

**Unified Regulatory Plan of the Department of
Professional and Occupational Regulation for State
Fiscal Year 2023**

Prepared on September 30, 2022

Description of the Department of Professional and Occupational Regulation

Various separate licensing boards, each authorized to regulate the practice of one or more professions or occupations, are placed within the Department of Professional and Occupational Regulation for administrative purposes. For each regulatory board, the director of the department acts as secretary and administrative officer, maintains all records, collects and accounts for all fees, and enforces all applicable laws and regulations. Code of Virginia, Title 54.1, Chapter 3. See the separate listings for these boards in this title under Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects; Asbestos, Lead, and Home Inspectors; Auctioneers; Barbers and Cosmetology; Branch Pilots; Cemetery; Common Interest Community; Contractors; Fair Housing; Hearing Aid Specialists and Opticians; Real Estate Appraiser; Real Estate; Professional Soil Scientists, Wetland Professionals, and Geologists; Waste Management Facility Operators; and Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals.

Each of these regulatory boards is authorized to (i) establish the qualifications of applicants for certification or licensure; (ii) examine, or cause to be examined, the qualifications of each applicant, including when necessary the preparation, administration and grading of examinations; (iii) certify or license qualified applicants as practitioners; (iv) levy and collect fees; (v) promulgate regulations necessary to ensure continued competency, to prevent deceptive or misleading practices by practitioners, and to effectively administer the regulatory system administered by the board; (vi) ensure that inspections are conducted relating to the practice of each practitioner certified or licensed by the board; (vii) revoke, suspend or fail to renew a certificate or license for just causes as enumerated in regulations of the board; (viii) receive complaints concerning the conduct of any person whose activities are regulated by the board; (ix) provide a respondent in a disciplinary case with notice of his due process rights; and (x) promulgate canons of ethics under which the professional activities of persons regulated shall be conducted. Code of Virginia, Title 54.1, Chapter 2.

In addition to its functions concerned with separate regulatory boards, the department is authorized to make regulations for (i) the licensing of boxing, martial arts, or professional wrestling events and those persons involved in such events as a promoter, matchmaker, trainer, boxer, martial artist or wrestler, as well as the authorization of approved sanctioning organizations to oversee amateur martial arts events and their participants (Code of Virginia, Title 54.1, Chapter 8.1) ; and (ii) the licensing of polygraph examiners and the approval of schools in which courses of instruction in the detection of deception are taught (Code of Virginia, Title 54.1, Chapter 18).

Description of Board

The **Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects** is a separate agency within the Department of Professional and Occupational Regulation. The director of the department acts as the board's secretary and administrative officer. Code of Virginia, Title 54.1, Chapter 3. See the summary for the department for the powers and duties applicable to all regulatory boards. Code of Virginia, Title 54.1, Chapter 2.

The board is authorized to license and certify individuals and to register businesses for the practice of architecture, professional engineering, land surveying, landscape architecture, and interior design; to set standards for licensure and certification and for professional conduct; and to promulgate regulations for those purposes. Code of Virginia, Title 54.1, Chapter 4, and Title 13.1, Chapters 7 and 13.

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| Title and Chapter of Regulation Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects Regulations, 18VAC10-20 | |
| Title of Proposed Regulatory Action or Guidance Document Revision of Revised Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects Regulations | |
| Brief Overview The Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects intends to reinstate regulations that were erroneously removed from the most recent regulatory update; based on feedback, address responsible charge resident; changes to land surveyor regulations, and clarify registering of businesses. The review will be conducted in accordance with the Administrative Process Act, Executive Order 19 (2022), and Executive Directive 1. | |
| Regulatory Stage (check one box) | <input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input checked="" type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | None |
| Expected Date | January 2023 |

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| Title and Chapter of Regulation Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects Regulations, 18VAC10-20 | |
| Title of Proposed Regulatory Action or Guidance Document Fee Adjustment | |
| Brief Overview The Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects intends to amend its current regulations to adjust its licensing fee structure. The Board must establish fees adequate to support the costs of the Board operations and a proportionate | |

share of the Department's operations. By the close of the next biennium, fees will not provide adequate revenue for those costs. The review will be conducted in accordance with the Administrative Process Act, Executive Order 19 (2022), and Executive Directive 1.

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| Regulatory Stage (check one box) | <input type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule | <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule | <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute | <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | None | |
| Expected Date | October 2022 | |

Description of Virginia Board for Asbestos, Lead, and Home Inspectors

The **Virginia Board for Asbestos, Lead, and Home Inspectors** is a separate agency within the Department of Professional and Occupational Regulation. The director of the department acts as the board's secretary and administrative officer. Code of Virginia, Title 54.1, Chapter 3. See the summary for the department for the powers and duties applicable to all regulatory boards. Code of Virginia, Title 54.1, Chapter 2.

The board is authorized to license individuals and businesses engaged in asbestos remediation or abatement (18VAC15-20) and lead-based paint activities (18VAC15-30) consistent with and not more stringent than federal regulations. The board is also responsible for establishing educational, experience, and examination requirements for the licensure of home inspectors (18VAC15-40). Code of Virginia, Title 54.1, Chapter 5.

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| Title and Chapter of Regulation | |
| Virginia Asbestos Licensing Regulations, 18VAC15-20 | |
| Title of Proposed Regulatory Action or Guidance Document | |
| General Regulatory Review of Asbestos Licensing Regulations | |
| Brief Overview | |
| The Virginia Board for Asbestos, Lead, and Home Inspectors intends to undertake a general regulatory review of the Virginia Asbestos Licensing Regulations. The regulation contains the requirements for obtaining licensure as an asbestos worker, supervisor, contractor, inspector, management planner, project monitor, project designer, and analytical laboratory and accreditation as a training program, renewal requirements, standards of practice and conduct to ensure minimum competency of all regulants and applicants. The Board will convene a committee of stakeholders to conduct the review and make a recommendation with suggested amendments. The review will be conducted in accordance with the Administrative Process Act, Executive Order 19 (2022), and Executive Directive 1. | |
| Regulatory Stage (check one box) | <input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document |
| Legal Authority | <input checked="" type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | Unknown |
| Expected Date | November 2022 |

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| Title and Chapter of Regulation | |
| Virginia Lead-Based Paint Activities Regulations, 18VAC15-30 | |
| Title of Proposed Regulatory Action or Guidance Document | |
| General Regulatory Review of Lead-Based Paint Activities Regulations | |

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| Brief Overview | |
| <p>The Virginia Board for Asbestos, Lead, and Home Inspectors intends to undertake a general regulatory review of the Virginia Lead Based Paint Activities Regulations. The regulation contains the requirements for obtaining licensure as a lead worker, supervisor, contractor, inspector, risk assessor, and project designer and accreditation as a training program, renewal requirements, standards of practice and conduct to ensure minimum competency of all regulants and applicants, and standards for conducting lead-based paint activities to protect the public. The Board will convene a committee of stakeholders to conduct the review and make a recommendation with suggested amendments. The review will be conducted in accordance with the Administrative Process Act, Executive Order 19 (2022), and Executive Directive 1. Section 54.1-501 requires such regulations to be consistent with the Residential Lead-based Paint Hazard Reduction Act and United States Environmental Protection Agency regulations.</p> | |
| Regulatory Stage (check one box) | <input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Fast-Track Rule <input type="checkbox"/> Final Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Guidance Document <input type="checkbox"/> Exempt Rule |
| Legal Authority | <input checked="" type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Discretionary action <input checked="" type="checkbox"/> Action required by state statute |
| Deregulatory Component | Unknown |
| Expected Date | May 2023 |

