

# VIRGINIA ACTS OF ASSEMBLY -- 2019 SESSION

## CHAPTER 157

*An Act to amend and reenact § 33.2-245 of the Code of Virginia, relating to comprehensive highway access management standards.*

[H 2313]

Approved February 27, 2019

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

**1. That § 33.2-245 of the Code of Virginia is amended and reenacted as follows:**

**§ 33.2-245. Comprehensive highway access management standards.**

A. For purposes of this section, "comprehensive highway access management standards" means a coordinated set of state standards and guidelines that allow the Commonwealth and its localities to manage access to the systems of state highways according to their federal functional classification or operational characteristics through the control of and improvements to the location, number, spacing, and design of entrances, median openings, turn lanes, street intersections, traffic signals, and interchanges.

B. The General Assembly declares it to be in the public interest that comprehensive highway access management standards be developed and implemented to enhance the operation and safety of the systems of state highways in order to protect the public health, safety, and general welfare while ensuring that private property is entitled to reasonable access to the systems of state highways. The goals of the comprehensive highway access management standards are:

1. To reduce traffic congestion and impacts to the level of service of highways, leading to reduced fuel consumption and air pollution;
2. To enhance public safety by decreasing traffic crash rates;
3. To support economic development in the Commonwealth by promoting the efficient movement of people and goods;
4. To reduce the need for new highways and road widening by improving the performance of the existing systems of state highways; and
5. To preserve public investment in new highways by maximizing their performance.

C. The Commissioner of Highways shall develop and implement comprehensive highway access management standards for managing access to and preserving and improving the efficient operation of the systems of state highways. The comprehensive highway access management standards shall include standards and guidelines for the location, number, spacing, and design of entrances, median openings, turn lanes, street intersections, traffic signals, and interchanges.

Nothing in such standards shall preempt the authority of a local government to regulate the type or density of land uses abutting the systems of state highways.

*The Commissioner of Highways shall require that any official who approves any highway access project shall certify that he has applied due diligence in approving such project and that such approval is, in his professional opinion, consistent with the minimum standards developed pursuant to this section. An appeal of the denial, revocation, or conditions of a permit shall be in accordance with the provisions of 24VAC30-73-50.*