deputy Commissioner

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Title of Chief Executive Officer:
Commissioner

Duty or Responsibility Delegated:
Involuntary admission and treatment - If the community services board does not provide a placement recommendation at the commitment hearing, the person shall be placed in a hospital or other facility designated by the Commissioner.

Position Receiving Delegation:
Deputy Commissioner

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Title of Chief Executive Officer:
Commissioner

Duty or Responsibility Delegated:
Transfer of patients - On recommendation of the CSB, may order transfer of patients to any other hospital or Veterans Administration hospitals, center, and other facilities and installations.

Position Receiving Delegation:
Deputy Commissioner

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Title of Chief Executive Officer:
Commissioner

Duty or Responsibility Delegated:
Disposition of nonresidents - Cause nonresident to be returned to his family or friends, or the proper authorities of the state or country from which he came.

Position Receiving Delegation:
Deputy Commissioner

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Title of Chief Executive Officer:
Commissioner

Duty or Responsibility Delegated:
Admission of aliens - Inquire into the nationality of a person admitted into a facility and notify the United States immigration officer in charge of the district.

Position Receiving Delegation:
Deputy Commissioner

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Title of Chief Executive Officer:
Commissioner

Duty or Responsibility Delegated:
Discharge of involuntarily committed patients from a private hospital - Receive a report from private hospital for patients needing further hospitalization.

Position Receiving Delegation:
Deputy Commissioner

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Title of Chief Executive Officer:
Commissioner

Duty or Responsibility Delegated:
Board with private families; costs and expenses - Approve facility director placement of patients; ascertain financial condition and estate of patient, his present and future needs and the present and future of his lawful dependents and, protect him or his dependents.

Position Receiving Delegation:
Deputy Commissioner

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Title of Chief Executive Officer:
Commissioner

Duty or Responsibility Delegated:
Visiting and investigation of condition of persons in homes and other institutions - Designate competent person to visit at intervals of not less than three months boarded patients in homes or other institutions and make written reports of conditions.

Position Receiving Delegation:
Deputy Commissioner

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Title of Chief Executive Officer:
Commissioner

Duty or Responsibility Delegated:
Inspections - Cause to be inspected all licensed institutions, hospitals and homes; may call on other state or local departments to assist in inspection; make

the final determination regarding the condition of the institution, hospital or home inspected.

Position Receiving Delegation:
Comptroller

Position Receiving Delegation:
Deputy Commissioner

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Title of Chief Executive Officer:
Commissioner

Title of Chief Executive Officer:
Commissioner

Duty or Responsibility Delegated:
Statement forms to be completed by persons liable for support of patients - Prescribe statement forms and time lines for collections for care from persons liable for support of patients.

Duty or Responsibility Delegated:
Disposition of unexpended balances of funds belonging to former patients - After three years may authorize the use of unexpended balances for the benefit of patients.

Position Receiving Delegation:
Comptroller

Position Receiving Delegation:
Comptroller

VIRGINIA PAROLE BOARD

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Address:
Virginia Parole Board
1606 Santa Rosa Road
Richmond, Virginia 23288

Title of Chief Executive Officer:
Commissioner

Telephone: (804) 281-9601

Duty or Responsibility Delegated:
Receiving gifts and endowments - Receive gifts, bequests and endowments to or for the respective state facilities in their names or for any patient in such facilities...shall well and faithfully administer such trusts.

Title of Chief Executive Officer:
Chairman

Position Receiving Delegation:
Comptroller

Duty or Responsibility Delegated:
Administer agency operations under delegation of Parole Board Chairman; develop policy recommendation and implement adopted board policy.

* * * * *

Position Receiving Delegation:
Deputy Director

Title of Chief Executive Officer:
Commissioner

Duty or Responsibility Delegated:
Private funds provided for patients - Provide for the deposit with the director or other proper officer of any state facility, of any money given or provided for supplying extra comforts, conveniences or services to any patients.

Position Receiving Delegation:
Comptroller

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Title of Chief Executive Officer:
Commissioner

Duty or Responsibility Delegated:
How such funds disbursed - Designate bank or banks for deposit of such monies to the credit of such state facility in special funds and shall be disbursed as required by the donors or as directed by the director.

GENERAL NOTICES/ERRATA

Symbol Key †

† Indicates entries since last publication of the Virginia Register

STATE AIR POLLUTION CONTROL BOARD

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the State Air Pollution Control Board intends to consider amending regulations entitled: **VR 120-01. Regulations for the Control and Abatement of Air Pollution: Kraft Pulp Mill Rule (4-13)**. The purpose of the proposed regulation is to require the owner/operator to limit total reduced sulfur emissions from the kraft pulp mill to a level resultant from the use of reasonably available control technology and necessary for the protection of public welfare.

Statutory Authority: § 10-17.18(b) of the Code of Virginia.

Written comments may be submitted until December 15, 1987.

Contact: M. E. Lester, Division of Program Development, State Air Pollution Control Board, P. O. Box 10089, Richmond, Va. 23240-0089, telephone (804) 786-7564

DEPARTMENT OF CORRECTIONS

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Corrections intends to consider amending regulations entitled: **Standards for Youth Institutional Services Facilities**. The purpose of the proposed regulation is to provide standards for operating learning centers with respect to the provision of adequate care, treatment, and supervision; and suitable education, training, and employment of such children committed to the Department of Corrections.

Statutory Authority: §§ 53.1-5, 53.1-248 and 53.1-249 of the Code of Virginia.

Written comments may be submitted until November 30, 1987, to Tom Foster, Manager Division of Youth Services, Region II, 11150 Main Street, Suite 500, Fairfax, Virginia 22030.

Contact: Thaddeus Aubry, Manager, State & Local Youth Facilities, 11150 Main St., Suite 500, Fairfax, Va. 22030-5066, telephone (703) 591-9422 or SCATS 466-3084

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Corrections intends to consider amending regulations entitled: **Standards for Pre and Post Dispositional Group Homes**. The purpose of the proposed regulations is to provide standards for operating locally and state-administered pre and post dispositional group homes with respect to the provision of adequate care, treatment, and supervision; and suitable education, training and employment of such children ordered or referred to said facilities by the Juvenile Court and other youth-serving agencies.

Statutory Authority: §§ 16.1-311, 53.1-5, and 53.1-249 of the Code of Virginia.

Written comments may be submitted until November 30, 1987, to Mary Johnson, Manager, Division of Youth Services, Region IV, 540 East Constance Road, Suffolk, Virginia 23434.

Contact: Thaddeus Aubry, Manager, State & Local Youth Facilities, 11150 Main St., Suite 500, Fairfax, Va. 22030, telephone (703) 591-9422 or SCATS 466-3084

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Corrections intends to consider amending regulations entitled: **Standards for Family Group Homes**. The purpose of the proposed regulations is to provide standards for operating locally and state-administered family group homes with respect to the provision of adequate care, treatment, and supervision, and suitable education, training, and employment of such children ordered or referred to said homes by the Juvenile Court and other youth-serving agencies.

Statutory Authority: §§ 16.1-311, 53.1-5 and 53.1-249 of the Code of Virginia.

Written comments may be submitted until November 30, 1987, to William Lieb, Director, Family Group Home of Charlottesville, P. O. Box 155, Charlottesville, Va. 22902.

Contact: Thaddeus Aubry, Manager, State & Local Youth Facilities, 11150 Main St., Suite 500, Fairfax, Va. 22030, telephone (703) 591-9422 or SCATS 466-3084

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's

public participation guidelines that the Department of Corrections intends to consider amending regulations entitled: **Standards for Outreach Detention**. The purpose of the proposed regulation is to provide standards for operating locally and state-administered pre and post dispositional outreach, outreach detention and intensive supervision programs with respect to the provision of adequate care, treatment, and supervision, and suitable education, training and employment of such children ordered to said programs by the-Juvenile Court.

Statutory Authority: §§ 16.1-311, 16.1-233 and 53.1-5 of the Code of Virginia.

Written comments may be submitted until November 30, 1987.

Contact: Eleanor Dye, Manager, State & Local Youth Facilities, 5306-A Peters Creek Road, Roanoke, Va. 24019, telephone (703) 982-7186 or SCATS 676-7244

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Corrections intends to consider amending regulations entitled: **Minimum Standards for Court Services in Juvenile and Domestic Relations District Courts**. The purpose of the proposed regulation is to provide standards to aid in the effective operation of the Court Service Units in each of the Juvenile and Domestic Relations District Courts in Virginia by defining their roles, ensuring that services are delivered in an appropriate manner, and establishing criteria that will ensure that the quality and quantity of services provided are sufficient to meet the needs of the courts and the public.

Statutory Authority: §§ 16.1-233 and 53.1-5 of the Code of Virginia.

Written comments may be submitted until November 30, 1987.