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| Title and Chapter of Regulation | |
| Virginia Lead-Based Paint Activities Regulations, 18VAC15-30 | |
| Title of Proposed Regulatory Action or Guidance Document | |
| Update to 15-30-510 and DIBR (Documents Incorporated by Reference) | |
| Brief Overview | |
| <p>The regulatory action amends subdivision E 1 of 18VAC15-30-510 to update the applicable edition of the U.S. Department of Housing and Urban Development (HUD) Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing as it pertains to the appropriate methodologies for performing a lead-based paint inspection, lead-hazard screen, risk assessment or abatement. The current edition of these guidelines is the Second Edition, published July 2012. In addition, the DIBR section in the regulation is similarly revised to reflect the current edition of these guidelines. The review will be conducted in accordance with the Administrative Process Act, Executive Order 19 (2022), and Executive Directive 1.</p> | |
| Regulatory Stage (check one box) | <input type="checkbox"/> NOIRA <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Fast-Track Rule <input type="checkbox"/> Final Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Guidance Document <input type="checkbox"/> Exempt Rule |
| Legal Authority | <input checked="" type="checkbox"/> Action required by federal statute <input type="checkbox"/> Discretionary action <input checked="" type="checkbox"/> Action required by state statute |
| Deregulatory Component | Unknown |
| Expected Date | December 2022 |

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| Title and Chapter of Regulation Home Inspector Licensing Regulations, 18VAC15-40 | |
| Title of Proposed Regulatory Action or Guidance Document 2020-2021 General Review of Home Inspector Licensing Regulations | |
| Brief Overview The Virginia Board for Asbestos, Lead, and Home Inspectors intends to undertake a general regulatory review of the Home Inspector Licensing Regulations. The goals of the planned regulatory action are to review the existing regulation and propose any amendments the Board determines to be necessary and appropriate. The Board formed a committee of stakeholders to conduct the review, which met in a series of meetings during 2020-2021. The review will be conducted in accordance with the Administrative Process Act, Executive Order 19 (2022), and Executive Directive 1. | |
| Regulatory Stage (check one box) | <input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | Amendment of entry requirements to allow more options for those entering the profession, thus increasing the workforce opportunities in the home inspection industry. |
| Expected Date | February 2023 |

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| Title and Chapter of Regulation Home Inspector Licensing Regulations, 18VAC15-40 | |
| Title of Proposed Regulatory Action or Guidance Document SB 607 Amendment | |
| Brief Overview The Virginia Board for Asbestos, Lead, and Home Inspectors intends to amend the Home Inspector Licensing Regulations to comply with the requirements of Chapter 398 of the 2022 Acts of Assembly (SB 607). The legislation requires the Board to "...update the regulations in 18VAC15-40-130 to require that a home inspection and the report on its findings include a determination of whether the home's smoke detectors are in 'good working order,' as defined by the Board." The Board formed a committee of stakeholders to conduct the review. The review will be conducted in accordance with the Administrative Process Act, Executive Order 19 (2022), and Executive Directive 1. | |
| Regulatory Stage (check one box) | <input type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute <input type="checkbox"/> Discretionary action |
| Deregulatory Component | None |
| Expected Date | February 2023 |

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| Title and Chapter of Regulation | |
| Lead-Based Paint Renovation, Repair, and Painting Regulations, 18VAC15-50 | |
| Title of Proposed Regulatory Action or Guidance Document | |
| Initial promulgation of Lead-based Paint Renovation, Repair and Painting Regulation | |
| Brief Overview | |
| The Board intends to create a new regulation that is consistent with the US Environmental Protection Agency final rule "Lead; Renovation, Repair, and Painting Program," which is mandated by House Bill 2432 passed by the 2009 Session of the Virginia General Assembly. The federal final rule will require contractors, real estate firms, property management companies, and rental housing providers to obtain a license to disturb painted surfaces in pre-1978 or child-occupied housing. There are also training and licensing requirements for individuals who disturb painted surfaces. The review was conducted in accordance with the Administrative Process Act. | |
| Regulatory Stage (check one box) | <input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document |
| Legal Authority | <input checked="" type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute <input type="checkbox"/> Discretionary action |
| Deregulatory Component | None |
| Expected Date | February 2023 |

Description of Auctioneers Board

The **Auctioneers Board** is a separate agency within the Department of Professional and Occupational Regulation. The Director of the department acts as the Board's secretary and administrative officer. Code of Virginia, Title 54.1, Chapter 3. See the summary for the Department for the powers and duties applicable to all regulatory boards. Code of Virginia, Title 54.1, Chapter 2.

The Board is authorized to license individuals and firms to sell at auction in the Commonwealth based on successful completion of an approved course of study and passage of the Virginia Licensed Auctioneers Examination. Code of Virginia, Title 54.1, Chapter 6.

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| Title and Chapter of Regulation Regulations of the Virginia Auctioneers Board, 18VAC25-21 | |
| Title of Proposed Regulatory Action or Guidance Document General review of Regulations of the Virginia Auctioneers Board | |
| Brief Overview The Auctioneers Board intends to undertake a general regulatory review of the Regulations of the Virginia Auctioneers Board. The regulation contains the requirements for obtaining licensure for individuals and firms that conduct auctions, renewal requirements, standards of practice and conduct, continuing education requirements, and provisions for approving schools of auctioneering. The review will be conducted in accordance with the Administrative Process Act, Executive Order 19 (2022), and Executive Directive 1. | |
| Regulatory Stage (check one box) | <input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | Unknown |
| Expected Date | January 2023 |

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| Title and Chapter of Regulation Regulations of the Virginia Auctioneers Board, 18VAC25-21 | |
| Title of Proposed Regulatory Action or Guidance Document Fee Adjustment | |
| Brief Overview The Auctioneers Board seeks to amend its current regulations to adjust its licensing fee structure. The Board must establish fees adequate to support the costs of the Board operations and a proportionate share of the Department's operations. By the close of the next biennium, fees will not provide adequate revenue for those costs. The review will be conducted in accordance with the Administrative Process Act, Executive Order 19 (2022), and Executive Directive 1. | |
| Regulatory Stage (check one box) | <input type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |

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| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule | <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute | <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | None | |
| Expected Date | January 2023 | |

Description of Board for Barbers and Cosmetology

The **Board for Barbers and Cosmetology** is a separate agency within the Department of Professional and Occupational Regulation. The director of the department acts as the board's secretary and administrative officer. Code of Virginia, Title 54.1, Chapter 3. See the summary for the department for the powers and duties applicable to all regulatory boards. Code of Virginia, Title 54.1, Chapter 2.

The board is authorized to license individuals, businesses, and schools engaged in barbering, cosmetology, nail care, waxing, tattooing, body-piercing, and esthetics; to set standards for licensure and professional conduct; and to promulgate regulations for those purposes. Code of Virginia, Title 54.1, Chapter 7.

