

2000 SESSION

INTRODUCED

003332468

SENATE BILL NO. 110

Offered January 12, 2000

A BILL to amend and reenact § 33.1-49 of the Code of Virginia, relating to the powers of the Commonwealth Transportation Board; acquisitions to control or limit access to certain establishments.

Patrons—Marye, Colgan and Norment; Delegates: Blevins, Bryant, Ingram, Moran and Shuler

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 33.1-49 of the Code of Virginia is amended and reenacted as follows:

§ 33.1-49. Power and authority of Commonwealth Transportation Board generally.

A. The Commonwealth Transportation Board may plan, designate, acquire, open, construct, reconstruct, improve, maintain, discontinue, abandon and regulate the use of the Interstate System in the same manner in which it is now or may be authorized to plan, designate, acquire, open, construct, reconstruct, improve, maintain, discontinue, abandon and regulate the use of the primary system of state highways. The Board may vacate, close or change the location of any street or public way in the manner in which it is now authorized by law to vacate, close or change the location of a highway in the primary system. The Board shall have any and all other authority and power relative to such Interstate System as is vested in it relative to highways in the primary system and shall include the right to acquire by purchase, eminent domain, grant or dedication title to lands or rights-of-way for such interstate highways whether within or without the limits of any city or town, and in addition thereto, shall have such other power, control and jurisdiction necessary to comply with the provisions of the Federal-Aid Highway Act of 1956 and all acts amendatory or supplementary thereto, all other provisions of law to the contrary notwithstanding.

B. Notwithstanding any provision of this article or Article 7 (§ 33.1-89 et seq.) of this chapter to the contrary, the Commonwealth Transportation Board shall not have authority to acquire, by exercise of the power of eminent domain, any portion of the property of an existing commercial establishment, or any interest therein, if a purpose of the proposed acquisition is to control or limit access to commercial establishments located within 300 feet of a segment of the Interstate System.

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