

**§ 2.2-3705.1. Exclusions to application of chapter; exclusions of general application to public bodies.**

Subdivision & Context	Affected by generic exemption?	NOTES
6. Vendor proprietary information software that may be in the official records of a public body. For the purpose of this subdivision, "vendor proprietary software" means computer programs acquired from a vendor for purposes of processing data for agencies or political subdivisions of the Commonwealth.		

**§ 2.2-3705.4. Exclusions to application of chapter; educational records and certain records of educational institutions.**

Subdivision & Context	Affected by generic exemption?	NOTES
4. Data, records or information of a proprietary nature produced or collected by or for faculty or staff of public institutions of higher education, other than the institutions' financial or administrative records, in the conduct of or as a result of study or research on medical, scientific, technical or scholarly issues, whether sponsored by the institution alone or in conjunction with a governmental body or a private concern, where such data, records or information has not been publicly released, published,		Subject of <i>American Tradition Institute</i> case

copyrighted or patented.		
5. All records of the University of Virginia or the University of Virginia Medical Center or Eastern Virginia Medical School, as the case may be, that contain proprietary, business-related information...		

**§ 2.2-3705.5. Exclusions to application of chapter; health and social services records.**

<b>Subdivision &amp; Context</b>	<b>Affected by generic exemption?</b>	<b>NOTES</b>
4. Investigative notes; proprietary information not published, copyrighted or patented ... other correspondence and information furnished in confidence to the Department of Social Services in connection with an active investigation of an applicant or licensee		
12. Records submitted as a grant application, or accompanying a grant application, to the Commonwealth Neurotrauma Initiative Advisory Board		

**§ 2.2-3705.6. Exclusions to application of chapter; proprietary records and trade secrets.**

<b>Subdivision &amp; Context</b>	<b>Affected by generic exemption?</b>	<b>NOTES</b>
1 - Proprietary information gathered by or for the Virginia Port Authority		
2 - Financial statements not publicly available filed with applications for industrial development financings		
3 - business, trade and		

tourism development or retention; businesses that are considering locating or expanding in Virginia		
4 - Information filed as confidential under the Toxic Substances Information Act prior to July 1, 1992		
5 - Fisheries data that would permit identification of any person or vessel, except when required by court order		
6 - Confidential financial statements, balance sheets, trade secrets, and revenue and cost projections provided to DRPT		
7 - Confidential proprietary records related to inventory and sales, voluntarily provided by private energy suppliers to DMME		
8 - Confidential proprietary information furnished to the Board of Medical Assistance Services or the Medicaid Prior Authorization Advisory Committee		
9 - Proprietary, commercial or financial information, balance sheets, trade secrets, and revenue and cost projections provided by a private transportation business to VDOT and DRPT		
10 - Virginia Public Procurement Act		
11- PPEA/PPTA		
12 - Confidential proprietary information or trade secrets, not publicly available, provided by a private person or entity to the Virginia Resources Authority		
13- Trade secrets etc.		

provided by a (a) bidder or applicant for a franchise or (b) franchisee under Chapter 21 (§ 15.2-2100 et seq.) of Title 15.2		
14 - Documents and other information of a proprietary nature furnished by a supplier of charitable gaming supplies to VDACS		
15 - Records and reports related to Virginia apple producer sales provided to the Virginia State Apple Board		
16 - Trade secrets submitted by CMRS providers to the Wireless Carrier E-911 Cost Recovery Subcommittee		
17 - grant or loan application, or accompanying a grant or loan application, to the Innovation and Entrepreneurship Investment Authority / to the Commonwealth Health Research Board		
18 - Confidential proprietary records and trade secrets developed and held by a local public body (i) providing telecommunication services and (ii) providing cable television services		
19 - Confidential proprietary records and trade secrets developed by or for a local authority created in accordance with the Virginia Wireless Service Authorities Act		
20 - Trade secrets etc. provided to the Department of Small Business and Supplier Diversity		
21 - Documents and other		

information of a proprietary or confidential nature disclosed by a carrier to the State Health Commissioner		
22 - Trade secrets etc. supplied by a private or nongovernmental entity to OSIG		
23 - Records submitted as a grant application, or accompanying a grant application, to the Tobacco Region Revitalization Commission...		
24 - Records of the Commercial Space Flight Authority ...		
25 - Documents and other information of a proprietary nature furnished by an agricultural landowner or operator to DCR, DEQ, VDACS or any political subdivision, agency, or board of the Commonwealth pursuant (re: resource management plans)		
26 - Trade secrets, as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.), provided to DEQ (re: waste management)		
27 - Documents and other information of a proprietary nature furnished by a licensed public-use airport to the Department of Aviation...		

**§ 2.2-3705.7. Exclusions to application of chapter; records of specific public bodies and certain other limited exemptions.**

<b>Subdivision &amp; Context</b>	<b>Affected by generic exemption?</b>	<b>NOTES</b>
11. Records, memoranda, working papers, graphics,		

video or audio tapes, production models, data and information of a proprietary nature produced by or for or collected by or for the Virginia Lottery		
15. Records of the Virginia Commonwealth University Health System Authority		
34. (Effective July 1, 2018) Records of ABC Authority ...		