



**Office of Land Use
Guide to
Highway System Changes**

November 2021

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Office of Land Use Guide to Highway System Changes

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Richmond, Virginia 23219
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NOTES:

Text highlighted in **blue** and underlined are hyperlinks that allow the reader to either move to a place in this document or link to an Internet website in which additional information on the topic can be found. When reading this document on a computer, the hyperlink can be accessed by placing the mouse pointer over the highlighted item, pressing, and holding down the “Ctrl” key, and left clicking with the mouse.

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1. Purpose of the “Guide to Highway System Changes”

All adjustments to Virginia’s highway systems that alter centerline miles require a Highway System Change (HSC) assembly. These changes are most commonly additions, abandonments, discontinuances, and transfers.

These changes are legally required because:

- It is the law – VDOT must add and remove segments of roadway in accordance with the requirements of the Code of Virginia
- It is illegal in the majority of cases for VDOT to spend money on non-VDOT facilities
- VDOT should not maintain roads which are legally not within the VDOT maintenance system
- Federal government will not reimburse the state for damaged roads due to natural disasters not legally accepted into our systems
- Highway system databases are used for customer service, budgeting, pavement contracts, mapping, traffic and crash data – if roads are not legally in the highway system, these systems are compromised (i.e. awarding of paving contracts)
- Annual reporting to FHWA needs to be accurate and must correctly reflect the state’s mileage which increases VDOT maintenance funding
- These systems rely on the VDOT Linear Referencing System (LRS) for Federal reporting, budgeting, paving, snow removal, planning, legal issues, and data collection
- VDOT needs to be able to accurately reflect the roads that are in the highway systems

The purpose of the “Guide to Highway System Changes” is to provide guidance to VDOT staff statewide about how to complete legal highway system changes. While this guidance document cannot cover all possible varieties of highway changes, its goal is to address the vast majority of potential changes. This Guide replaces the previous “Guide to Additions, Abandonments and Discontinuances.”

The Guide is organized in the following manner:

- [Definition of state highway systems and road types](#)
- [Types of Highway System Changes](#)
- [Interstates and U.S. Highways](#)
- [Primary Roads](#)
- [Secondary Roads](#)
- [Appendices with additional information and examples](#)

For additional information related to highway system changes, please contact your VDOT District, Residency, or the VDOT Office of Land Use in Richmond, Virginia.

If you have any questions about this Guide or highway system changes, do not hesitate to contact the Office of Land Use. Our goal is to complete all highway system changes in the correct legal manner and as efficiently as possible.

2. Definition of State Highway Systems and Road Types

In order to accurately understand highway system changes, it is important to have a working knowledge of the different types of roads that compose these systems. VDOT Highway Systems include roads which have been legally accepted into the state's systems of highways and which are maintained by VDOT.

The following is a list and description of the main types of roads in the Virginia highway systems:

a. Interstates and U.S. Highways

- Roads classified by the federal government as Interstates and U.S. Highways
- Centerline changes to Interstates and U.S. Highways are required to complete an additional level of approval with the American Association of State Highway and Transportation Officials (AASHTO) and/or the Federal Highway Administration (FHWA) for highway system changes that are not required for State Highways

b. Primary

- Primary system roads are under the jurisdiction of and control of the Commonwealth Transportation Board (CTB) and the Commissioner of Highways
- Roads within the state's highway system that generally have route numbers under 600; includes Frontage roads
- These roads are not part of the state's Secondary highway system
- Limited Access Highways are usually Primaries and are highways designed for through traffic, over which abutters have no easement or right of light, air, or access to the limited access highway

c. Secondary

- Virginia's Secondary system of highways was created in 1932 with the General Assembly's "Byrd Act"
- This Act transferred these roads to Virginia authority, with local consent; these roads were previously controlled and maintained by localities
- The Byrd Act placed roads under the jurisdiction of VDOT
- Roads within the Secondary system have route numbers 600 and above

Definition of State Highway Systems and Road Types (continued)

