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SENATE BILL NO. 1312

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice
on February 20, 2015)

(Patron Prior to Substitute—Senator Lewis)

*A BILL to amend the Code of Virginia by adding a section numbered 55-50.4, relating to property;
government maintenance of private road.*

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 55-50.4 as follows:

§ 55-50.4. Private roads; public use; maintenance and improvements.

Notwithstanding any provision of a recorded deed or plat to the contrary, a private road serving a subdivision of 50 or fewer lots may be dedicated for public use and may be taken into the secondary state highway system, subject to the provisions and requirements set forth in §§ 33.2-335 and 33.2-336, if the owner of the fee interest in such private road obtains the written consent of every lot owner in the subdivision whose lot is served by the private road and the holder of any restrictive covenant or easement rights over and concerning the private road prior to making such dedication and before requirements for acceptance of the road into the secondary state highway system are met. Such consent shall be recorded in the land records of the clerk's office of the circuit court of the county wherein the private road is located.

HOUSE SUBSTITUTE

SB1312H1