

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 56-49.01, relating to natural gas*  
3 *companies' right of entry upon property.*

4 [S 663]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That the Code of Virginia is amended by adding a section numbered 56-49.01 as follows:**8 *§ 56-49.01. Natural gas companies; right of entry upon property.*

9 *A. Any firm, corporation, company, or partnership, organized for the bona fide purpose of operating*  
10 *as a natural gas company as defined in 15 U.S.C. § 717a, as amended, may make such examinations,*  
11 *tests, hand auger borings, appraisals, and surveys for its proposed line or location of its works as are*  
12 *necessary (i) to satisfy any regulatory requirements and (ii) for the selection of the most advantageous*  
13 *location or route, the improvement or straightening of its line or works, changes of location or*  
14 *construction, or providing additional facilities, and for such purposes, by its duly authorized officers,*  
15 *agents, or employees, may enter upon any property without the written permission of its owner if (a) the*  
16 *natural gas company has requested the owner's permission to inspect the property as provided in*  
17 *subsection B, (b) the owner's written permission is not received prior to the date entry is proposed, and*  
18 *(c) the natural gas company has given the owner notice of intent to enter as provided in subsection C.*  
19 *A natural gas company may use motor vehicles, self-propelled machinery, and power equipment on*  
20 *property only after receiving the permission of the landowner or his agent.*

21 *B. A request for permission to inspect shall (i) be sent to the owner by certified mail, (ii) set forth*  
22 *the date such inspection is proposed to be made, and (iii) be made not less than 15 days prior to the*  
23 *date of the proposed inspection.*

24 *C. Notice of intent to enter shall (i) be sent to the owner by certified mail, (ii) set forth the date of*  
25 *the intended entry, and (iii) be made not less than 15 days prior to the date of mailing of the notice of*  
26 *intent to enter.*

27 *D. Any entry authorized by this section shall not be deemed a trespass. The natural gas company*  
28 *shall make reimbursement for any actual damages resulting from such entry. Nothing in this section*  
29 *shall impair or limit any right of a natural gas company obtained by (i) the power of eminent domain,*  
30 *(ii) any easement granted by the landowner or his predecessor in title, or (iii) any right-of-way*  
31 *agreement, lease or other agreement by and between a natural gas company and a landowner or their*  
32 *predecessors in title or interest.*

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