

## 2012 SESSION

INTRODUCED

12103255D

### HOUSE BILL NO. 660

Offered January 11, 2012

Prefiled January 11, 2012

A *BILL to amend the Code of Virginia by adding in Article 15 of Chapter 1 of Title 33.1 a section numbered 33.1-223.2:26, relating to lease of space within highway rights-of-way for solar photovoltaic power production.*

Patron—Surovell

Referred to Committee on Transportation

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

**1. That the Code of Virginia is amended by adding in Article 15 of Chapter 1 of Title 33.1 a section numbered 33.1-223.2:26 as follows:**

*§ 33.1-223.2:26. Lease of space for photovoltaic power production.*

*The Department of Transportation may, on such terms and for such time as shall be mutually agreeable to the Department and any lessee, lease space within the rights-of-way of highways under the Department's control for solar photovoltaic power production projects, provided all provisions of any such lease are consistent with (i) the provisions of § 33.1-183.1 pertaining to the leasing of airspace superjacent to any highway and (ii) Chapter 7 (§ 33.1-351 et seq.). Any payments required to be made to the Department as lessor under the terms of any such lease, including any fees or charges for display of advertising by the lessee, shall be deposited into the Transportation Trust Fund.*

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