

VIRGINIA ACTS OF ASSEMBLY -- 1999 SESSION

CHAPTER 500

An Act to amend and reenact § 33.1-18 of the Code of Virginia, relating to location of routes by the Commonwealth Transportation Board.

[S 1198]

Approved March 27, 1999

Be it enacted by the General Assembly of Virginia:

1. That § 33.1-18 of the Code of Virginia is amended and reenacted as follows:

§ 33.1-18. Location of routes.

The Commonwealth Transportation Board shall not locate and establish any route under subdivision (1) of § 33.1-12 until: the Department of Transportation has (i) published in a newspaper published or having a general circulation in the county, city, or town in which the route is to be located and established a notice of its willingness to hold a public hearing on the matter, (ii) notified the governing body of the county, city, or town in which the route is to be located of its willingness to hold a public hearing on the matter, and (iii) held a public hearing, if one has been requested.

If a public hearing is requested, written notice of the time and place of the hearing shall be given, not less than thirty days prior to the hearing, to the governing body of the county, city, or town in which the route is to be located and established. Not less than thirty days prior to the hearing, a notice of the time and place of the hearing shall also be published by the Department of Transportation at least once in a newspaper published or having a general circulation in the county, city, or town in which the route is to be located and established.

All public hearings on the location or possible location of a route shall afford citizens an opportunity to present their comments to representatives of the Department directly, one speaker at a time, in a public forum following a traditional hearing format. As supplements to these hearings, the Department may hold less structured open forums to afford citizens additional opportunities to obtain route location information and present their views. These open forums, however, shall be held only in addition to hearings conducted according to a traditional format, and shall not be substituted for such hearings.

Following the public hearing, if one is held as provided in this section, the Department of Transportation shall notify the local governing body of the affected county, city, or town of the Commonwealth Transportation Board's decision regarding the location and establishment of the route.

2. That the provisions of this act shall not become effective unless reenacted by the 2000 Session of the General Assembly.