

2005 SESSION

SENATE SUBSTITUTE

059280302

HOUSE BILL NO. 1602

FLOOR AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by Senator Williams  
on February 22, 2005)

(Patron Prior to Substitute—Delegate Fralin)

A BILL to amend the Code of Virginia by adding a section numbered 33.1-19.1, relating to environmental permits for highway projects.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 33.1-19.1 as follows:

§ 33.1-19.1. Environmental permits for highway projects; timely review.

Notwithstanding any other provision of state law or regulation, any state agency, board, or commission that issues a permit required for a highway construction project pursuant to Title 10.1, 28.2, 29.1, or 62.1 of the Code of Virginia shall, within 15 days of receipt of an individual or general permit application, review the application for completeness and either accept the application or request additional specific information from the Department of Transportation. Unless a shorter period is provided by law, regulation, or agreement, the state agency, board, or commission shall within 120 days of receipt of a complete application issue the permit, issue the permit with conditions, deny the permit, or decide whether a public meeting or hearing is required by law. If a public meeting or hearing is held, it shall be held within 45 days of the decision to conduct such a proceeding and a final decision as to the permit shall be made within 90 days of completion of the public meeting or hearing.

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HB1602S2