

FORM REGULATORY MODERNIZATION HIGHLIGHTS

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Writing good regulations involves a tradeoff. On the one hand, agencies need to provide enough detail to ensure that their regulations are clear and easily understandable. On the other, too many printed words can cause confusion, especially if it's unclear what does and doesn't apply. And agencies should always revisit old regulations to make sure they still make sense.

This edition of the *Biweekly Regulatory Modernization Highlights* features the work of two agencies that decided they could significantly reduce the amount of detail in their regulations.

VDOT cuts over 10,000 regulatory requirements by eliminating outdated incorporated documents.



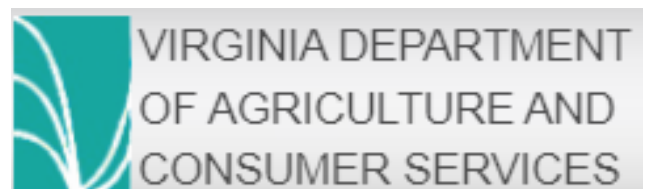
Agencies sometimes decide it's easier to just direct regulated parties to another document rather than recapitulating requirements in regulatory text. This approach, which is referred to as "incorporation by reference," can save agencies a lot of time. And it can also be easier for regulated parties if they're already familiar with the documents being incorporated.

But incorporated documents can quickly get out of date. And incorporating documents can cause confusion if the agency only intends that regulated parties comply with *part* of those documents.

The Virginia Department of Transportation (VDOT) recently decided it could eliminate multiple 100+ page incorporated documents from its [regulations](#) controlling access and entrances to highways. Instead, it will tailor individual permits to include only those requirements that specifically apply. All told, this will cut over **10,000 requirements**, which represents nearly **15%** of the agency total. And it will make the VDOT regulations a lot easier to navigate.

VDACS rescinds three out-of-date regulations.

Agencies adopt new regulations as new problems emerge. Equally important, they should get rid of old regulations as old problems go away.



The Virginia Department of Agriculture and Consumer Services (VDACS) has recently taken a very careful look at its regulations and determined that a handful of provisions address old problems that have gone away and will not come back.

In the last several weeks, VDACS has initiated several actions to get rid of regulations that are no longer needed. One [action](#) eliminates a quarantine related to Thousand Cankers Disease, an illness that afflicts walnut trees and has now been adequately contained. Two other actions eliminate regulations that are no longer used, which involve grade standards for [sheep](#) and [lambs](#). By eliminating these regulations, VDACS will save itself the time and effort required to maintain outdated regulations. And it will eliminate possible confusion regarding whether these regulations still apply.