

2008 SESSION

HOUSE SUBSTITUTE

083545620

HOUSE BILL NO. 1320

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Transportation
on February 5, 2008)

(Patron Prior to Substitute—Delegate May)

A BILL to amend the Code of Virginia by adding a section numbered 55-50.3, relating to the maintenance of certain public roads that have not been abandoned.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 55-50.3 as follows:

§ 55-50.3. Public road easements; maintenance and improvements.

Whenever a public road that has never been abandoned but is no longer publicly maintained serves as access for more than one property owner and operates as the primary source of ingress and egress for that property, any one of the property owners may maintain, repair, or improve the road at his own expense without the express permission of the other property owners but only after administrative review by the local government. All other property owners shall be notified by mail of any pending maintenance, repair, or improvements prior to commencement of the work. Nothing in this section, however, shall be construed as allowing the property owner who is doing the maintenance, repairs, or improvements to the road to interfere with the other property owners' use of the road.

HOUSE SUBSTITUTE

HB1320H1