

Chapter 7 *Petitions for Rulemaking*

This chapter contains detailed instructions that are intended for state agency users.

A petition for rulemaking is a request to an agency/board to develop a new regulation or amend an existing regulation. The petitioner must submit the request to an agency/board directly (such as by email or mail). The steps involved in submitting a petition are set out in [§ 2.2-4007 \(A\)](#) of the Code of Virginia. See a [chart](#) of the petition for rulemaking process.

The Town Hall provides the public with notice about a petition and opportunities to comment on a petition. To facilitate this, the agency must first post information about the petition on the Town Hall. This may be done by anyone at your agency who has user authority to “post and edit petitions.”

Instructions for Agencies: Posting a petition on the Town Hall

1. After logging on to the Town Hall as an agency user, click on the AGENCY FUNCTIONS dropdown menu, and select MY PETITIONS.
2. Click on the ADD PETITION link.
3. Enter information on the tabs: (a) General, (b) Petitioner Request, (c) Agency Plan, and (d) Contact, as follows:
 - (a) Click on the GENERAL tab and enter the appropriate information in the following fields:
 - **Petition Title:** Enter a brief descriptive title explaining the purpose of the petition.
 - **Petitioner:** Enter the name of the petitioner.
 - **Board:** Select the board affected by this petition: If the agency has only one board, then the board name will be displayed automatically instead of the board dropdown list.
 - **Regulation:** Select the primary regulation that will be affected:
 - All agencies/boards have the option to select “A new chapter will be created.”
 - If your agency/board has existing regulations, a list of all regulations will be displayed. If the agency has more than one board in the board dropdown list, checkboxes for regulations will not be displayed until a board is selected.
 - (b) Click on the PETITIONER REQUEST tab and enter the petitioner's request.
 - (c) Click on the AGENCY PLAN tab and enter the agency's plan to address the petition. Usually, information is added about the 21-day public comment period, that the petition and any public comment received will be considered by the rulemaking entity, and any other information you wish to add. If you know the date of the board meeting when the petition will be discussed, you may want to add it here.
 - (d) Click on the CONTACT tab and select the name of the person to be listed as the agency contact for any questions relating to this petition.
4. Once you have completed all four tabs, click SAVE. *Please note that at this point the petition becomes publicly viewable on the Town Hall and cannot be deleted or withdrawn.*
5. After clicking the SAVE button, a petition number will be assigned, and a screen will be displayed where you can verify the information you entered. Click EDIT PETITION link near the top of the page if you need to edit any information.

6. When you have verified that all the information is correct, click on the **SUBMIT TO REGISTRAR** button. The next available issue of the *Virginia Register of Regulations (Register)* will be displayed as the default, but you can select another issue for publication if you desire. The Town Hall will automatically create a 21-day comment period, as required by § 2.2-4007, but you can extend this period by entering a new end date in the text field. Afterwards, click on the **SUBMIT TO REGISTRAR** button to submit the petition to the Registrar for publication.

Editing a petition

1. After logging on to the Town Hall as an agency user, click on the **AGENCY FUNCTIONS** dropdown menu, and select **MY PETITIONS**.
2. Navigate to the petition you want to edit and click the **TITLE** link to go to the Petition Information page.
3. Click on the **EDIT PETITION** link.
4. Update the data.
5. Click on **SAVE** to save changes.

Posting a petition result

1. After logging on to the Town Hall as an agency user, click on the **AGENCY FUNCTIONS** dropdown menu, and select **MY PETITIONS**.
2. Navigate to the petition which you want to edit and click the **TITLE** link to go to the Petition Information page.
3. Click on the **EDIT PETITION** link.
4. Click the **AGENCY DECISION** tab (which will appear after the public comment period ends). Note: to ensure compliance with § 2.2-4007, the agency should post the petition result within the 90-day timeframe following the end of the petition comment period.
5. Enter the agency's decision, either: initiate a regulatory action or take no action.
6. Agency Decision Summary: Your text in this field will typically include the date a decision was made and the rationale behind the decision.
7. Click on **SAVE**.
8. Click the **SUBMIT TO REGISTRAR** button.
9. The next available issue of the *Register* will be displayed as the default, but you can select another issue for publication if you desire.
10. Click the **SUBMIT TO REGISTRAR** button.

Linking a petition to a regulatory action

1. After logging on to the Town Hall as an agency user, click on the **AGENCY FUNCTIONS** dropdown menu, and select **MY PETITIONS**.
2. Navigate to the petition which you want to edit and click the **TITLE** link to go to the Petition Information page.
3. Click on the **EDIT PETITION** link.
4. Click the **AGENCY DECISION** tab.

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5. If you previously indicated that the agency's decision was to initiate a regulatory change, then the screen will display "Select the Town Hall action designed to implement this petition." Use this dropdown list to choose the action that should be linked to this petition. A petition can also be linked to an action from the action's information page by selecting EDIT ACTION.

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