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| Title and Chapter of Regulation Barbering and Cosmetology Regulations, 18VAC41-20 | |
| Title of Proposed Regulatory Action or Guidance Document Lower Cosmetology Training to 1,000 Hours | |
| Brief Overview The Board for Barbers and Cosmetology proposes to lower the training hours for the cosmetology license from 1,500 hours to 1,000 hours. This change is expected to revise the training topics in the cosmetology curriculum to create uniform training among cosmetology schools. The Board will also look at streamlining training requirements in other training programs under the Barbers and Cosmetology Regulations. | |
| Regulatory Stage (check one box) | <input type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | Will reduce cosmetology school training hours by 33%, from 1,500 hours to 1,000. |
| Expected Date | January 2023 |

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| Title and Chapter of Regulation Barbering and Cosmetology Regulations, 18VAC41-20 Esthetics Regulations, 18VAC41-70 | |
| Title of Proposed Regulatory Action or Guidance Document Amendment to the instructor training program | |
| Brief Overview The proposed amendments establish a uniform instructor program among licensed cosmetology, barber, nail, and wax schools. Currently, schools with multiple licensing programs have to submit different instructor applications for each license type. The Board for Barbers and Cosmetology proposes a standard instructor curriculum that unifies the barbers, cosmetologists, nail technician, and wax technician instructor programs. | |

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| Regulatory Stage (check one box) | <input type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule | <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule | <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute | <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | Unknown | |
| Expected Date | Resubmission of Proposed, December 2022, Final, Late Spring 2023 | |

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| Title and Chapter of Regulation Barbering and Cosmetology Regulations, 18VAC41-20 | | |
| Title of Proposed Regulatory Action or Guidance Document General Review of Barbering and Cosmetology Regulations | | |
| Brief Overview The Virginia Board for Barbers and Cosmetology intends to undertake a general regulatory review of the Barbering and Cosmetology Regulations. The regulation contains the requirements for obtaining licensure as a barber, master barber, nail technician, wax technician, and cosmetology practitioner and instructor, facility licenses for these professions, and school licenses for these professions, renewal requirements, standards of practice and conduct to ensure minimum competency of all regulants and applicants. The Board will convene a Regulatory Review Committee to conduct the review and make a recommendation with suggested amendments. The review will be conducted in accordance with the Administrative Process Act, Executive Order 19 (2022), and Executive Directive 1. | | |
| Regulatory Stage (check one box) | <input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule | <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule | <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute | <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | This review is a line by line review assessing the health and safety impacts of each regulation. Regulations not clearly tied to a public safety concern or administrative need will be reduced or repealed. | |
| Expected Date | January 2023 | |

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| Title and Chapter of Regulation Barbering and Cosmetology Regulations, 18VAC41-20 Tattoo Regulations, 18VAC41-50 Esthetics Regulations, 18VAC41-70 | | |
| Title of Proposed Regulatory Action or Guidance Document Online Instruction and Asynchronous Instruction | | |

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| Brief Overview | |
| The Virginia Board for Barbers and Cosmetology will be asked by DPOR staff to undertake a regulatory review of the online or distance education requirements to ensure all instruction, including asynchronous instruction, meets minimum educational standards. The review will be conducted in accordance with the Administrative Process Act, Executive Order 19 (2022), and Executive Directive 1. | |
| Regulatory Stage (check one box) | <input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input checked="" type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | Unknown |
| Expected Date | 2023 (this review may result in a regulatory change, guidance document change, or no action taken. |

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| Title and Chapter of Regulation | |
| Tattoo Regulations, 18VAC41-50 Body Piercing Regulations, 18VAC41-60 | |
| Title of Proposed Regulatory Action or Guidance Document | |
| General Review 2017 Tattoo and Body-Piercing | |
| Brief Overview | |
| Changes in the body art industry, and the time elapsed since the last regulatory changes, warrant a general review of the tattooing and body-piercing regulations. The Board for Barbers and Cosmetology seeks to amend its current regulations to ensure they are as least intrusive and burdensome as possible, while still protecting the health, safety, and welfare of the public. The regulations will be reviewed to make sure that they accurately reflect current professional and industry standards and are consistent, clearly written, and easily understandable. The Board will also consider amending current regulations to allow the tattoo and body-piercing apprenticeships to be administered by the Virginia Department of Labor and Industry. The Board may make other changes it identifies as necessary during the regulatory review process. | |
| Regulatory Stage (check one box) | <input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | Unknown |
| Expected Date | 2023 (this review may result in a regulatory change, guidance document change, or no action taken. |

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| Title and Chapter of Regulation Barbering and Cosmetology Regulations, 18VAC41-20 | |
| Title of Proposed Regulatory Action or Guidance Document Guidance Document - Barber & Cosmetology School Awarding Credits and/or Hours to Transfer Students | |
| Brief Overview At the September 26, 2022 meeting, the Board for Barbers and Cosmetology repealed this guidance document that limited awarding credits to transfer hours. The guidance document was superseded by a new regulation, effective March 7, 2022, which expanded eligibility for schools to accept transfer hours. | |
| Regulatory Stage (check one box) | <input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input checked="" type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | Unknown |
| Expected Date | October, 2022 |

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|---|---|
| Title and Chapter of Regulation Barbering and Cosmetology Regulations, 18VAC41-20 Tattooing Regulations, 18VAC41-50 Esthetics Regulations, 18VAC41-70 | |
| Title of Proposed Regulatory Action or Guidance Document Guidance Document – Substantial Equivalence | |
| Brief Overview At the September 26, 2022 meeting, the Board for Barbers and Cosmetology revise this guidance document. For endorsement and exam eligibility, it incorporates the 80% hours rule for esthetics and tattooing professions. The Board removed the substantial equivalent section for barbering, cosmetology, nails, and wax, as the issue addressed in the document has been rectified by revised regulations that will allow experience to substitute training hours as of October 1, 2021. | |
| Regulatory Stage (check one box) | <input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input checked="" type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | Unknown |
| Expected Date | October, 2022 |

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| Title and Chapter of Regulation | |
| Barbering and Cosmetology Regulations, 18VAC41-20 Esthetics Regulations, 18VAC41-70 | |
| Title of Proposed Regulatory Action or Guidance Document | |
| Guidance Document – Frequency of Providing School Rosters | |
| Brief Overview | |
| At the September 26, 2022 meeting, the Board for Barbers and Cosmetology adopted this guidance document. Due to an increase in complaints and discipline against licensed schools, along with the recommendation of the 2018 JLARC study of the agency, DPOR is moving towards initiating unannounced inspections of schools. In order for DPOR to conduct adequate inspections of the schools, it is necessary for the Department to have recent student rosters. The Board issued specific manner, format, and frequency requirements for schools to submit student rosters under these regulations. | |
| Regulatory Stage (check one box) | <input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input checked="" type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | Unknown |
| Expected Date | October, 2022 |

Description of Boxing, Martial Arts, and Professional Wrestling Advisory Board

The **Boxing, Martial Arts, and Professional Wrestling Advisory Board** is an advisory board to advise the Director on matters relating to boxing, martial arts, and professional wrestling events in the Commonwealth. The Director is authorized to promulgate regulations for the licensing of boxing, martial arts, or professional wrestling events and those persons involved in such events as a promoter, matchmaker, trainer, boxer, martial artist or wrestler, as well as the authorization of approved sanctioning organizations to oversee amateur martial arts events and their participants (Code of Virginia, Title 54.1, Chapter 8.1).

