



**COMMONWEALTH of VIRGINIA**  
*Office of the Attorney General*  
*Richmond 23219*

Mark R. Herring  
Attorney General

900 East Main Street  
Richmond, Virginia 23219  
804-786-2071

804-371-8947 TDD

**MEMORANDUM**

**TO:** Col. W.S. Flaherty, Superintendent  
Department of State Police

**FROM:** Ann M. Reardon  
Assistant Attorney General

**DATE:** November 24, 2014

**SUBJECT:** Regulation Relating to Motor Carrier Safety Regulations – 19 VAC30-150.

In response to a request from the Department of State Police, I have reviewed the existing regulations set forth in 19 VAC 30-150, which establishes the approval standards and specifications for over-dimensional warning lights required by Section 46.2-1026 of the Code of Virginia. Virginia Code § 46.2-1005 requires the Superintendent to establish a procedure for the approval of equipment required to be approved by him. Virginia Code § 46.2-1026 mandates what type of warning lights, their visibility, when they shall be used and where they are to be mounted on a vehicle. Upon review of the aforesaid amendments, I find it to be constitutional, consistent with the statutory authority conferred by § 46.2-1005 and § 46.2-1026 of the Code of Virginia, and in conformity with existing statutory provisions.

*Please note that this memorandum is intended to provide legal interpretations and legal advice, not policy advice. To the extent that this communication may advise you that a certain action is lawful, the decision whether to take such action remains a policy decision within the discretion of your agency and this communication should not be construed as a comment for or against the merits of such action.*