

2020 SESSION

SENATE SUBSTITUTE

20107669D

SENATE BILL NO. 1011

FLOOR AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by Senator McDougle

on February 4, 2020)

(Patron Prior to Substitute—Senator McDougle)

A BILL to amend the Code of Virginia by adding a section numbered 33.2-269.1, relating to Department of Transportation design standards; modifications.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 33.2-269.1 as follows:

§ 33.2-269.1. *Application of design standards; modification.*

Any (i) Residency Engineer of the Department, (ii) licensed engineer of the Department designated by a Residency Engineer, or (iii) in the event the Residency does not have a Residency Engineer, a licensed professional engineer of the Department selected by the Residency Administrator shall have the authority to approve modifications to the Department's design standards when applying such standards where appropriate to encourage economic development, address an identified safety concern, account for local topographic constraints, or address off-site impacts of development as negotiated through the rezoning process. Nothing in this section shall be construed to provide authorization to deviate from (a) the law governing professional engineers and the practice of engineering as defined by § 54.1-400, or (b) design standards governed by authorities having jurisdiction other than the Department.

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