

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act relating to the exercise of the power of eminent domain by the Commonwealth Transportation*  
3 *Commissioner; designation of interstate highway interchanges by the Commonwealth Transportation*  
4 *Board.*

5 [S 110]

6 Approved

7 **Be it enacted by the General Assembly of Virginia:**

8 **1.** *§ 1. Notwithstanding any provision of Article 7 (§ 33.1-89 et seq.) of Chapter 1 of Title 33.1 of the*  
9 *Code of Virginia, the Commonwealth Transportation Commissioner shall not exercise the power of*  
10 *eminent domain to acquire any portion of the property of an existing commercial establishment or any*  
11 *interest therein if the sole purpose of such acquisition is to control or limit access to commercial*  
12 *establishments located within 300 feet of any segment of the interstate highway system, except to the*  
13 *extent necessary to meet minimum federal requirements in order for the Commonwealth to be eligible to*  
14 *receive federal funds for interstate highway construction.*

15 *At those interstate highway interchange locations where the value of land, buildings, and*  
16 *improvements within 300 feet of an interstate ramp terminal has a fair market value of \$1 million or*  
17 *more, the Commonwealth Transportation Board shall designate those interchanges as "urban," provided*  
18 *such designation does not conflict with any federal statute or regulation.*

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

ENROLLED

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