Contact: Austen C. Micklem, Jr., Regional Administrator, Division of Youth Services, Fifty/Sixty Six Bldg., 11150 Main St., Fairfax, Va. 22030, telephone (703) 591-9422

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Corrections intends to consider amending regulations entitled: **Standards for Secure Detention**. The purpose of the proposed regulation is to provide standards for operating locally administered secure detention facilities and programs with respect to the provision of adequate care, treatment, and supervision, and suitable education and training of such children ordered to said facilities, pre-dispositionally or post-dispositionally by the juvenile court.

Statutory Authority: §§ 16.1-284.1.E, 16.1-311 and 53.1-5 of the Code of Virginia.

Written comments may be submitted until November 30, 1987, to Kitty Hardt, Manager, Division of Youth Services, Region III, 302 Turner Road, Richmond, Virginia 23225.

Contact: Thaddeus Aubry, Manager, State & Local Youth Facilities, 11150 Main St., Suite 500, Fairfax, Va. 22030-5066, telephone (703) 591-9422 or SCATS 466-3084

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Corrections intends to consider amending regulations entitled: **Minimum Standards for Virginia Delinquency Prevention and Youth Development Act Grant Programs**. The purpose of the proposed regulation is to provide standards for operating locally administered programs developed and implemented under Virginia Delinquency Prevention and Youth Development Act grants with respect to program administration, services, personnel fiscal management, staff training and development, and monitoring and evaluation.

Statutory Authority: §§ 53.1-5 and 53.1-253 of the Code of Virginia.

Written comments may be submitted until January 15, 1988.

Contact: Thomas J. Northen, III, Delinquency Prevention Specialist, Department of Corrections, P. O. Box 26963, Richmond, Va. 23261, telephone (804) 257-1633 or SCATS 327-1633

DEPARTMENTS OF CORRECTIONS; EDUCATION; MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES; AND SOCIAL SERVICES

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Departments of Corrections; Education; Mental Health, Mental Retardation and Substance Abuse Services; and Social Services intends to consider amending regulations entitled: **Core Standards for Interdepartmental Licensure and Certification of Residential Facilities for Children**. The purpose of the proposed regulation is to establish standards to provide children in residential facilities with at least a minimal level of care. The current effort is intended to amend and clarify those sections of the standards which address discipline and punishment. Only those sections of the regulations which address discipline or punishment, or both, will be considered for amendment.

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

General Notices/Errata

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 December 15, 1987.

Contact: John J. Allen, Jr., Coordinator, Office of the Coordinator, Interdepartmental Licensure and Certification, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9025 or SCATS 441-9025

DEPARTMENT OF SOCIAL SERVICES (BOARD OF)

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Social Services intends to repeal regulations entitled: **Specific Hearing Procedures in Aid to Dependent Children (ADC) Program.** The purpose of the proposed action is to repeal existing regulations.

Statutory Authority: § 63.1-25 of the Code of Virginia.

Written comments may be submitted until December 23, 1987, to I. Guy Lusk, Director, Division of Benefit Programs, 8007 Discovery Drive, Richmond, Virginia 23229-8699.

Contact: John L. Moody, Chief Hearings Officer, Division of Benefit Programs, Department of Social Services, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9044

Division of Licensing Programs

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Social Services intends to consider amending regulations entitled: **Standards and Regulations for Licensed Homes for Adults.** The purpose of the proposed action is to (i) amend standards relating to residents' rights, (ii) revise definition of "nursing and convalescent care," (iii) amend standards addressing the maintenance of records, (iv) amend standards relating to the maintenance of residents' personal funds, (v) revise definition of "maintenance and care," (vi) amend planned activity requirement, and (vii) review standards relating to restraints.

Statutory Authority: §§ 63.1-25 and 63.1-174 of the Code of Virginia.

Written comments may be submitted until November 30, 1987.

Contact: Jeffrey A. Setien, Program Development Supervisor, Division of Licensing Programs, 8007 Discovery

Dr., Richmond, Va. 23229-8699, telephone (804) 281-9025 (toll-free 1-800-552-7091)

DEPARTMENT OF TRANSPORTATION (COMMONWEALTH TRANSPORTATION BOARD)

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency's public participation guidelines that the Department of Transportation intends to consider promulgating regulations entitled: **Minimum Standards of Entrances to State Highways.** The purpose of the proposed regulation is to establish guidelines for controlling the use of highway right-of-way where it is necessary to provide access to commercial, private and industrial properties abutting state roads.

Statutory Authority: §§ 33.1-12, 33.1-197 and 33.1-198 of the Code of Virginia.

Written comments may be submitted until February 23, 1988.

Contact: John L. Butner, Assistant State Traffic Engineer, 1401 E. Broad St., Richmond, Va. 23219, telephone (804) 786-2965

STATE WATER CONTROL BOARD

Notice of Intended Regulatory Action

Notice is hereby given in accordance with this agency public participation guidelines that the State Water Control Board intends to consider promulgating regulations entitled: **Rappahannock River Basin Water Quality Management Plan.** The purpose of the proposed regulation is to set forth measures for the State Water Control Board to implement in order to reach and maintain applicable water quality goals in general terms and also by establishing numeric loading for five day biochemical (BOD5) and/or nitrogenous oxygen (NOD5).

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

Written comments may be submitted until 5 p.m., November 27, 1987.

Contact: Dale F. Jones, Office of Water Resources Planning, State Water Control Board, P. O. Box 11143, Richmond, Va. 23230, telephone (804) 257-6422, SCATS 327-6422

GENERAL NOTICES

NOTICES 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: Jane Chaffin, Virginia Code Commission, P.O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

FORMS:

NOTICE OF INTENDED REGULATORY ACTION - RR01
NOTICE OF COMMENT PERIOD - RR02
PROPOSED (Transmittal Sheet) - RR03
FINAL (Transmittal Sheet) - RR04
EMERGENCY (Transmittal Sheet) - RR05
NOTICE OF MEETING - RR06
AGENCY RESPONSE TO LEGISLATIVE OR GUBERNATORIAL OBJECTIONS - RR08

Copies of the 1987 Virginia Register Form, Style and Procedure Manual may also be obtained from Jane Chaffin at the above address.

CALENDAR OF EVENTS

Symbols Key

- † Indicates entries since last publication of the Virginia Register
- ☒ Location accessible to handicapped
- ☎ Telecommunications Device for Deaf (TDD)/Voice Designation

NOTICE

Only those meetings which are filed with the Registrar of Regulations by the filing deadline noted at the beginning of this publication are listed. Since some meetings are called on short notice, please be aware that this listing of meetings may be incomplete. Also, all meetings are subject to cancellation and the Virginia Register deadline may preclude a notice of such cancellation.

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.

VIRGINIA CODE COMMISSION

EXECUTIVE

BOARD OF AGRICULTURE AND CONSUMER SERVICES

† **January 23, 1988** – Written comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Agriculture and Consumer Services intends to amend regulations entitled: **VR 115-05-10. Rules and Regulations Defining Standards for Grades/Sizes of Shell Eggs.** This regulation sets forth grade and quality standards for the enforcement of the Virginia Egg Law. The proposed amendments delete three outdated sections and update the remaining sections to make them consistent with USDA specifications.

STATEMENT

Basis: Specifications and rules for the enforcement of the Virginia Egg Law need to be defined.

Purpose: The proposed amendments delete outdated sections and update the remaining sections.

The regulations provide specifications and requirements for establishing shell egg grades and sizes to assist in the enforcement of the Virginia Egg Law which provides consumer and seller protection regarding shell egg quality and wholesomeness and discourages misleading egg quality representations.

Estimated impact: Approximately 12,000 retail food stores, warehouses, food processors and food service operations as

well as restaurants, institutions and transporters are affected by this regulation. The proposed amendments are primarily for clarification and would not alter the existing impact of the regulations.

Statutory Authority: §§ 3.1-763.16 and 3.1-769.4 of the Code of Virginia.

Written comments may be submitted until January 23, 1988, to Raymond D. Vaughan, Secretary of the Board of Agriculture and Consumer Services.

Contact: J. A. Morano, Jr., Retail Food Inspection, Supervisor, P. O. Box 1163, Richmond, Va. 23209, telephone (804) 786-3520

STATE AIR POLLUTION CONTROL BOARD

November 23, 1987 - 9 a.m. – Open Meeting

† **December 11, 1987 - 9 a.m.** – Open Meeting

General Assembly Building, Capitol Square, Senate Room A, Richmond, Virginia. ☒

A general meeting of the board.