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| Title and Chapter of Regulation | |
| Professional Boxing and Wrestling Event Regulations, 18VAC120-40 | |
| Title of Proposed Regulatory Action or Guidance Document | |
| General Review of Professional Boxing and Wrestling Event Regulations | |
| Brief Overview | |
| The Director, in coordination with the Boxing, Martial Arts, and Professional Wrestling Advisory Board intends to undertake a general regulatory review of the Professional Boxing and Wrestling Event Regulations. The regulations establish the requirements for licensing of boxing, martial arts, or professional wrestling events and those persons involved in such events as a promoter, matchmaker, trainer, boxer, martial artist or wrestler, as well as the authorization of approved sanctioning organizations to oversee amateur martial arts events and their participants. The review will be conducted in accordance with the Administrative Process Act, Executive Order 19 (2022), and Executive Directive 1. | |
| Regulatory Stage (check one box) | <input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | Unknown |
| Expected Date | March 2023 |

Description of Board for Branch Pilots

The **Board for Branch Pilots** is a separate agency within the Department of Professional and Occupational Regulation. The director of the department acts as the board's secretary and administrative officer. Code of Virginia, Title 54.1, Chapter 3. See the summary for the department for the powers and duties applicable to all regulatory boards. Code of Virginia, Title 54.1, Chapter 2.

The board is authorized to license branch pilots and limited branch pilots, promulgate regulations for their proper government, and prescribe penalties for violations. It may decide any controversy between pilots or between a pilot and the master, owner, or consignee of any vessel, and may enter money judgments. Code of Virginia, Title 54.1, Chapter 9.

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| Title and Chapter of Regulation Board for Branch Pilots Regulations, 18VAC45-20 | |
| Title of Proposed Regulatory Action or Guidance Document Amend Reporting Requirements | |
| Brief Overview The Board for Branch Pilots intends to amend the Regulations to clarify the Board has the authority to deny an initial or renewal license if the applicant performs or attempts to perform any of his duties while under the influence of marijuana in addition to alcohol or any medication controlled substance or otherwise. It is to also clarify that the Medical Review Officer (MRO) shall report when any presence of a marijuana is found in specifically in addition to the presence of drug or alcohol that may impair the safe discharge for the branch pilot's duties. The review will be conducted in accordance with the Administrative Process Act, Executive Order 19 (2022), and Executive Directive 1. | |
| Regulatory Stage (check one box) | <input type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | None |
| Expected Date | March 2023 |

Description of Common Interest Community Board

The **Common Interest Community Board** is a separate agency within the Department of Professional and Occupational Regulation. The director of the department acts as the board's secretary and administrative officer. Code of Virginia, Title 54.1, Chapter 3. See the summary for the department for the powers and duties applicable to all regulatory boards. Code of Virginia, Title 54.1, Chapter 2.

The board is authorized to regulate common interest community managers and their supervisory and principal employees. The board is responsible for administering Virginia's common interest community and property registration laws: Common Interest Communities (Code of Virginia, Title 54.1, Chapter 23.3), Condominium Act (Code of Virginia, Title 55.1, Chapter 19), Virginia Real Estate Time-Share Act (Code of Virginia, Title 55.1, Chapter 22), Virginia Real Estate Cooperative Act (Code of Virginia, Title 55.1, Chapter 21), and Property Owners' Association Act (Code of Virginia, Title 55.1, Chapter 18). The board is authorized to promulgate regulations to fulfill the requirements of these acts, which generally require registration and disclosure by developers and filing of annual reports by owners' associations.

The board regulates the sale of new condominiums and time-shares units, including transactions occurring within Virginia even if the property involved is located outside the Commonwealth, as well as resellers of time-shares.

Finally, the board is responsible for establishing regulations requiring each condominium, cooperative, and property owners' association to develop procedures for the resolution of written complaints from their members and other citizens. Code of Virginia, Title 54.1, Chapter 23.3.

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| Title and Chapter of Regulation | |
| Common Interest Community Ombudsman Regulations, 18VAC48-70 | |
| Title of Proposed Regulatory Action or Guidance Document | |
| General Regulatory Review of Ombudsman Regulations | |
| Brief Overview | |
| The Common Interest Community Board intends to undertake a general regulatory review of the Virginia Common Interest Community Ombudsman Regulations. This regulation establishes the requirement that each association must establish reasonable procedures for the resolution of written complaints from the members of the association and other citizens, record-keeping related to complaints filed, forms and procedures to be provided, transmittal of information to members regarding the Office of the Common Interest Community Ombudsman, and procedures for filing a notice of final adverse decision with the Board. The Board will convene a committee of stakeholders to conduct the review and make a recommendation with suggested amendments. The review will be conducted in accordance with the Administrative Process Act, Executive Order 19 (2022), and Executive Directive 1. | |
| Regulatory Stage (check one box) | <input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | Unknown |

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| Expected Date | December 2022 |
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| Title and Chapter of Regulation | |
| Common Interest Community Manager Regulations, 18VAC48-50 | |
| Title of Proposed Regulatory Action or Guidance Document | |
| 2021 General Review | |
| Brief Overview | |
| The Common Interest Community Board is undertaking a general regulatory review of the Common Interest Community Manager Regulations. The goals of the regulatory action are to review the existing regulation and propose any amendments the Board determines to be necessary and appropriate. The Board formed a committee of stakeholders to conduct the review, which met in a series of meetings during 2021-2022. The review will be conducted in accordance with the Administrative Process Act, Executive Order 19 (2022), and Executive Directive 1. | |
| Regulatory Stage (check one box) | <input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Discretionary action <input checked="" type="checkbox"/> Action required by state statute |
| Deregulatory Component | Amended provisions for sole proprietors to allow greater flexibility; removed provisions that provided broader reporting requirements for firms with individuals who have ownership interests in other firms to disclose certain disciplinary actions; amended entry requirements to allow a broader range of experience to be considered; amended entry requirements to remove the requirement that experience had to be gained in a certain time period before application; amended renewal requirements to allow a longer license period (requiring less frequent license renewal); amended reinstatement requirements to allow a longer period in which an expired license can be reinstated without reapplication. |
| Expected Date | March 2023 |

Description of Cemetery Board

The **Cemetery Board** is a separate agency within the Department of Professional and Occupational Regulation. The director of the department acts as the board's secretary and administrative officer. Code of Virginia, Title 54.1, Chapter 3. See the summary for the department for the powers and duties applicable to all regulatory boards. Code of Virginia, Title 54.1, Chapter 2.

The board regulates non-exempt, for-profit cemeteries offering perpetual care or pre-need services. The board is authorized to (i) license cemetery companies; (ii) regulate preneed burial contracts and disclosure requirements; (iii) require and regulate trust fund accounts; (iv) register sales personnel employed by a cemetery company; and (v) establish qualifications and standards of conduct for compliance agents. Code of Virginia, Title 54.1, Chapter 23.1.

There are no regulatory actions planned for Fiscal Year 2023.

Description of Board for Contractors

The **Board for Contractors** is a separate agency within the Department of Professional and Occupational Regulation. The director of the department acts as the board's secretary and administrative officer. Code of Virginia, Title 54.1, Chapter 3.

