

VIRGINIA ACTS OF ASSEMBLY -- 2016 SESSION

CHAPTER 655

An Act to amend the Code of Virginia by adding in Article 4 of Chapter 2 of Title 33.2 a section numbered 33.2-280.1, relating to the Department of Transportation; right to permit broadband service provider to install broadband conduit on public highways.

[H 912]

Approved April 1, 2016

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 4 of Chapter 2 of Title 33.2 a section numbered 33.2-280.1 as follows:

§ 33.2-280.1. Installation of broadband conduit.

Where a public highway exists pursuant to § 33.2-105, the rights of the Commonwealth include the use of such public highway for communications purposes and specifically include the power of the Department to permit a broadband service provider to install, maintain, operate, repair, and replace within the public right of way underground lines, systems, and facilities necessary for the provision and extension of broadband services to the extent allowed by applicable land use permit regulations, policies, and procedures of the Department.