

~~DISPOSAL OF LIMITED ACCESS CONTROL~~~~CHAPTER 400.~~~~24 VAC 30-400-10. Introduction.~~

~~The Commonwealth Transportation Board may designate all or any part of any existing or new highway as limited access. Such a designation requires the board to extinguish all easements of access, light, or air. The commissioner must pay damages, if any, to owners of properties abutting the existing or new highway for the extinguishment of these rights. This chapter establishes the rules pertaining to limited access control.~~

~~24 VAC 30-400-20. Policy.~~

~~Any change or break of the access control line for a purpose other than that related to highways is considered an abandonment of access control. Abandonment of access control will be considered only in limited, special situations; and only when such abandonment will not adversely affect the safety or operation of the facility.~~

~~24 VAC 30-400-30. Monetary compensation.~~

~~A. Monetary compensation or other valuable consideration shall be made for abandonment to a private party or a public agency for non-public use. Compensation due the department for abandonment of access control shall be determined by the appraisal process.~~

~~B. The value of these rights shall be determined by using the before and after evaluation. The costs of providing any safety or operations improvements necessary for the safety of the traveling public will be borne by the party or parties granted a change in access control in addition to the compensation determined by the appraisal process. The Director of Right of Way and Utilities shall approve any such compensation.~~

~~24 VAC 30-400-40. Federal Highway Administration approval.~~

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~~If federal funds were used in right of way acquisition, or if there is a significant change in the function or operation of the existing highway facility, and federal funds were used in construction, the Federal Highway Administration shall approve the change or break in access.~~