Contact: Richard Stone, Public Information Office, State Air Pollution Control Board, P. O. Box 10089, Richmond, Va. 23240, telephone (804) 786-5478

AUCTIONEERS BOARD

February 9, 1988 - 9 a.m. – Public Hearing

Department of Commerce, 3600 West Broad Street, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Auctioneers intends to amend regulations entitled: **VR 150-01-3. Rules and Regulations of the Virginia Auctioneers Board.** The proposed amendments will bring this provision more in line with the Code of Virginia and clarify the role of auctioneers who are unregistered.

Statutory Authority: §§ 54-1.28, 54-824.9:1 and 54-823.9:3 of the Code of Virginia.

Written comments may be submitted until January 8, 1988.

Contact: Geralde W. Morgan, Assistant Director, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230-4917, telephone (804) 257-8508, toll-free 1-800-552-3016, or SCATS 327-8508

STATE BOARD OF EXAMINERS FOR AUDIOLOGY AND SPEECH PATHOLOGY

December 2, 1987 - 10 a.m. - Open Meeting
Travelers Building, 3600 West Broad Street, Conference Room 1, Richmond, Virginia.

An open board meeting to consider (i) adoption of proposed regulations; (ii) discussion of revenue and expenditures; (iii) election of officers; and (iv) signing of certificates.

Contact: Geralde W. Morgan, Assistant Director, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230-4917, telephone (804) 257-8508, toll-free 1-800-552-3016, or SCATS 327-8508

GOVERNOR'S ADVISORY BOARD ON CHILD ABUSE AND NEGLECT

December 4, 1987 - 10 a.m. - Open Meeting
Koger Executive Center, 8001 Franklin Farms Drive, Koger Building, Room 124, Richmond, Virginia.

A regular quarterly meeting.

Contact: D. Ray Sirry, Division Director, 8007 Discovery Dr., Richmond, Va. 23229-8699, telephone (804) 281-9308

CHILD DAY CARE COUNCIL

December 10, 1987 - 10 a.m. - Open Meeting
Department of Game and Inland Fisheries, 4010 West Broad Street, Richmond, Virginia. (Interpreter for deaf provided if requested)

A meeting to discuss issues, concerns, and programs that impact licensed child care centers.

Contact: Meredyth Partridge, Department of Social Services, Licensing, 8007 Discovery Dr., Richmond, Va. 23229, telephone (804) 281-9025

DEPARTMENT OF COMMERCE (BOARD OF)

December 29, 1987 - 10 a.m. - Public Hearing
General Assembly Building, Capitol Square, House Room D, Richmond, Virginia.

Notice is hereby given in accordance § 9-6.14:7.1 of the Code of Virginia that the Department of Commerce intends to amend regulations entitled: VR 190-03-01. Polygraph Examiners Regulations. The purpose of this action is to regulate polygraph examiners and interns by establishing standards of education, experience and training to assure only qualified individuals become licensed and to assure valid polygraph examinations are performed.

Statutory Authority: § 54-917 of the Code of Virginia.

Written comments may be submitted until December 28, 1987.

Contact: David E. Dick, Assistant Director, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8516/8563 (toll-free 1-800-552-3016)

DEPARTMENT OF CONSERVATION AND HISTORIC RESOURCES

Virginia Soil and Water Conservation Board

December 9, 1987 - 9 a.m. - Open Meeting
Omni Richmond Hotel, Cary Street, Richmond, Virginia.

A regular bi-monthly business meeting.

Contact: Donald L. Wells, 203 Governor St., Suite 206, Richmond, Va. 23219, telephone (804) 786-4356

STATE BOARD OF CORRECTIONS

December 16, 1987 - 10 a.m. - Open Meeting
Department of Corrections, 4615 West Broad Street, Richmond, Virginia.

A regular monthly meeting to consider such matters as may be presented.

Contact: Vivian Toler, Secretary to the Board, 4615 W. Broad St., P.O. Box 26963, Richmond, Va. 23261, telephone (804) 257-6274

December 16, 1987 - 10 a.m. - Public Hearing
Department of Corrections, 4615 West Broad Street, Board Room, 3rd Floor, Richmond, Virginia

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Corrections intends to amend regulations entitled: VR 230-30-001. Minimum Standards for Jails and Lockups. The purpose of these regulations is to establish minimum standards for the administration and operation of jails and lockups.

Statutory Authority: §§ 53.1-5 and 53.1-68 of the Code of Virginia.

Written comments may be submitted until November 30, 1987.

Contact: Gayle L. Turner, Acting Manager, Certification Unit, Department of Corrections, 5001 West Broad St., Suite 300, Richmond, Va. 23230, telephone (804) 281-9240

Calendar of Events

VIRGINIA BOARD OF DENTISTRY

† December 3, 1987 - 8:30 a.m. - Open Meeting
† December 4, 1987 - 8:30 a.m. - Open Meeting
Department of Health Regulatory Boards, 1601 Rolling Hills Drive, Conference Room 1, Richmond, Virginia. ☒

Formal hearings. General board business.

December 5, 1987 - 9 a.m. - Open Meeting
General Assembly Building, Capitol Square, House Room C (Tentative), Richmond, Virginia. ☒

An informational hearing for the purpose of receiving comment on (i) regulation of administration of general anesthesia, conscious sedation and nitrous oxide oxygen inhalation analgesia; (ii) all restraint techniques; (iii) exam fees; (iv) Infectious disease control; (v) Posting Radiation Certification Certificates; and to (vi) review any new and existing regulations believed to be necessary by the public.

Contact: N. Taylor Feldman, Executive Secretary, 1601 Rolling Hills Dr., Richmond, Va. 23229, telephone (804) 662-9906

STATE BOARD OF EDUCATION

December 8, 1987 - 1:30 p.m. - Public Hearing
James Monroe Building, 101 North 14th Street, Conference Room C, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested) ☒

This meeting will constitute an official public hearing on the proposed permanent regulations governing Literary Loan Applications in Virginia. The proposed regulations are identical to emergency regulations which became effective on March 23, 1987.

Contact: M. E. Cale, Associate Superintendent for Financial and Support Services, Department of Education, P. O. Box 6-AG, Richmond, Va. 23216-2060, telephone (804) 225-2025

† December 8, 1987 - 9 a.m. - Open Meeting
† December 9, 1987 - 9 a.m. - Open Meeting
† January 14, 1988 - 9 a.m. - Open Meeting
† January 15, 1988 - 9 a.m. - Open Meeting
† February 25, 1988 - 9 a.m. - Open Meeting
† February 26, 1988 - 9 a.m. - Open Meeting
James Monroe Building, 101 North 14th Street, Conference Rooms D and E, Richmond, Virginia. ☒

A regularly scheduled meeting to conduct business 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 requested.

Contact: Margaret N. Roberts, James Monroe Bldg., 101 N. 14th St., 25th Fl., Richmond, Va. 23219, telephone (804)

225-2540

DEPARTMENT OF EDUCATION (STATE BOARD OF)

December 8, 1987 - 1:30 p.m. - Public Hearing
James Monroe Building, 101 North 14th Street, Conference Room C, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Education intends to repeal existing regulations and adopt new regulations entitled: **VR 270-02-0009. Regulations Governing Literary Loan Applications in Virginia.** The purpose of the regulations is to precribe the application process and release of funds for loans from the Literary Fund to school divisions for school construction.

Statutory Authority: §§ 22.1-16, 22-1-142 through 22.1-161 of the Code of Virginia.

Written comments may be submitted until December 11, 1987.

Contact: M. E. Cale, Associate Superintendent for Financial and Support Services, Department of Education, P. O. Box 6-Q, Richmond, Va. 23216-2060, telephone (804) 225-2025

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† February 25, 1988 - 1:30 p.m. - Public Hearing
James Monroe Building, 101 North 14th Street, Richmond, Virginia. ☒

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Education intends to amend regulations entitled: **VR 270-01-0006. Regulations Governing Pupil Transportation Including Minimum Standards for School Buses in Virginia.** The purpose of these amendments is to prescribe the scope of operational procedures and requirements, distribution of funds, driver requirements, body and chassis standards including life-gate buses, and requirements for activity buses.

STATEMENT

Subject and substance: Proposed adoption by the Board of Education of revisions and additions to pupil transportation regulations and standards.

Issues: 1. Estimated impact with respect to number of persons affected: All school bus drivers employed by public schools and school age children who ride school buses and other school vehicles.

2. Projected cost for implementation and compliance: The cost incurred by local school boards would be approximately \$500-\$800 for installation of additional bus

components. Additionally, some minor cost for administration and instruction will be incurred in some school divisions, the amount depending on the current level of programs now in effect.

Basis: §§ 22.1-16 and 22.1-176 of the Code of Virginia.

Purpose: To update and expand current and emergency regulations to achieve a higher degree of safety for pupils who ride public school buses and other school vehicles in Virginia.

Statutory Authority §§ 22.1-16 and 22.1-176 of the Code of Virginia.

