

## 2002 SESSION

INTRODUCED

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### HOUSE BILL NO. 859

Offered January 9, 2002

Prefiled January 9, 2002

*A BILL to amend the Code of Virginia by adding a section numbered 56-16.2, relating to water and sewer lines crossing railroads.*

Patrons—Phillips; Senator: Puckett

Referred to Committee on Commerce and Labor

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

#### **1. That the Code of Virginia is amended by adding a section numbered 56-16.2 as follows:**

*§ 56-16.2. Water and sewer lines crossing railroads.*

*A county, city, town, or other political subdivision that operates a water or sewer utility shall not be required to pay to a railroad company, as a condition upon the railroad company's consent to or approval of the crossing of the works of the railroad company by the works of such water or sewer utility, a fee for such crossing or other charge for reviewing and approving the crossing that exceeds \$1,000 per crossing if it provides the railroad company with plans, specifications and descriptions of the proposed crossing and of the proposed appliances and methods of operation thereof. In addition, such county, city, town, or other political subdivision shall not be required to pay to a railroad company any subsequent annual or other periodic payment related to such crossing. The provisions of this section shall not be construed to prohibit the railroad company from requiring the county, city, town, or other political subdivision to (i) provide a bond or insurance conditioned to save the railroad company harmless from claims for damage arising as a result of such crossing and (ii) agree to indemnify the railroad company for any such damage.*

INTRODUCED

HB859