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**HOUSE BILL NO. 1459**

Offered January 17, 2018

A *BILL to amend the Code of Virginia by adding a section numbered 33.2-264.1, relating to posting a sign on a Department of Transportation right-of-way; permit.*

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Patron—Fariss

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Referred to Committee on Transportation

**Be it enacted by the General Assembly of Virginia:****1. That the Code of Virginia is amended by adding a section numbered 33.2-264.1 as follows:****§ 33.2-264.1. Posting signs on Department of Transportation right-of-way; permit.**

*Any person that owns real property adjoining any right-of-way of any highway may apply to the Department for a permit to place on such right-of-way a sign advertising the sale of such person's adjoining real property. The Department, in consultation with the highway construction district in which the relevant portion of the right-of-way is located, shall issue such permit as soon as is practicable, provided that (i) the proposed sign placement will not impair the full use and safety of the highway or otherwise interfere with the free flow of traffic thereon and (ii) the land on which the sign is to be placed cannot be reasonably foreseen as needed for highway or other transit uses and purposes. The Department has the right to revoke such permit at the discretion of the Commissioner.*

**2. That the Department of Transportation's initial adoption of regulations necessary to implement the provisions of this act shall be exempt from the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia), except that the Department of Transportation shall provide an opportunity for public comment on the regulations prior to adoption.**

INTRODUCED

HB1459