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HOUSE BILL NO. 2298**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on Transportation
on January 31, 2013)

(Patron Prior to Substitute—Delegate Anderson)

A BILL to amend the Code of Virginia by adding a section numbered 33.1-95.2, relating to adjustment or relocation of certain billboard signs.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 33.1-95.2 as follows:

§ 33.1-95.2. Adjustment or relocation of certain billboard signs.

A. Notwithstanding any other provision of law, general or special, whenever land is acquired due to the widening, construction, or reconstruction of any highway as defined in § 33.1-351 by purchase or by use of the power of eminent domain and upon such land is situated a lawfully erected billboard sign as defined in § 33.1-351, such billboard sign may be relocated as provided in this section.

B. If a billboard sign meets all requirements under the provision of this title and § 4.1-113.1 in the case of outdoor alcoholic beverage advertising, but is considered nonconforming solely due to a local ordinance, the owner of the billboard sign, at his sole cost and expense, shall have the option to relocate such billboard sign to another location as close as practicable on the same property, adjusting the height or angle of the billboard sign to a height or angle that restores the visibility of the billboard sign to the same or comparable visibility as before the taking, provided the new location also meets all the requirements of this title and regulations adopted pursuant thereto.

C. Nothing in this section shall authorize the owner of such billboard sign to increase the size of the sign face, and a relocated billboard shall continue to be nonconforming in its new location unless the relocated billboard becomes conforming in its new location under the local ordinance. The provisions of § 33.1-370.2 shall apply to any relocation.