The board is authorized to license contractors, tradesmen, gas fitters, backflow prevention device workers, elevator mechanics, water well system providers, automatic fire sprinkler inspectors, and residential building energy analysts and firms; to set standards for licensure and professional conduct; and to promulgate regulations for those purposes. The board may adopt regulations requiring certain residential contractors to use legible written contracts. Code of Virginia, Title 54.1, Chapter 11, Articles 1, 3, 4, and 5.

The board also administers the Virginia Contractor Transaction Recovery Fund for recovery of unsatisfied final judgments against licensed contractors. Code of Virginia, Title 54.1, Chapter 11, Article 2.

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| Title and Chapter of Regulation Board for Contractors Regulations, 18 VAC 50-22 | |
| Title of Proposed Regulatory Action or Guidance Document Amendment of Prohibited Acts | |
| Brief Overview The Board for Contractors seeks to amend the Prohibited Acts, specifically, the provisions of 18 VAC 50-22-260 B9 in order to include language that would permit time and material and cost-plus contracts. This would allow contractors who utilize these types of contracts to comply with the provisions of the prohibited act, which currently require that the contract contain a statement of the total cost. The amended language would contain language to include specific hourly rate and percentage markups, as well as caps on the total cost. This will align the contract requirements issued by the Board for Contractors with industry standards. | |
| Regulatory Stage (check one box) | <input type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | None |
| Expected Date | December 2022 |

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| Title and Chapter of Regulation Board for Contractors Regulations, 18 VAC 50-22 | |
| Title of Proposed Regulatory Action or Guidance Document Change in Examination Fee Provisions | |
| Brief Overview The Board for Contractors seeks to remove the cap on exam fees placed on vendors under contract to provide exam services to the Board. Currently, the exam contract is negotiated under the provisions of the Virginia Public Procurement Act, in which price is considered, along with other factors, such as exam site availability, small and minority owned businesses, examinations available in languages other than English, etc. Having a fee cap could discourage smaller exam vendors, which may offer other desired advantages, from bidding on the contract. | |
| Regulatory Stage (check one box) | <input type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | None |
| Expected Date | March 2023 |

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| Title and Chapter of Regulation Board for Contractors Regulations, 18 VAC 50-22 | |
| Title of Proposed Regulatory Action or Guidance Document General Regulatory Reduction Initiative | |
| Brief Overview The Board proposes to amend/remove regulations that are determined to be overly burdensome, no longer applicable, obsolete, or to provide clarity. | |
| Regulatory Stage (check one box) | <input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | Removing regulations that are no longer applicable or obsolete will simplify the regulation, as will combining similar regulations in one section. Additionally, regulations that are determined to be overly burdensome or not necessary for the administration of the program will reduce the regulatory burden on applicants. |
| Expected Date | January 2023 |

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| Title and Chapter of Regulation Board for Contractors Regulations, 18 VAC 50-22 | |
| Title of Proposed Regulatory Action or Guidance Document Amend Eligibility Requirements | |
| Brief Overview The Board seeks to review the current eligibility requirements to determine if they should be amended to make them less burdensome but maintain an adequate level of protection to the life, safety, and welfare of the public. | |
| Regulatory Stage (check one box) | <input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | Removing regulations that are overly burdensome or not necessary will reduce the regulatory burden on applicants and simplify the application process. |
| Expected Date | January 2023 |

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| Title and Chapter of Regulation Board for Contractors Individual License and Certification Regulations, 18 VAC 50-30 | |
| Title of Proposed Regulatory Action or Guidance Document Amend Backflow Vocational Training Requirement | |
| Brief Overview The Board proposes to lower the current vocational training requirement for Certified Backflow Prevention Device Workers who have less than seven years of experience in water distribution systems to become more in line with national certification trends. | |
| Regulatory Stage (check one box) | <input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | Reducing the vocational training requirement by 20% to 32 hours which will be less burdensome from both a time and cost standpoint for licensees. |
| Expected Date | December 2022 |

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| Title and Chapter of Regulation | |
| Board for Contractors Individual License and Certification Regulations, 18 VAC 50-30 | |
| Title of Proposed Regulatory Action or Guidance Document | |
| Journeyman Examination Exemption for Completion of Approved Apprenticeship Program | |
| Brief Overview | |
| The Board proposes to amend its regulations to exempt graduates of a trade-related apprenticeship program approved by DOLI, U.S. Department of Labor, or the U.S. Military Apprenticeship Program from the requirement of passing the licensing examination. Graduates would be issued a journeyman license upon application provided all other eligibility criteria were met. | |
| Regulatory Stage (check one box) | <input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | Removing the requirement would be advantageous to individuals that have graduated from apprenticeship programs, entice individuals to remain in an apprenticeship program, and persuade individuals to enroll in an apprenticeship program |
| Expected Date | November 2022 |

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| Title and Chapter of Regulation | |
| Board for Contractors Individual License and Certification Regulations (18 VAC 50-30) | |
| Title of Proposed Regulatory Action or Guidance Document | |
| Change in Examination Fee Provisions | |
| Brief Overview | |
| The Board for Contractors seeks to remove the cap on exam fees placed on vendors under contract to provide exam services to the Board. Currently, the exam contract is negotiated under the provisions of the Virginia Public Procurement Act, in which price is considered, along with other factors, such as exam site availability, small and minority owned businesses, examinations available in languages other than English, etc. Having a fee cap could discourage smaller exam vendors, which may offer other desired advantages, from bidding on the contract. | |
| Regulatory Stage (check one box) | <input type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | None |
| Expected Date | March 2023 |

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| Title and Chapter of Regulation | |
| Board for Contractors Individual License and Certification Regulations (18 VAC 50-30) | |
| Title of Proposed Regulatory Action or Guidance Document | |
| Eligibility Requirement Amendment | |
| Brief Overview | |
| The Board proposes to amend its individual eligibility requirements by reducing the years of experience and or/vocational training to sit for an examination and enter the profession. | |
| Regulatory Stage (check one box) | <input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | Reducing the requirements would provide financial relief to applicants, would allow more individuals to enter the profession, and would not affect the health, safety, and welfare of the public |
| Expected Date | January 2023 |

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| Title and Chapter of Regulation | |
| Board for Contractors Individual License and Certification Regulations (18 VAC 50-30) | |
| Title of Proposed Regulatory Action or Guidance Document | |
| General Regulatory Reduction Initiative | |
| Brief Overview | |
| The Board proposes to amend/remove regulations that are determined to be overly burdensome, no longer applicable, obsolete, or to provide clarity. | |
| Regulatory Stage (check one box) | <input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | Removing regulations that are no longer applicable or obsolete will simplify the regulation, as will combining similar regulations in one section. Additionally, regulations that are determined to be overly burdensome or not necessary for the administration of the program will reduce the regulatory burden on applicants. |
| Expected Date | January 2023 |

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| Title and Chapter of Regulation | |
| Board for Contractors Individual License and Certification Regulations (18 VAC 50-30) | |
| Title of Proposed Regulatory Action or Guidance Document | |
| Continuing Education Amendment | |
| Brief Overview | |
| The Board proposes to amend its renewal requirements by eliminating continuing education for all professions where such education is not required by statute. | |
| Regulatory Stage (check one box) | <input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | Removing the continuing education requirement (attempted one other time by the Board) would reduce the fiscal impact on licensees upon renewal of their license. |
| Expected Date | January 2023 |

Description of Fair Housing Board

The **Fair Housing Board** is a separate agency within the Department of Professional and Occupational Regulation. The director of the department acts as the board's secretary and administrative officer. Code of Virginia, Title 54.1, Chapter 3. See the summary for the department for the powers and duties applicable to all regulatory boards subject to its administration. Code of Virginia, Title 54.1, Chapter 2.

