

1999 SESSION

SENATE SUBSTITUTE

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HOUSE JOINT RESOLUTION NO. 490 AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Rules
on February 19, 1999)

(Patron Prior to Substitute—Delegate Robinson)

Requesting the Virginia Department of Transportation to study certain right-of-way acquisition issues.

WHEREAS, the Commonwealth has established procedures to provide for reasonable compensation to property owners whose land is taken by the Virginia Department of Transportation for public purposes; and

WHEREAS, Virginia's process fails to provide sufficient compensation to permit certain businesses located and operating on leased property to relocate; and

WHEREAS, when the property leased by a service station operator is taken by the Department and the service station operator is unable to relocate his business, his inability to relocate his business may result in reduced tax revenue to the Commonwealth, including but not limited to state motor fuel taxes; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Virginia Department of Transportation be requested to study the process by which it provides benefits and relocation assistance to businesses as defined and provided for under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1972 (§ 25-235). In carrying out this study, the Department shall specifically consider and make recommendations concerning means to protect the interests of the Commonwealth and those of the land owner while also providing for compensation to gasoline retail outlet owners and operators who are unable, with reasonable facility, to relocate their businesses displaced as the result of the Department's acquisition of the property on which the businesses were located. The Department shall include representatives of organizations such as the Small Business Administration and an organization representing either gasoline retailers, refiners, or petroleum distributors in the conduct of its study.

The Virginia Department of Transportation shall complete its work in time to submit its findings and recommendations to the Governor and the 2001 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

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