

## 2002 SESSION

INTRODUCED

024819902

### HOUSE BILL NO. 759

Offered January 9, 2002

Prefiled January 9, 2002

*A BILL to amend and reenact § 33.1-223.2:4 of the Code of Virginia, relating to maintenance of drainage easements by the Virginia Department of Transportation.*

Patrons—Rapp and Gear

Referred to Committee on Transportation

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

#### **1. That § 33.1-223.2:4 of the Code of Virginia is amended and reenacted as follows:**

§ 33.1-223.2:4. Department to maintain drainage easements.

Whenever, in connection with or as a precondition to the construction or reconstruction of any highway, the Department shall have acquired any permanent drainage easement, the Department shall, until such time as such easement shall have been terminated, perform *all* repairs required, *including ditches, culverts, underground pipes, and other associated structures, to clear the channel to permit proper water flow*, protect *both* the roadway *and private property*, and ~~to~~ ensure the proper function of the easement ~~within the right-of-way and~~ within the boundaries of such easement, *both on and off highway right-of-way*.

INTRODUCED

HB759