Written comments may be submitted until January 22, 1988.

Contact: R. A. Bynum, Associate Director, Pupil Transportation Service, Department of Education, P. O. Box 6Q, Richmond, Va. 23216, telephone (804) 225-2037

STATE BOARD OF ELECTIONS

November 23, 1987 - 10 a.m. – Open Meeting
General Assembly Building, Capitol Square, Senate Room B, Richmond, Virginia. ☒

Canvass November 3, 1987 general and special elections.

Contact: Ginny Zimmerman, 101 Ninth Street Office Bldg., Richmond, Va. 23219, telephone (804) 786-6551

JOINT EMERGENCY PLANNING COMMITTEE OF THE CITIES OF HAMPTON, NEWPORT NEWS, WILLIAMSBURG, AND POQUOSON AND THE COUNTY OF YORK

November 24, 1987 - 9 a.m. – Open Meeting
Peninsula Planning District Commission, 2017 Cunningham Drive, Suite 300, Hampton, Virginia. ☒

A meeting to discuss business.

Contact: Henry M. Cochran, Executive Director, Peninsula Planning District Commission, 2017 Cunningham Dr., Suite 300, Hampton, Va., telephone (804) 838-4238

VIRGINIA EMERGENCY RESPONSE COUNCIL

November 24, 1987 - 9 a.m. – Open Meeting
Roanoke Civic Center, 710 Williamson Road, N.E., Roanoke, Virginia

November 30, 1987 - 9 a.m. – Open Meeting
Radisson Hotel, 700 Settlers Landing Road, Hampton, Virginia

December 3, 1987 - 9 a.m. – Open Meeting
Holiday Inn Hotel, Junction US 11 and I-81, Wytheville, Virginia

December 7, 1987 - 9 a.m. – Open Meeting
Sheraton Hotel, Exit 58 off I-81, Staunton, Virginia

The council will conduct a conference on Title III, Superfund Amendments and Reauthorization Act of 1986 (SARA). The conference is designed to give an indepth overview of the requirements of Title III to elected and appointed officials of local governments, to emergency responders, and to industry representatives.

Contact: Norman S. McTague, Department of Emergency Services, 310 Turner Rd., Richmond, Va. 23225-6491, telephone (804) 323-2185

VIRGINIA BOARD OF FUNERAL DIRECTORS AND EMBALMERS

November 24, 1987 - 1 p.m. – Open Meeting
Department of Health Regulatory Boards, 1601 Rolling Hills Drive, Conference Room 1, Richmond, Virginia. ☒

An informal conference committee meeting.

† **December 2, 1987 - 2 p.m. – Open Meeting**
Department of Health Regulatory Boards, 1601 Rolling Hills Drive, Conference Room 1, Richmond, Virginia. ☒

Formal fact-finding hearing and a general board meeting may be scheduled, and regulations may be discussed.

† **December 14, 1987 - 10 a.m. – Open Meeting**
† **December 15, 1987 - 9 a.m. – Open Meeting**
Department of Health Regulatory Boards, 1601 Rolling Hills Drive, Conference Room 1, Richmond, Virginia. ☒

An informal conference committee meeting for disciplinary matters.

Contact: Mark L. Forberg, Executive Secretary, 1601 Rolling Hills Dr., Richmond, Va. 23229-5005, telephone (804) 662-9907

DEPARTMENT OF GENERAL SERVICES

Art and Architectural Review Board

† **December 11, 1987 - 10 a.m. – Open Meeting**
Virginia Museum of Fine Arts, Main Conference Room, Richmond, Virginia. ☒

The board will advise the Director of the Department of General Services and the Governor on architecture of state facilities to be constructed and works of art to

Calendar of Events

be accepted or acquired by the Commonwealth.

Contact: M. Stanley Krause, AIA, AICP, Rancorn, Wildman & Krause, Architects and City Planning Consultants, P. O. Box 1817, Newport News, Va. 23601, telephone (804) 867-8030

State Insurance Advisory Board

December 10, 1987 - 9:30 a.m. – Open Meeting
The College of William and Mary, Campus Center, Room C, Williamsburg, Virginia. ☐

A quarterly meeting.

Contact: Charles F. Scott, Department of General Services, Division of Risk Management, 805 E. Broad St., Richmond, Va. 23219, telephone (804) 225-4619

Division of Consolidated Laboratory Services

January 6, 1988 - 10 a.m. – Public Hearing
James Monroe Building, 101 North 14th Street, Conference Room B, Richmond, Virginia. ☐

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of General Services intends to adopt new regulations and repeal existing regulations entitled: **VR 330-02-02. Regulations for the Approval of Independent Laboratories to Analyze Blood for Drugs in Driving Under the Influence Cases.** The regulations establish procedural and technical criteria for the approval of independent laboratories to analyze blood for drugs in driving under the influence cases.

Statutory Authority: §§ 2.1-424, 2.1-426 and 18.2-268 of the Code of Virginia.

Written comments may be submitted until January 6, 1988.

Contact: Dr. Paul B. Ferrara, Director, Bureau of Forensic Science, 1 N. 14th St., Richmond, Va. 23219, telephone (804) 786-2281

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January 6, 1988 - 10 a.m. – Public Hearing
James Monroe Building, 101 North 14th Street, Conference Room B, Richmond, Virginia. ☐

Notice is hereby given in accordance § 9-6.14:7.1 of the Code of Virginia that the Department of General Services intends to adopt new regulations and repeal existing regulations entitled: **VR 330-02-03. Regulations for the Approval of Independent Laboratories to Conduct Blood Alcohol Analysis in Driving Under Influence Cases.** The regulations describe the technical and administrative performance required to achieve and maintain approval for independent laboratories to conduct blood alcohol analysis.

Statutory Authority: §§ 2.1-424, 2.1-426 and 18.2-268 of the Code of Virginia.

Written comments may be submitted until January 6, 1988.

Contact: Dr. Paul B. Ferrara, Director, Bureau of Forensic Science, 1 N. 14th St., Richmond, Va. 23219, telephone (804) 786-2281

DEPARTMENT OF HEALTH (STATE BOARD OF)

December 30, 1987 - 10 a.m. – Public Hearing
State Capitol, Capitol Square, House Room 1, Richmond, Virginia. ☐

Notice is hereby given in accordance with § 9-6.14:7.1 that the Virginia Department of Health intends to amend regulations entitled: **VR 355-20-1. Ionizing Radiation Rules and Regulations.** These regulations cover radioactive materials and radiation producing machines; provide radiation protection standards.

Statutory Authority: § 32.1-229.4 of the Code of Virginia.

Written comments may be submitted until 5 p.m. December 26, 1987.

Contact: Leslie P. Foldesi, Radiation Safety Specialist, Bureau of Radiological Health, 109 Governor St., Room 916, Richmond, Va. 23219, telephone (804) 786-5932 (toll-free 1-800-468-0138)

VIRGINIA HEALTH SERVICES COST REVIEW COUNCIL

December 16, 1987 - 9:30 a.m. – Open Meeting
Department of Rehabilitative Services, 4901 Fitzhugh Avenue, Richmond, Virginia. ☐

A monthly business meeting of the council for the purpose of addressing financial, policy or technical matters which may have arisen since the last meeting.

Contact: Ann Y. McGee, Director, 805 E. Broad St., 9th Fl., Richmond, Va. 23219, telephone (804) 786-6371

STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA

† **December 8, 1987 - 11 a.m. – Open Meeting**
James Monroe Building, 101 North 14th Street, 9th Floor Conference Room, Richmond, Virginia. ☐

A monthly council meeting. The agenda will be available on request.

Contact: Marla Richardson, 101 N. 14th St., 9th Fl., Richmond, Va. 23219, telephone (804) 225-2638

GOVERNOR'S COMMISSION TO STUDY HISTORIC PRESERVATION

December 3, 1987 - 7 p.m. – Public Hearing
Norfolk City Hall, 810 Union Avenue, Council Chambers,
Norfolk, Virginia. ☐

A public hearing to receive comment on the preservation program in Virginia.

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

GOVERNOR'S JOB TRAINING COORDINATING COUNCIL

† **December 14, 1987 - 10:30 a.m.** – Open Meeting
Jefferson Sheraton Hotel, Adams and Franklin Streets,
Richmond, Virginia. ☐

A general meeting of the council open to the public

Contact: Gladys Walker, Governor's Employment and Training Department, 417 E. Grace St., P. O. Box 12083, Richmond, Va. 23241, telephone (804) 786-8085

LONG-TERM CARE OMBUDSMAN PROGRAM

Advisory Council

† **December 8, 1987 - 9:30 a.m.** – Open Meeting
James Monroe Building, 101 North 14th Street, Conference Room B, Richmond, Virginia. ☐

The council will discuss the work of Virginia's Long-Term Care Ombudsman Program and hear reports on issues of concern to the Advisory Council.

