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HOUSE BILL NO. 912

FLOOR AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by Senator Obenshain

on March 2, 2016)

(Patron Prior to Substitute—Delegate Minchew)

A BILL 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.

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, which procedures shall include obtaining permission from the landowner.

SENATE SUBSTITUTE

HB912S1