

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 33.1-69.2, relating to costs of*  
3 *relocation and/or removal of utility facilities in connection with secondary highway construction*  
4 *projects.*

5 [H 2268]

6 Approved

7 **Be it enacted by the General Assembly of Virginia:**8 **1. That the Code of Virginia is amended by adding a section numbered 33.1-69.2 as follows:**9 *§ 33.1-69.2. Relocation or removal of utility facilities within secondary highway construction*  
10 *projects.*

11 *Whenever it is necessary that any tracks, pipes, mains, conduits, cables, wires, towers, or other*  
12 *structures, equipment and appliances (herein called "facilities") of any utility as herein defined, in, on,*  
13 *under, over or along an existing highway that is to be included within any construction project on the*  
14 *secondary highway system should be relocated or removed, the owner or operator of such facilities shall*  
15 *relocate or remove the same in accordance with the order of the Board. The cost of such relocation or*  
16 *removal, as herein defined, including the cost of installing such facilities in a new location or locations,*  
17 *and the cost of any lands, or any rights or interest in lands, and any other rights, required to*  
18 *accomplish such relocation or removal, shall be ascertained and paid by the Board as a part of the cost*  
19 *of such project.*

20 *For the purposes of this section, "utility" includes utilities owned by a county, city, town, or public*  
21 *authority and "cost of relocation or removal" includes the entire amount paid by such utility properly*  
22 *attributable to such relocation or removal after deducting therefrom any increase in the value of the*  
23 *new facility and any salvage value derived from the old facility.*

24 *The cost of relocating or removing utility facilities in connection with any project on the secondary*  
25 *highway system is hereby declared to be a cost of highway construction.*

ENROLLED

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