The board is responsible for the administration and enforcement of the Fair Housing Law as it applies to respondents not otherwise under the jurisdiction of the Real Estate Board, as provided in Chapter 23.2 (§ 54.1-2343 et seq.) of Title 54.1 of the Code of Virginia. The board is also authorized to establish, by regulation, an education-based certification program for persons subject to the Fair Housing Law who are involved in the business or activity of selling or renting dwellings. Code of Virginia, Title 54.1, Chapter 23.2 and Title 36, Chapter 5.1.

There are no regulatory actions planned for Fiscal Year 2023.

Description of Board for Hearing Aid Specialists and Opticians

The Board for Hearing Aid Specialists and Opticians is a separate agency within the Department of Professional and Occupational Regulation. The director of the department acts as the board's secretary and administrative officer. Code of Virginia, Title 54.1, Chapter 3. See the summary for the department for the powers and duties applicable to all regulatory boards. Code of Virginia, Title 54.1, Chapter 2.

The board is authorized to (i) license individuals who fit or deal in hearing aids; (ii) license opticians; (iii) set standards for licensure and professional conduct; and (iv) promulgate regulations for those purposes. Code of Virginia, Title 54.1, Chapter 15.

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| Title and Chapter of Regulation Hearing Aid Specialist Regulations, 18VAC80-20 | | |
| Title of Proposed Regulatory Action or Guidance Document HAS Fee Adjustment 2019 | | |
| Brief Overview The proposed regulatory action adjusts hearing aid specialist licensing fees, based on projected revenues and expenses, to meet the requirements of state law while being the least burdensome to the licensee population. The Board must establish fees adequate to support the costs of the Board operations and a proportionate share of the Department's operations. By the close of the next biennium, current fees will not provide adequate revenue for those costs. The Board has no other source of revenue from which to fund its operations. | | |
| Regulatory Stage (check one box) | <input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule | <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule | <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute | <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | Unknown | |
| Expected Date | October 2022 | |

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| Title and Chapter of Regulation Hearing Aid Specialist Regulations, 18VAC80-20 | | |
| Title of Proposed Regulatory Action or Guidance Document Training Options | | |
| Brief Overview The Board for Hearing Aid Specialists and Opticians seeks to amend its current Hearing Aid Specialist regulations regarding entry into the profession to ensure that they are as least intrusive and burdensome as possible, while still protecting the health, safety, and welfare of the public. The Board will consider creating an additional method of qualifying for the license, Registered Apprenticeship. It also seeks several revisions to its temporary permit rules to improve the success rate of that training method. | | |
| Regulatory Stage | <input type="checkbox"/> NOIRA | <input type="checkbox"/> Emergency Rule |

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| (check one box) | <input type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule | <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule | <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute | <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | Unknown | |
| Expected Date | January 2023 | |

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| Title and Chapter of Regulation Optician Regulations, 18VAC80-30 | | |
| Title of Proposed Regulatory Action or Guidance Document OPT Fee Adjustment 2022 | | |
| Brief Overview The Board for Hearing Aid Specialists intends to undertake regulatory action to adjust optician licensing fees, based on actual revenues and expenses, to meet the requirements of state law while being the least burdensome to the licensee population. The Board must establish fees adequate to support the costs of the Board operations and a proportionate share of the Department's operations. During this biennium, fees did not provide adequate revenue for those costs. Projections for the next biennium indicate expenses will substantially exceed revenue. The Board has no other source of revenue from which to fund its operations. | | |
| Regulatory Stage (check one box) | <input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule | <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule | <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute | <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | Unknown | |
| Expected Date | January 2023 | |

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| Title and Chapter of Regulation Hearing Aid Specialist Regulations, 18VAC80-20 Optician Regulations, 18VAC80-30 | | |
| Title of Proposed Regulatory Action or Guidance Document General Review | | |
| Brief Overview The Virginia Board for Hearing Aid Specialists and Opticians intends to undertake a general regulatory review of its regulations. The regulation contains the requirements for obtaining licensure as a hearing aid specialist and optician, renewal requirements, standards of practice and conduct to ensure minimum competency of all regulants and applicants. The Board will convene Regulatory | | |

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| Review Committees to conduct the review and make a recommendation with suggested amendments. The review will be conducted in accordance with the Administrative Process Act, Executive Order 19 (2022), and Executive Directive 1. | |
| Regulatory Stage (check one box) | <input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | This review is a line by line review assessing the health and safety impacts of each regulation. Regulations not clearly tied to a public safety concern or administrative need will be reduced or repealed. |
| Expected Date | January 2023 |

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|--|---|
| Title and Chapter of Regulation Optician Regulations, 18VAC80-30 | |
| Title of Proposed Regulatory Action or Guidance Document Related Technical Instruction for Optician Apprenticeships | |
| Brief Overview The Board for Hearing Aid Specialists and Opticians voted to correct a typographical error in its guidance document at their August 17, 2022 meeting. | |
| Regulatory Stage (check one box) | <input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input checked="" type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | Unknown |
| Expected Date | October 2022 |

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|--|--|
| Title and Chapter of Regulation Optician Regulations, 18VAC80-30 | |
| Title of Proposed Regulatory Action or Guidance Document Application Review Matrix for Criminal History | |
| Brief Overview The Board for Hearing Aid Specialists and Opticians voted to adopt the identical application review matrix utilized by the hearing aid specialist profession at their August 17, 2022 meeting. This will allow more applicants with criminal histories to obtain a license without going through the Informal Fact-Finding process. | |

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| Regulatory Stage (check one box) | <input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule | <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule | <input checked="" type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute | <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | Unknown | |
| Expected Date | October 2022 | |

Description of Polygraph Examiners Advisory Board

The **Polygraph Examiners Advisory Board** offers guidance to the DPOR Director for regulation of polygraph examiners. The Advisory Board is composed of Boxing, Martial Arts, and Professional Wrestling Advisory Board offers guidance to the DPOR Director for regulation of promoters, fighters, and events involving professional boxing, martial arts, and professional wrestling. The Advisory Board is composed of three private polygraph examiners, three law enforcement polygraph examiners, and two citizen members.

§ 54.1-1802.1. Powers and duties of the Department

The Department shall administer and enforce the provisions of this chapter. In addition to the powers and duties otherwise conferred by the law, the Director shall have the powers and duties of a regulatory board as contained in §§ 54.1-201 and 54.1-202 and shall have the power and duty to:

1. Promulgate regulations necessary for the reasonable administration of this chapter in accordance with the Administrative Process Act (§ 2.2-4000 et seq.). Such regulations shall include, but not be limited to, the establishment of minimum qualifications for the operators of polygraphs and other detection devices;
2. Charge each applicant for licensure and for renewals of licensure a nonrefundable fee subject to the provisions of § 54.1-113 and subdivision A 4 of § 54.1-201; and
3. Conduct investigations to determine the suitability of applicants for licensure and to determine the licensee's compliance with applicable statutes and regulations.