Contact: Virginia Dize, 101 N. 14th St., 18th Fl., Richmond, Va. 23219, telephone (804) 225-2271

VIRGINIA MARINE PRODUCTS BOARD

† **December 2, 1987 - 5 p.m.** – Open Meeting
The Eastville Inn, Eastville, Virginia

The board will meet to receive reports from the Executive Director of the Virginia Marine Products Board on: finance, marketing, past and future program planning, publicity/public relation, old/new business.

Contact: Shirley Estes Berg, 97 Main St., Room 103, Newport News, Va. 23601, telephone (804) 599-7261

MARINE RESOURCES COMMISSION

December 1, 1987 - 9:30 a.m. – Open Meeting
† **January 5, 1988 - 9:30 a.m.** – Open Meeting
Newport News City Council Chambers, 2400 Washington Avenue, Newport News, Virginia. ☐

The Virginia Marine Resources Commission will meet on the first Tuesday of each month, at 9:30 a.m. in Newport News City Council Chambers, located at 2400 Washington Avenue, Newport News, Virginia. The commission will hear and decide cases on fishing licensing; oyster ground leasing; environmental permits in wetlands, bottomlands, coastal sand dunes and beaches. It will also hear and decide appeals made on local wetlands board decisions.

Fishery management and conservation measures will be 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 measure within five days.

Contact: Sandra S. Schmidt, Secretary to the Commission, 2401 West Ave., P. O. Box 756, Newport News, Va. 23607-0756, telephone (804) 247-2206

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES (BOARD OF)

November 30, 1987 – Written comments may be submitted until this date.

Notice is hereby given in accordance § 9-6.14:7.1 of the Code of Virginia that the Department of Medical Assistance Services intends to amend regulations entitled: **VR 460-03-4.194. Nursing Home Payment System.** The purpose is to establish methods and standards for Medicaid reimbursement of nursing home providers.

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

Written comments may be submitted until November 30, 1987.

Contact: N. Stanley Fields, Director, Division of Provider Reimbursement, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, Va. 23219, telephone (804) 786-7931

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January 8, 1988 – Written comments may be submitted until this date.

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 amend

Calendar of Events

regulations entitled: **VR 460-02-4.191. Extended Repayment of Overpayments.** The purpose of these amendments is to provide the director with the regulatory authority to approve an extended repayment schedule, with an interest charge, when a provider can document that immediate repayment would cause severe financial hardship.

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

Written comments may be submitted until January 8, 1988.

Contact: N. Stanley Fields, Director, Division of Provider Reimbursement, Department of Medical Assistant Services, 600 E. Broad St., Suite 1300, Richmond, Va. 23219, telephone (804) 786-7931

VIRGINIA STATE BOARD OF MEDICINE

Chiropractic Examination Committee

December 11, 1987 - noon – Open Meeting
Embassy Suites Hotel, 2925 Commerce Center, Richmond, Virginia. ☐

The Chiropractic Examination Committee will meet in open and executive session for the purpose of reviewing and developing chiropractic questions for the January, 1988 exam.

Informal Conference Committee

December 11, 1987 - 10:30 a.m. – Open Meeting
Sheraton-Fredericksburg Resort and Conference Center, I-95 and Route 3, Fredericksburg, Virginia. ☐

A meeting to inquire into allegations that certain practitioners may have violated laws and regulations governing the practice of medicine in Virginia. The committee will meet in open and closed sessions pursuant to § 2.1-344 of the Code of Virginia.

Podiatry Examination Committee

December 18, 1987 - 9 a.m. – Open Meeting
Springfield Hilton, 6550 Loisdale Road, Springfield, Virginia. ☐

A workshop is being conducted and the committee has invited 11 podiatrists to attend this workshop. The role of the participants will be to assess individual questions used in the examination and offer a judgment on the proportion of entry-level candidates. This committee may also discuss any other items which may come before them.

Contact: Eugenia K. Dorson, Board Administrator, 1601 Rolling Hills Dr., Surry Bldg., 2nd Floor, Richmond, Va. 23229-5005, telephone (804) 662-9925

STATE MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES BOARD

† **December 16, 1987 - 10 a.m.** – Open Meeting
Southeastern Virginia Training Center, Chesapeake, Virginia. ☐

A regular monthly meeting. The agenda will be published on December 9 and may be obtained by calling Jane Helfrich.

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

DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES

Mental Retardation Advisory Council

† **December 3, 1987 - 9 a.m.** – Open Meeting
James Monroe Building, 101 North 14th Street, Conference Room E, 1st Floor, Richmond, Virginia. ☐ (Interpreter for deaf provided if requested) ☐

A quarterly meeting to advise the board of matters pertaining to mental retardation services across the Commonwealth.

Contact: Stanley J. Butkus, Ph.D., Director, Office of Mental Retardation Services, P. O. Box 1797, Richmond, Va. 23214, telephone (804) 786-1746/3710

DEPARTMENT OF MINES, MINERALS AND ENERGY

January 6, 1988 - 10 a.m. – Public Hearing
Department of Mines, Minerals and Energy, 2201 West Broad Street, Conference Room, Richmond, Virginia

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Mines, Minerals and Energy intends to adopt new regulations and repeal existing regulations entitled: **VR 480-01-1. Public Participation Guidelines.** The proposed regulations are procedures for the solicitation and participation of interested parties in the initiation, development and adoption of regulations required by the law of the Commonwealth.

Statutory Authority: §§ 9-6.14:7.1 and 45.1-3.1(4) of the Code of Virginia.

Written comments may be submitted until January 6, 1988.

Contact: Bill Edwards, Policy Analyst, 2201 W. Broad St., Richmond, Va. 23220, telephone (804) 257-0330

Division of Mined Land Reclamation

November 30, 1987 - 2 p.m. - Public Hearing

NOTE: CHANGE OF DATE

The Division's AML Conference Room, 622 Powell Avenue, Big Stone Gap, Virginia. ☒

The purpose of this public meeting is to give interested persons an opportunity to be heard in regard to the FY1988 Virginia Abandoned Mine Land Construction and Administration Grant applications to be submitted to the Federal Office of Surface Mining.

Contact: Roger L. Williams, Abandoned Mine Land Manager, P. O. Drawer U, 622 Powell Ave., Big Stone Gap, Va. 24219, telephone (703) 523-2925

VIRGINIA MUSEUM OF FINE ARTS

Board of Trustees Presidential Advisory Committee

† **December 9, 1987 - noon - Open Meeting**

Virginia Museum of Fine Arts, Boulevard and Grove Avenue, Conference Room, Richmond, Virginia. ☒

A meeting to discuss ways to improve trustee participation and dialogue through board meetings.

Contact: Emily C. Robertson, Secretary of the Museum, Boulevard and Grove Ave., Richmond, Va. 23221, telephone (804) 257-0553

VIRGINIA STATE BOARD OF NURSING

November 24, 1987 - 10 a.m. - Open Meeting

Roanoke Memorial Hospital, Belleview at Jefferson Street, 1st Floor Conference Room, Roanoke, Virginia. ☒ (Interpreter for deaf provided if requested) ☞

Two formal hearings will be held to inquire into allegations that certain laws and regulations governing the practice of nursing in Virginia may have been violated regarding:

10 a.m. - Shelby S. Lewis, R.N.

1 p.m. - Kathy P. Ellis, L.P.N.

† **December 1, 1987 - 10 a.m. - Open Meeting**

Medical College of Hampton Roads, 825 Fairfax Avenue, Hofheimer Hall, Room 204, Norfolk, Virginia. ☒ (Interpreter for deaf provided if requested) ☞

Two formal hearings will be held to inquire into allegations that certain laws and regulations governing the practice of nursing in Virginia may have been violated regarding:

10 a.m. - Virginia E. Mutch, R.N.

11:30 a.m. - Noel Halverson, L.P.N.

Informal Conference Committee

December 8, 1987 - 8:30 a.m. - Open Meeting

† **December 17, 1987 - 8:30 a.m. - Open Meeting**

Department of Health Regulatory Boards, 1601 Rolling Hills Drive, Conference Room 2, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested) ☞

A meeting to inquire into allegations that certain licensees may have violated laws and regulations governing the practice of nursing in Virginia.

Contact: Corinne F. Dorsey, R.N., Executive Director, 1601 Rolling Hills Dr., Richmond, Va. 23229, telephone (804) 662-9909, toll-free 1-800-533-1560

BOARD OF COMMISSIONERS TO EXAMINE PILOTS

December 10, 1987 - 10 a.m. - Open Meeting

Hasler and Company, 121 Tazewell Street, Norfolk, Virginia

A meeting to conduct routine business at its regular quarterly business meeting.

