

2001 SESSION

LEGISLATION NOT PREPARED BY DLS
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SENATE BILL NO. 478

Offered January 24, 2000

A BILL to amend the Code of Virginia by adding a section numbered 56-408.1, relating to closing of certain private railroad grade crossings.

Patrons—Martin, Barry, Hanger, Lambert, Maxwell, Miller, K.G., Puckett, Schrock and Trumbo

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 56-408.1 as follows:

§ 56-408.1. Limitation on closure of certain private railroad grade crossings.

Any private railroad grade crossing that: (i) provides the only recorded means of ingress and egress for a parcel of land, (ii) was in existence on January 1, 1990, and had been in existence for at least twenty-five years prior to that date, and (iii) is located in a county having a population of at least 17,000 but less than 17,400 shall constitute a valid right-of-way or easement for ingress and egress by the owner of the affected parcel of land. No railroad company shall discontinue, close, remove, or otherwise prevent the continued use of any such crossing by any such landowner without such landowner's written permission.

For the purpose of this section, a "private railroad grade crossing" is a railroad grade crossing where the road crossing the railroad is not a public road and is not part of any public highway system.

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