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| Title of Proposed Regulatory Action or Guidance Document Review of Standards of Practice and Conduct | |
| Brief Overview The agency is proposing to update the Standards of Practice and Conduct due to a change in the FOIA requirements. | |
| Regulatory Stage (check one box) | <input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | None |
| Expected Date | December 2022 |

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| Title of Proposed Regulatory Action or Guidance Document General Regulatory Reduction Initiative | |
| Brief Overview The Board proposes to amend/remove regulations that are determined to be overly burdensome, no longer applicable, obsolete, or to provide clarity. The Board will also review the current eligibility requirements to determine if they should be amended to make them less burdensome but maintain an adequate level of protection to the life, safety, and welfare of the public. | |
| Regulatory Stage (check one box) | <input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | Removing regulations that are no longer applicable or obsolete will simplify the regulations, as will combining similar regulations in one section. Removing or amending regulations that are determined to be overly burdensome or not necessary for the administration of the program will reduce the regulatory burden on applicants and simplify the application process. |
| Expected Date | January 2023 |

Description of Real Estate Board

The **Real Estate Board** is a separate agency within the Department of Professional and Occupational Regulation. The director of the department acts as the board's secretary and administrative officer. Code of Virginia, Title 54.1, Chapter 3. See the summary for the department for the powers and duties applicable to all regulatory boards. Code of Virginia, Title 54.1, Chapter 2.

The board is authorized to license real estate brokers (including individuals, corporations, associations, and partnerships) and salespersons; prescribe standards for licensure and for professional conduct; and promulgate regulations for all authorized purposes. The board is authorized to regulate certain schools offering real estate courses and to include in its regulations a procedure for processing applications from education providers. The board is authorized to develop criteria for evaluating and approving continuing education course credits and for awarding credit hours for such courses.

The board is authorized to (i) administer and enforce the provisions of the Fair Housing Law as it applies to respondents not otherwise under the jurisdiction of the Fair Housing Board, as provided in Chapter 23.2 (§ [54.1-2343](#) et seq.) of Title 54.1 of the Code of Virginia, and (ii) promulgate regulations to carry out the Virginia Fair Housing Law (Code of Virginia, Title 36, Chapter 5.1). In addition, the board is authorized to enforce the provisions of the Real Estate Settlement Agents Act as it applies to real estate brokers dually licensed as settlement agents (Code of Virginia, Title 55, Chapter 27.3).

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| Title and Chapter of Regulation Virginia Real Estate Board Licensing Regulations, 18VAC135-20 | | |
| Title of Proposed Regulatory Action or Guidance Document Action to adjust licensing fees | | |
| Brief Overview The Real Estate Board intends to amend its regulations to adjust license application, renewal, and reinstatement fees for real estate licenses. The Board must establish fees adequate to support the costs of its operations and a proportionate share of the Department's operations. By the close of the next biennium (2022-2024), fees will not provide adequate revenue for those costs. The review will be conducted in accordance with the Administrative Process Act, Executive Order 14, and Executive Directive 1. | | |
| Regulatory Stage (check one box) | <input type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule | <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule | <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute | <input checked="" type="checkbox"/> Discretionary action |

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| Deregulatory Component | Unknown |
| Expected Date | January 2023 |

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| Title and Chapter of Regulation Virginia Real Estate Board Licensing Regulations, 18VAC135-20 | |
| Title of Proposed Regulatory Action or Guidance Document General Regulatory Review of Real Estate Board Regulations | |
| Brief Overview The Real Estate Board intends to undertake a general regulatory review of its Licensing Regulations. The regulation contains the requirements for obtaining licensure as broker, salesperson, firm, business entity, education provider, education instructor and renewal requirements, standards of practice and conduct to ensure minimum competency of all regulants and applicants to protect the public. The review will be conducted in accordance with the Administrative Process Act, Executive Order 14, and Executive Directive 1. | |
| Regulatory Stage (check one box) | <input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | Unknown |
| Expected Date | March 2023 |

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| Title and Chapter of Regulation Fair Housing Regulations, 18VAC135-50 | |
| Title of Proposed Regulatory Action or Guidance Document General Regulatory Review of Fair Housing Regulations | |
| Brief Overview The Virginia Real Estate Board intends to undertake a general regulatory review of the Fair Housing Regulations. The regulation contains the board's interpretation of the coverage of the fair housing law regarding discrimination related to the sale or rental of dwellings, the provision of services in connection therewith, the availability of residential real estate-related transactions, or any other discriminatory conduct prohibited by the Virginia Fair Housing Law. The review will be conducted in accordance with the Administrative Process Act, Executive Order 14, and Executive Directive 1. | |
| Regulatory Stage (check one box) | <input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Guidance Document |

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| Description | <input type="checkbox"/> Exempt Rule |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Discretionary action <input checked="" type="checkbox"/> Action required by state statute |
| Deregulatory Component | Unknown |
| Expected Date | April 2023 |

Description of Real Estate Appraiser Board

The **Real Estate Appraiser Board** is a separate agency within the Department of Professional and Occupational Regulation. The director of the department acts as the board's secretary and administrative officer. Code of Virginia, Title 54.1, Chapter 3. See the summary for the department for the powers and duties applicable to all regulatory boards. Code of Virginia, Title 54.1, Chapter 2.

The board is authorized to license real estate appraisers and adopt regulations that satisfy the minimum criteria of the federal Financial Institutions Reform, Recovery and Enforcement Act of 1989 (12 U.S.C. § 1331 et seq.). The board shall include in its regulations educational and experience requirements as conditions for licensure, provisions for the supervision of appraiser practices, provisions for the enforcement of standards of professional appraiser practice, and provisions for the disposition of referrals of improper appraiser conduct from any person or any federal agency or instrumentality. Code of Virginia, Title 54.1, Chapter 20.1.

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| Title and Chapter of Regulation | |
| Real Estate Appraiser Board Rules and Regulations, 18VAC130-20 | |
| Title of Proposed Regulatory Action or Guidance Document | |
| General Regulatory Review of Real Estate Appraiser Board Rules and Regulations | |
| Brief Overview | |
| The Real Estate Appraiser Board intends to undertake a general regulatory review of its licensing Regulations. The regulation contains the requirements for obtaining licensure as a real estate appraiser, business entity, education provider, education instructor as well as renewal requirements, standards of practice and conduct to ensure minimum competency of all regulants and applicants to protect the public. The review will be conducted in accordance with the Administrative Process Act, Executive Order 14, and Executive Directive 1. | |
| Regulatory Stage (check one box) | <input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Fast-Track Rule <input type="checkbox"/> Final Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Guidance Document <input type="checkbox"/> Exempt Rule |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Discretionary action <input checked="" type="checkbox"/> Action required by state statute |
| Deregulatory Component | Unknown |
| Expected Date | February 2023 |

Description of Board for Professional Soil Scientists, Wetland Professionals, and Geologists

The **Board for Professional Soil Scientists, Wetland Professionals, and Geologists** is a separate agency within the Department of Professional and Occupational Regulation. The director of the department acts as the board's secretary and administrative officer. Code of Virginia, Title 54.1, Chapter 3. See the summary for the department for the powers and duties applicable to all regulatory boards subject to its administration. Code of Virginia, Title 54.1, Chapter 2.