Contact: David E. Dick, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8515/8563; or William L. Taylor, 3329 Shore Dr., Virginia Beach, Va. 23451, telephone (804) 496-0995

VIRGINIA BOARD OF PROFESSIONAL COUNSELORS

† **December 11, 1987 - 11 a.m. - Open Meeting**

Department of Health Regulatory Boards, 1601 Rolling Hills Drive, Richmond, Virginia. ☒

A meeting to (i) conduct general board business; (ii) review correspondence; and (iii) discuss issues.

Contact: Joyce D. Williams, 1601 Rolling Hills Dr., Richmond, Va. 23229, telephone (804) 662-9912

VIRGINIA REAL ESTATE BOARD

† **November 23, 1987 - 9 a.m. - Open Meeting**

† **December 15, 1987 - 9 a.m. - Open Meeting**

Department of Commerce, 3600 West Broad Street, 5th Floor, Richmond, Virginia. ☒

A regular business meeting. The agenda will consist of (i) investigative cases (files) to be considered, (ii) files to be reconsidered, and (iii) matters relating to fair housing, property registration, and licensing issues (e.g., reinstatement, eligibility requests).

Contact: Joan L. White, Assistant Director for Real Estate, Department of Commerce, 3600 W. Broad St., 5th Fl., Richmond, Va. 23230, telephone (804) 257-8552

Calendar of Events

† **December 2, 1987 - 10 a.m.** – Open Meeting
Sheraton Beach Inn and Conference Center, 36th and
Oceanfront, Virginia Beach, Virginia

The board will meet to conduct a formal
administrative hearing: Virginia Real Estate Board v.
Joyce Z. Prescott.

Contact: Sylvia W. Bryant, Hearings Coordinator,
Department of Commerce, 3600 W. Broad St., Richmond,
Va. 23230, telephone (804) 257-8524

VIRGINIA RESOURCES AUTHORITY

† **December 8, 1987 - 10 a.m.** – Open Meeting
The Mutual Building, 909 East Main Street, 12th Floor
Conference Room, Richmond, Virginia

A meeting to (i) approve minutes of the October 13,
1987 meeting; (ii) review the authority's operations for
the prior months; and (iii) 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., P. O. Box 1300,
Richmond, Va. 23210, telephone (804) 644-3100

STATE SEWAGE HANDLING AND DISPOSAL APPEALS REVIEW BOARD

December 9, 1987 - 10 a.m. – Open Meeting
General Assembly Building, Capitol Square, Meeting Room
A, Richmond, Virginia. ☐

A meeting to hear and render a decision on all
appeals of denials of on-site sewage disposal system
permits.

Contact: Deborah E. Randolph, James Madison Bldg.,
Room 500, Richmond, Va. 23219, telephone (804) 786-3559

DEPARTMENT OF SOCIAL SERVICES (BOARD OF)

November 27, 1987 – Written comments may be submitted
until this date.

Notice is hereby given in accordance § 9-6.14:7.1 of
the Code of Virginia that the Department of Social
Services intends to amend regulations entitled: **VR**
615-48-02. Employment Services Program Policy. The
purpose of the amendments is to (i) eliminate
applicant job search as a condition of eligibility for
ADC & GR; and (ii) waive the recipient job search
requirements for ESP recipients under 21 years who
participate in education or training activities.

Statutory Authority: § 63.1-25 of the Code of Virginia.

Written comments may be submitted until November 27,
1987.

Contact: Penelope Boyd Pellow, Assistant State
Employment Services Supervisor, Virginia Department of
Social Services, 8007 Discovery Dr., Richmond, Va.
23229-8699, telephone (804) 281-9032 (toll-free
1-800-552-7091)

Division of Child Support Enforcement

† **December 3, 1987 - 3 p.m. and 7 p.m.** – Public Hearing
Roanoke City Council Chambers, 215 Church Avenue, S.W.,
Roanoke, Virginia. ☐

† **December 8, 1987 - 3 p.m. and 7 p.m.** – Public Hearing
General Assembly Building, Capitol Square, Senate Room
B, Richmond, Virginia. ☐

† **December 10, 1987 - 3 p.m. and 7 p.m.** – Public
Hearing
Norfolk City Council Chambers, 810 Union Street, City Hall
Building, 11th Floor, Norfolk, Virginia

† **December 15, 1987 - 3 p.m. and 7 p.m.** – Public
Hearing
George Mason University, 4400 University Drive, Student
Union 2, Front Ball Room, Parking Lot B, Fairfax, Virginia

The Department of Social Services is interested in the
public's comments about the Child Support
Enforcement Program. Persons wishing to speak
should be prepared to comment on the child support
services they have received from the department in
1987 and to recommend changes in the delivery of
child support services. Written comments should be
postmarked by 5 p.m. December 16, 1987.

The department has scheduled this meeting in
conjunction with the Virginia Child Support Advisory
Committee. Mr. Harry W. Wiggins, Director of the
Division of Child Support Enforcement, will preside.

Contact: Gabrielle P. Ficklin, 11166 Main St., Suite 310,
Fairfax, Va. 22030, telephone (703) 359-6772

STATE BOARD OF PROFESSIONAL SOIL SCIENTISTS

† **November 24, 1987 - 9:30 a.m.** – Open Meeting
Department of Commerce, 3600 West Broad Street,
Conference Room 4, Richmond, Virginia. ☐

Initial meeting of board to (i) elect officers, (ii)
provide orientation for new board members, and (iii)
develop work plan for implementation of program.

† **November 25, 1987 - 9:30 a.m.** – Open Meeting
Department of Commerce, 3600 West Broad Street,

Conference Room 3, Richmond, Virginia. ☒

A meeting to develop a work plan for implementation of program.

Contact: E. G. Andres, Department of Commerce, 3600 W. Broad St., Richmond, Va. 23230, telephone (804) 257-8511

COMMONWEALTH TRANSPORTATION BOARD

December 17, 1987 - 10 a.m. – Open Meeting
Department of Transportation, 1401 East Broad Street, 3rd Floor, Board Room, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested) ☎

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

Contact: Albert W. Coates, Jr., Assistant Commissioner, Department of Transportation, 1401 E. Broad St., Richmond, Va. 23219, telephone (804) 786-9950

DEPARTMENT OF TRANSPORTATION

† **December 15, 1987 - 7:30 p.m. – Public Hearing**
Department of Transportation Building, 1221 East Broad Street, Auditorium, Richmond, Virginia. ☒

A public hearing on 1987 Update of the State Rail Plan.

State Rail Advisory Committee

† **December 15, 1987 - 2 p.m. – Open Meeting**
Department of Transportation Building, 1221 East Broad Street, Auditorium, Richmond, Virginia. ☒

Review of draft 1987 Update of the State Rail Plan and discussion of proposed work program for 1988 State Rail Plan.

Contact: Billy D. Ketron, Department of Transportation, 1221 E. Broad St., Richmond, Va. 23219, telephone (804) 786-1065

TREASURY BOARD

December 16, 1987 - 9 a.m. – Open Meeting
James Monroe Building, 101 North 14th Street, 3rd Floor, Richmond, Virginia. ☒

A regular monthly meeting.

Contact: Betty A. Ball, Department of Treasury, James Monroe Bldg., 3rd Fl., Richmond, Va. 23219, telephone (804) 225-2142

VIRGINIA BOARD OF VETERINARY MEDICINE

† **December 8, 1987 - 8 a.m. – Open Meeting**
Hotel Roanoke, Roanoke, Virginia

A national board examination.

† **December 9, 1987 - 8 a.m. – Open Meeting**
Hotel Roanoke, Roanoke, Virginia

A clinical competency test.

† **December 9, 1987 - 2 p.m. – Open Meeting**
† **December 10, 1987 - 8 a.m. – Open Meeting**
Hotel Roanoke, Roanoke, Virginia

A meeting to discuss (i) general business; (ii) regulations; and (iii) disciplinary matters.

Contact: Moria Lux, Executive Director, Virginia Board of Veterinary Medicine, 1601 Rolling Hills Dr., Richmond, Va. 23229, telephone (804) 662-9942

BOARD FOR THE VISUALLY HANDICAPPED

† **January 21, 1988 - 10 a.m. – Open Meeting**
Administrative Headquarters, 397 Azalea Avenue, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested) ☎

A bi-monthly meeting to review policy and procedures of the Virginia Department for the Visually Handicapped. The board reviews and approves department's budget, executive agreement, and operating plan.

