

2000 SESSION

HOUSE SUBSTITUTE

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HOUSE BILL NO. 495

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Transportation
on February 8, 2000)

(Patron Prior to Substitute—Delegate Landes)

A BILL relating to the exercise of the power of eminent domain by the Commonwealth Transportation Commissioner; designation of interstate highway interchanges by the Commonwealth Transportation Board.

Be it enacted by the General Assembly of Virginia:

1. § 1. Notwithstanding any provision of Article 7 (§ 33.1-89 et seq.) of Chapter 1 of Title 33.1 of the Code of Virginia, the Commonwealth Transportation Commissioner shall not exercise the power of eminent domain to acquire any portion of the property of an existing commercial establishment or any interest therein if the sole purpose of such acquisition is to control or limit access to commercial establishments located within 300 feet of any segment of the interstate highway system, except to the extent necessary to meet minimum federal requirements in order for the Commonwealth to be eligible to receive federal funds for interstate highway construction.

At those interstate highway interchange locations where the value of land, buildings, and improvements has a fair market value of \$1 million or more, the Commonwealth Transportation Board shall designate those interchanges as "urban," provided such designation does not conflict with any federal statute or regulation.

2. That the provisions of this act shall become effective on July 1, 2001, unless, prior, to that date, the Virginia Department of Transportation receives notice from the federal government that the provisions of this act will reduce or jeopardize federal funding of interstate highway construction in the Commonwealth.

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