The board is authorized to license and certify individuals to practice or offer to practice as a Virginia licensed professional soil scientist, a Virginia certified professional wetland delineator, or a Virginia certified professional geologist; to establish standards for licensure, certification, and professional conduct; and to promulgate regulations for those purposes. Code of Virginia, Title 54.1, Chapter 22.

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| Title and Chapter of Regulation | |
| Board for Professional Soil Scientists Regulations, 18VAC145-20 Wetland Delineators Certification Regulations, 18VAC145-30 Regulations for the Geology Certification Program, 18VAC145-40 | |
| Title of Proposed Regulatory Action or Guidance Document | |
| Fee Adjustment | |
| Brief Overview | |
| The Board for Professional Soil Scientists, Wetland Professionals, and Geologists intends to amend its current regulations to adjust its licensing fee structure. The Board must establish fees adequate to support the costs of the Board operations and a proportionate share of the Department's operations. By the close of the next biennium, fees will not provide adequate revenue for those costs. The review will be conducted in accordance with the Administrative Process Act, Executive Order 19 (2022), and Executive Directive 1. | |
| Regulatory Stage (check one box) | <input type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | None |
| Expected Date | December 2022 |

Description of Board for Waste Management Facility Operators

The **Board for Waste Management Facility Operators** is a separate agency within the Department of Professional and Occupational Regulation. The director of the department acts as the board's secretary and administrative officer. Code of Virginia, Title 54.1, Chapter 3. See the summary for the department for the powers and duties applicable to all regulatory boards. Code of Virginia, Title 54.1, Chapter 2.

The board is authorized to license waste management facility operators and to promulgate regulations and standards for the training and licensure of such operators. Code of Virginia, Title 54.1, Chapter 22.1.

Solid waste management facilities are required to be operated under the direct supervision of a waste management facility operator licensed by the board. Code of Virginia, Title 10.1, Chapter 14, Article 2.

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| Title and Chapter of Regulation | |
| Waste Management Facility Operators Regulations (18 VAC 155-20) | |
| Title of Proposed Regulatory Action or Guidance Document | |
| Fee Amendment | |
| Brief Overview | |
| The intent of the proposed changes is to increase licensing fees for regulants of the Board for Waste Management Facility Operators. The Board must establish fees adequate to support the costs of Board operations and a proportionate share of the Department's operations. By close of the next biennium the current fee structure will not provide adequate revenue for those costs. | |
| Regulatory Stage (check one box) | <input type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | None |
| Expected Date | December 2022 |

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| Title and Chapter of Regulation | |
| Waste Management Facility Operators Regulations (18 VAC 155-20) | |
| Title of Proposed Regulatory Action or Guidance Document | |
| General Regulatory Reduction Initiative | |
| Brief Overview | |
| The Board proposes to amend/remove regulations that are determined to be overly burdensome, no longer applicable, obsolete, or to provide clarity. | |
| Regulatory Stage (check one box) | <input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |

Description of Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals

The **Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals** is a separate agency within the Department of Professional and Occupational Regulation. The director of the department acts as the board's secretary and administrative officer. Code of Virginia, Title 54.1, Chapter 3. See the summary for the department for the powers and duties applicable to all regulatory boards. Code of Virginia, Title 54.1, Chapter 2.

The board is authorized to examine and license waterworks operators, wastewater works operators, onsite soil evaluators, onsite sewage system installers, and onsite sewage system operators; to prescribe standards for licensure and professional conduct; and to promulgate regulations for those purposes. Code of Virginia, Title 54.1, Chapter 23.

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| Title and Chapter of Regulation | |
| Waterworks and Wastewater Works Operators Licensing Regulations, 18VAC160-30 | |
| Title of Proposed Regulatory Action or Guidance Document | |
| General Regulatory Review of Waterworks and Wastewater Works Operators Licensing Regulations | |
| Brief Overview | |
| The Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals intends to undertake a general regulatory review of the Waterworks and Wastewater Works Operators Licensing Regulations. The Board will consider reasonable alternatives to existing requirements that do not compromise the public's health, safety or welfare during the general review. Section 54.1-2301 of the Code of Virginia states, in part, that the Board will examine waterworks and wastewater works operators and issue licenses in specific operator classifications that attest to the competency of an operator to supervise and operate waterworks and wastewater works while protecting the public health, welfare and property and conserving and protecting the water resources of the Commonwealth. The Board will convene a committee of stakeholders to conduct the review and make a recommendation with suggested amendments. The review will be conducted in accordance with the Administrative Process Act, Executive Order 19 (2022), and Executive Directive 1. | |
| Regulatory Stage (check one box) | <input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | Unknown |
| Expected Date | October 2022 |

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| Title and Chapter of Regulation | |
| Onsite Sewage System Professionals Licensing Regulations, 18VAC160-40 | |
| Title of Proposed Regulatory Action or Guidance Document | |
| General Review of Onsite Sewage System Professionals Licensing Regulations | |

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| Brief Overview | | |
| <p>The Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals is undertaking a general regulatory review of the Onsite Sewage System Professionals Licensing Regulations. The Board will consider reasonable alternatives to existing requirements that do not compromise the public's health, safety or welfare during the general review. Section 54.1-2301 of the Code of Virginia states, in part, that the Board, in consultation with the Board of Health, will adopt regulations for the licensure of (i) onsite soil evaluators; (ii) installers of alternative onsite sewage systems, as defined in § 32.1-163; and (iii) operators of alternative onsite sewage systems, as defined in § 32.1-163. These requirements include (a) minimum education and training, including approved training courses; (b) relevant work experience; (c) demonstrated knowledge and skill; (d) application fees to cover the costs of the program, renewal fees, and schedules; (e) the division of onsite soil evaluators into classes, one of which shall be restricted to the design of conventional onsite sewage systems; and (f) other criteria the Board deems necessary. The Board convened a committee of stakeholders to conduct the review and make a recommendation with suggested amendments. The review will be conducted in accordance with the Administrative Process Act, Executive Order 19 (2022), and Executive Directive 1.</p> | | |
| Regulatory Stage (check one box) | <input type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule | <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule | <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute | <input checked="" type="checkbox"/> Discretionary action |
| Deregulatory Component | Unknown | |
| Expected Date | January 2023 | |

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| Title and Chapter of Regulation | | |
| Waterworks and Wastewater Works Operators Licensing Regulations, 18VAC160-30 Onsite Sewage System Professionals Licensing Regulations, 18VAC160-40 | | |
| Title of Proposed Regulatory Action or Guidance Document | | |
| 2021 Fee Adjustment | | |
| Brief Overview | | |
| <p>The Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals intends to amend the Waterworks and Wastewater Works Operators Licensing Regulations to adjust license application, renewal, and reinstatement fees for waterworks and wastewater works operator licenses. The review will be conducted in accordance with the Administrative Process Act, Executive Order 19 (2022), and Executive Directive 1.</p> | | |
| Regulatory Stage (check one box) | <input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule | <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Fast-Track Rule |
| Additional Description | <input type="checkbox"/> Expedited Rule <input type="checkbox"/> Exempt Rule | <input type="checkbox"/> Guidance Document |
| Legal Authority | <input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute | <input type="checkbox"/> Discretionary action |

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| Deregulatory Component | None |
| Expected Date | January 2023 |