Contact: Diane Allen, Executive Secretary Senior, 397 Azalea Ave., Richmond, Va. 23227, telephone (after 12/1/87) (804) 371-3145 (TDD number 371-3140), toll-free 1-800-622-2155

DEPARTMENT FOR THE VISUALLY HANDICAPPED

Advisory Committee on Services

† **January 9, 1988 - 10:30 a.m. – Open Meeting**
Administrative Headquarters, 397 Azalea Avenue, Richmond, Virginia. ☒ (Interpreter for deaf provided if requested) ☎

A quarterly meeting to advise the Department for the Visually Handicapped on matters related to services for blind and visually handicapped citizens of the Commonwealth.

Contact: Diane E. Allen, Executive Secretary Senior, 397 Azalea Ave., Richmond, Va. 23227, telephone (after 12/1/87) (804) 371-3145 (TDD number 371-3140), toll-free 1-800-622-2155

Calendar of Events

VIRGINIA VOLUNTARY FORMULARY BOARD

December 10, 1987 - 10:30 a.m. – Open Meeting
James Madison Building, 109 Governor Street, Main Floor
Conference Room, Richmond, Virginia. ☒

A meeting to review public comments and product data for products being considered for inclusion in the Virginia Voluntary Formulary.

Contact: James K. Thomson, Director, Bureau of Pharmacy Services, Virginia Department of Health, 109 Governor St., Richmond, Va. 23219, telephone (804) 786-4326

STATE WATER CONTROL BOARD

November 23, 1987 - 10 a.m. – Public Hearing
Washington County Administration Building, 205 Academy Drive, Board of Supervisors Room, Abingdon, Virginia

November 30, 1987 - 2 p.m. – Public Hearing
Virginia War Memorial, 621 South Belvidere Street, Richmond, Virginia

Public hearings for the purpose of receiving comments on the Revolving Loan Program which will provide loans to local governments for wastewater treatment improvements to publicly owned facilities.

December 7, 1987 - 9 a.m. – Open Meeting
December 8, 1987 - 9 a.m. – Open Meeting
General Assembly Building, Capitol Square, Senate Room A, Richmond, Virginia. ☒

A regular quarterly meeting.

Contact: Doneva A. Dalton, Virginia State Water Control Board, 2111 N. Hamilton St., P. O. Box 11143, Richmond, Va. 23230, telephone (804) 257-6829

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January 11, 1988 - 2 p.m. – Public Hearing
Newport News City Hall, Council Chambers, 2400 Washington Avenue, Newport News, Virginia

January 13, 1988 - 7 p.m. – Public Hearing
Roanoke County Administration Center Community Room, 3738 Brambleton Avenue, S.W., Roanoke, Virginia

January 14, 1988 - 2:30 p.m. – Public Hearing
County Administration Building, Spotsylvania County Board of Supervisors Room, Route 208 at Spotsylvania Courthouse, Spotsylvania, Virginia

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Water Control Board intends to adopt regulations entitled: **VR 680-14-02. Policy for Nutrient Enriched Waters -**

Water Quality Standards. The proposed regulation will provide for the control of discharges of phosphorus from point sources affecting designated "nutrient enriched waters."

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

Written comments may be submitted until 5 p.m., January 23, 1988, to Doneva Dalton, Hearing Reporter, State Water Control Board, P. O. Box 11143, Richmond, Virginia 23230.

Contact: Jean Gregory, Office of Environmental Research and Standards, State Water Control Board, P. O. Box 11143, Richmond, Va. 23230, telephone (804) 257-6985

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January 11, 1988 - 7 p.m. – Public Hearing
Newport News City Hall, 2400 Washington Avenue, Council Chambers, Newport News, Virginia

January 13, 1988 - 2:30 p.m. – Public Hearing
Roanoke County Administration Center Community Room, 3738 Brambleton Avenue, S.W., Roanoke, Virginia

January 14, 1988 - 7 p.m. – Public Hearing
County Administration Building, Spotsylvania County Board of Supervisors Room, Route 208 at Spotsylvania Courthouse, Spotsylvania, Virginia

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Water Control Board intends to adopt regulations entitled: **VR 680-14-03. Toxics Management Regulation.** The proposed regulation would control and manage toxic pollutants discharged to surface waters of the Commonwealth.

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

Written comments may be submitted until 5 p.m., January 29, 1988, to Doneva Dalton, Hearing Reporter, State Water Control Board, P. O. Box 11143, Richmond, Virginia 23230.

Contact: Alan Anthony or Richard Ayers, Office of Environmental Research and Standards, State Water Control Board, P. O. Box 11143, Richmond, Va. 23230, telephone (804) 257-0791

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January 11, 1988 - 2 p.m. – Public Hearing
Newport News City Hall, 2400 Washington Avenue, Council Chambers, Newport News, Virginia

January 13, 1988 - 7 p.m. – Public Hearing
Roanoke County Administration Center Community Room, 3738 Brambleton Avenue, S.W., Roanoke, Virginia

January 14, 1988 - 2:30 p.m. - Public Hearing
County Administration Building, Spotsylvania County Board
of Supervisors Room, Route 208 at Spotsylvania
Courthouse, Spotsylvania, Virginia

Notice is hereby given with § 9-6.14:7.1 of the Code of
Virginia that the State Water Control Board intends to
amend regulations entitled: **VR 680-21-07. Special
Standards and Designations - Water Quality
Standards.** The proposed amendment of the Water
Quality Standards establishes a designation of "nutrient
enriched waters."

Statutory Authority: § 62.1-44.15(3) of the Code of Virginia.

Written comments may be submitted until 5 p.m., January
23, 1988, to Doneva Dalton, Hearing Reporter, State Water
Control Board, P. O. Box 11143, Richmond, Virginia 23230.

Contact: Jean Gregory, Office of Environmental Research
and Standards, State Water Control Board, P. O. Box 11143,
Richmond, Va. 23230, telephone (804) 257-6985

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January 11, 1988 - 11:30 a.m. - Public Hearing
Newport News City Hall, 2400 Washington Avenue, Council
Chambers, Newport News, Virginia

January 13, 1988 - 2 p.m. - Public Hearing
Roanoke County Administration Center Community Room,
3738 Brambleton Avenue, S.W., Roanoke, Virginia

January 14, 1988 - 2 p.m. - Public Hearing
County Administration Building, Spotsylvania County Board
of Supervisors Room, Route 208 at Spotsylvania
Courthouse, Spotsylvania, Virginia

Notice is hereby given in accordance with § 9-6.14:7.1
of the Code of Virginia that the State Water Control
Board intends to amend regulations entitled: **VR
680-21-08. River Basin Section Tables - Water Quality
Standards.** The purpose of the proposed amendments
is to designate public water supplies for the Quantico
Marine Base, the Wintergreen Mountain Village, Fort
Monroe, Tazewell and Austinville.

Statutory Authority: § 62.1-44.15(3) of the Code of Virginia.

Written comments may be submitted until 5 p.m., January
29, 1988, to Doneva Dalton, Hearing Reporter, State Water
Control Board, P. O. Box 11143, Richmond, Virginia 23230.

Contact: Stu Wilson, Office of Environmental Research and
Standards, State Water Control Board, P. O. Box 11143,
Richmond, Va. 23230, telephone (804) 257-0387

LEGISLATIVE

**JOINT COMMITTEE MEETING OF HOUSE
APPROPRIATIONS, HOUSE FINANCE AND SENATE
FINANCE**

† December 18, 1987 - 9:30 a.m. - Open Meeting
General Assembly Building, Capitol Square, House Room
D, Richmond, Virginia. ☐

A joint monthly meeting. The agenda will include
revised revenue estimates.

Contact: Donna C. Johnson, House Appropriations
Committee, General Assembly Bldg., 9th Fl., Richmond, Va.
23219, telephone (804) 786-1837

**JOINT SUBCOMMITTEE STUDYING CHILD-SUPPORT
FORMULAS**

November 23, 1987 - 10 a.m. - Open Meeting
State Capitol, Capitol Square, House Room 4, Richmond,
Virginia. ☐

The joint subcommittee will meet to finalize proposed
legislation. HJR 341

Contact: Susan Ward, Staff Attorney, Division of Legislative
Services, P. O. Box 3-AG, Richmond, Va. 23208, telephone
(804) 786-3591

VIRGINIA CODE COMMISSION

November 30, 1987 - 9:30 a.m. - Open Meeting
General Assembly Building, Capitol Square, 6th Floor
Conference Room, Richmond, Virginia. ☐

The commission will review the first draft of the
revision of Title 10 (Conservation Generally) of the
Code of Virginia.

Contact: Joan W. Smith, Registrar of Regulations, Virginia
Code Commission, P. O. Box 3-AG, Richmond, Va. 23208,
telephone (804) 786-3591

**JOINT SUBCOMMITTEE STUDYING THE NEED FOR
EARLY CHILDHOOD PROGRAMS**

† November 24, 1987 - 10 a.m. - Public Hearing
† November 24, 1987 - 2 p.m. - Open Meeting
General Assembly Building, Capitol Square, House Room C,
Richmond, Virginia. ☐

This joint subcommittee will meet at 10 a.m. for the
purpose of a public hearing regarding the
subcommittee's issue area and will be followed by a
work session, scheduled to begin at approximately 2
p.m. (both the public hearing and the work session

Calendar of Events

will be held in House Room C in the General Assembly Building). HJR 299

Special Subcommittee

† **November 23, 1987 - 3 p.m.** – Open Meeting
General Assembly Building, Capitol Square, West Conference Room, 9th Floor, Richmond, Virginia. ☒

A work session will be held. HJR 299

Contact: Persons wishing to speak contact: Jeffrey A. Finch, House of Delegates, P. O. Box 406, Richmond, Va. 23203, telephone (804) 786-2227; for additional information contact: Norma Szakal, Staff Attorney, or Brenda Edwards, Research Associate, Division of Legislative Services, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

STUDY OF ECONOMIC DEVELOPMENT IN THE COMMONWEALTH

† **December 2, 1987 - 10 a.m.** – Open Meeting
General Assembly Building, Capitol Square, House Appropriations Committee Room, Richmond, Virginia. ☒

Final working session of the interim for two-year study regarding economic development in Virginia. HJR 132

Contact: Angela Bowser, Staff Attorney, Division of Legislative Services, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

JOINT SUBCOMMITTEE STUDYING ADOPTION OF NEW LYRICS FOR THE OFFICIAL SONG OF THE COMMONWEALTH

December 11, 1987 - 10 a.m. – Open Meeting
General Assembly Building, Capitol Square, House Room C, Richmond, Virginia. ☒

Hearings to receive testimony on changing or retaining lyrics of Virginia's official song.

Contact: Persons wishing to speak contact: Anne R. Howard, House of Delegates Clerk's Office, P. O. Box 406, Richmond, Va. 23203, telephone (804) 786-7681; for additional information contact: Angela Bowser, Staff Attorney, Division of Legislative Services, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

SPECIAL HOUSE ROADS AND INTERNAL NAVIGATION SUBCOMMITTEE STUDYING ENFORCEMENT OF CERTAIN MOTOR CARRIER REGULATIONS

November 23, 1987 - 2 p.m. – Open Meeting
State Capitol, Capitol Square, House Room 1, Richmond, Virginia. ☒

First meeting of this special subcommittee that will study the enforcement of certain motor carrier regulations. HB 666 of the 1986 session

Contact: Persons wishing to speak contact: Jeff Finch, House of Delegates, P. O. Box 406, Richmond, Va. 23203, telephone (804) 786-2227; for additional information contact: Dr. Alan Wambold, Research Associate, Division of Legislative Services, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

JOINT SUBCOMMITTEE INVESTIGATING THE EXTENT OF UNFAIR COMPETITION BETWEEN NONPROFIT ORGANIZATIONS AND SMALL FOR-PROFIT BUSINESSES IN VIRGINIA

† **December 1, 1987 - 10 a.m.** – Open Meeting
General Assembly Building, Capitol Square, House Room C, Richmond, Virginia. ☒

The subcommittee will meet to finalize proposed legislation. HJR 303

Contact: Susan Ward, Staff Attorney, Division of Legislative Services, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

STATE WATER COMMISSION

December 9, 1987 - 9:30 a.m. – Open Meeting
Marriott Hotel, 500 East Broad Street, Richmond, Virginia

A meeting to consider possible recommendations for the protection of groundwater as it relates to drinking water supplies (HJR 324). The commission will also receive a report from the State Water Control Board on their analyses of Virginia's major water basins and an update from the Virginia Extension Service on the status of the reporting by farmers on their water withdrawals for irrigation.

Contact: Martin Farber, Research Associate, Division of Legislative Services, P. O. Box 3-AG, Richmond, Va. 23208, telephone (804) 786-3591

CHRONOLOGICAL LIST

OPEN MEETINGS

November 23

Air Pollution Control Board, State
Child-Support Formulas, Joint Subcommittee Studying
† Early Childhood Programs, Joint Subcommittee Studying the Need for
Elections, State Board of
† Real Estate Board, Virginia
Roads and Internal Navigation Subcommittee Studying

Calendar of Events

Enforcement of Certain Motor Carrier Regulations,
Special House

November 24

† Early Childhood Programs, Joint Subcommittee
Studying the Need for
Emergency Planning Committee of the Cities of
Hampton, Newport News, Williamsburg, and Poquoson
and the County of York, Joint
Emergency Response Council, Virginia
Funeral Directors and Embalmers, Virginia Board of
Nursing, Virginia State Board of
† Soil Scientists, State Board of Professional

November 25

† Soil Scientists, State Board of Professional

November 30

Code Commission, Virginia
Emergency Response Council, Virginia

December 1

Marine Resources Commission
† Nursing, Virginia State Board of
† Unfair Competition Between Nonprofit Organizations
and Small For-Profit Businesses in Virginia, Joint
Subcommittee Investigating the Extent of

December 2

Audiology and Speech Pathology, State Board of
Examiners for
† Economic Development in the Commonwealth, Study
of
† Funeral Directors and Embalmers, Virginia Board of
† Marine Products Board, Virginia
† Real Estate Board, Virginia

December 3

† Dentistry, Virginia Board of
Emergency Response Council, Virginia
† Mental Health, Mental Retardation and Substance
Abuse Services, Department of
- Mental Retardation Advisory Council

December 4

Child Abuse and Neglect, Governor's Advisory Board
on
† Dentistry, Virginia Board of

December 5

Dentistry, Virginia Board of

December 7

Emergency Response Council, Virginia
Water Control Board, State

December 8

† Education, State Board of
† Higher Education for Virginia, State Council of
† Long-Term Care Ombudsman Program
- Advisory Council

Nursing, Virginia State Board of
- Informal Conference Committee
† Resources Authority, Virginia
Water Control Board, State

December 9

Conservation and Historic Resources, Department of
- Virginia Soil and Water Conservation Board
† Education, State Board of
† Museum of Fine Arts, Virginia
- Board of Trustees Presidential Advisory Committee
Sewage Handling and Disposal Appeals Review Board,
State
† Veterinary Medicine, Virginia Board of
Water Commission, State

December 10

† Child Day Care Council
General Services, Department of
- State Insurance Advisory Board
Pilots, Board of Commissioners to Examine
† Veterinary Medicine, Virginia Board of
Voluntary Formulary Board, Virginia

December 11

† Air Pollution Control Board, State
† General Services, Department of
- Art and Architectural Review Board
Medicine, Virginia State Board of
- Chiropractic Examination Committee
- Informal Conference Committee
† Professional Counselors, Virginia Board of

December 14

† Funeral Directors and Embalmers, Virginia Board of
† Job Training Coordinating Council, Governor's

December 15

† Funeral Directors and Embalmers, Virginia Board of
† Real Estate Board, Virginia
† Transportation, Department of
- State Rail Advisory Committee

December 16

Corrections, State Board of
Health Services Cost Review Council, Virginia
† Mental Health, Mental Retardation and Substance
Abuse Services Board, State
Treasury Board

December 17

† Nursing, Virginia State Board of
- Informal Conference Committee
Transportation Board, Commonwealth

December 18

† House Appropriations, House Finance and Senate
Finance, Joint Committee Meeting of
Medicine, Virginia State Board of
- Podiatry Examination Committee

Calendar of Events

January 5, 1988

† Marine Resources Commission

January 9

† Visually Handicapped, Department for the
- Advisory Committee on Services

January 14

† Education, State Board of

January 15

† Education, State Board of

January 21

† Visually Handicapped, Board for the

February 25

† Education, State Board of

February 26

† Education, State Board of

December 16

Corrections, State Board of

December 29

Commerce, Department of

December 30

Health, Department of

January 6, 1988

General Services, Department of
- Division of Consolidated Laboratory Services
Mines, Minerals and Energy, Department of

January 11

Water Control Board, State

January 13

Water Control Board, State

January 14

Water Control Board, State

February 9

Auctioneers Board

February 25

† Education, Department of

PUBLIC HEARINGS

November 23

Water Control Board, State

November 24

† Early Childhood Programs, Joint Subcommittee
Studying the Need for

November 30

Mines, Minerals and Energy, Department of
- Division of Mined Land Reclamation
Water Control Board, State

December 3

Historic Preservation, Governor's Commission to Study
† Social Services, Department of
- Division of Child Support Enforcement

December 8

Education, Department of
† Social Services, Department of
- Division of Child Support Enforcement

December 10

† Social Services, Department of
- Division of Child Support Enforcement

December 11

New Lyrics for the Official Song of the
Commonwealth, Joint Subcommittee Studying Adoption
of

December 15

† Social Services, Department of
- Division of Child Support Enforcement
† Transportation, Department of