- d. Urban System** – Roads maintained by cities and towns for which the localities receive VDOT maintenance funding
- Independent cities located in the state
 - All incorporated towns that have a population of more than 3,500 according to the last United States census
 - Specific Virginia towns with populations below 3,500 which have elected to maintain the towns' roads (see item "g" below)
 - Changes to the Urban System are completed through the Local Assistance Division's Urban Policy
- e. Frontage Roads**
- Roads initially constructed adjacent to limited access roads (primarily Interstates)
 - Frontage roads are part of the state's Primary system
 - When highway changes are made to Frontage roads, Primary system processes and state Code sections must be used
- f. Counties that Maintain Roads – Arlington and Henrico**
- In 1932, the state's Byrd Road Act offered counties the ability to join the newly created Secondary system of state highways
 - During this time, some counties elected to continue local authority over these roads
 - The two Virginia counties which currently control non-Primary system roads are Arlington and Henrico
 - VDOT maintains most Primary roads within these two counties
- g. Towns Under 3,500 Population that Maintain Roads** – Ten towns with populations under 3,500 have elected to maintain local roads. Streets in these towns are considered a part of the Urban System. System changes in these towns are accomplished via the Local Assistance Division's Urban Policy. These towns include:
- Altavista – Campbell County, Lynchburg District
 - Chase City – Mecklenburg County, Richmond District
 - Dublin – Pulaski County, Salem District
 - Elkton – Rockingham County, Staunton District
 - Grottoes – Augusta and Rockingham Counties, Staunton District
 - Lebanon – Russell County, Bristol District
 - Narrows – Giles County, Salem District
 - Pearisburg – Giles County, Salem District
 - Saltville – Smyth and Washington Counties, Bristol District
 - Wise – Wise County, Bristol District

Definition of State Highway Systems and Road Types (continued)

h. Privately Maintained Roads

- Roads that either have restricted access to the general public, regulated by hours of use, or otherwise are limited, or are local public roads that are under county control and are not part of the secondary highway system
- Access is commonly restricted by property ownership or membership
- These roads are not maintained by VDOT and are not in the state's highway system

3. Types of Highway System Changes

There are four main categories of highway system changes. These changes include:

- [Additions](#)
- [Abandonments](#)
- [Discontinuances](#)
- [Transfers](#) (from one state system to another or to local control)

a. Additions

Developments and projects which add centerline mileage to VDOT's highway systems are considered "additions." In most instances, a locality's Board of Supervisors approves a resolution asking VDOT to accept the roads into the state system for maintenance.

The majority of new streets accepted by VDOT are a result of the subdivision of land, either residential, commercial, industrial, or mixed use developments. Locally administered projects and VDOT Projects are also sources of street additions.

The following are the bodies or individuals that approve general additions:

- Primary additions involving relocations and VDOT Projects ([§33.2-310](#)) – Office of Land Use
- Primary additions involving New Primary roads and Bypasses ([§33.2-314.A](#)) – Commonwealth Transportation Board (CTB)
- Secondary additions including "No Cost Rural Additions" ([§33.2-705](#)) – Office of Land Use
- Other types of highway additions are addressed in the Primary and Secondary Roads sections of this Guide

b. Abandonments

The effect of legally abandoning a road removes it from VDOT's inventory and VDOT will no longer maintain the road. The road is closed to public use and is no longer considered a public thoroughfare.

The abandonment of a prescriptive easement road eliminates the easement. As a result of the abandonment, the road ceases to be a public road and control of the land reverts to the fee simple property owner.

Abandonment of roads with right-of-way (ROW) dedicated to public use or deeded to VDOT has the effect of closing the road to public use and the related ROW can be sold or transferred (see VDOT Right-of-Way Division documents for additional details regarding the disbursement of surplus property).

Types of Highway System Changes – Abandonments (continued)

When roads are abandoned, an important fact for VDOT staff to know is if a replacement road has been built which services generally the same users as the road that is being abandoned. This information is needed in most situations because the related state Code section used, the public notification requirement, and the approval authority are affected if a replacement road is constructed.

An abandonment without a replacement road takes place when the locality or VDOT finds no public use necessary for the road or the safety and welfare of the public would be best served by the abandonment. When a replacement road is being built, the abandonment and addition must be addressed in the same locality resolution.

The following are the VDOT related bodies or individuals who have the authority to approve road abandonments:

- Primary abandonment without a replacement road constructed ([§33.2-902](#)) – CTB
- Primary abandonment with the construction of a replacement road OR the abandonment does not include a replacement road, BUT the proposed abandonment is required for the completion of a construction or maintenance project ([§33.2-906](#)) – VDOT Chief of Policy
- Secondary abandonment without a replacement road ([§33.2-909](#)) – Office of Land Use
- Secondary abandonment with a constructed replacement road or the abandonment does not include a replacement road, but the proposed abandonment is required for the completion of a construction or maintenance project ([§33.2-912](#)) – VDOT Chief of Policy

Types of Highway System Changes (continued)

c. Discontinuances

Discontinuance is an act generally reserved for the Commonwealth Transportation Board whereby VDOT is relieved of maintenance responsibility and jurisdictional authority for a roadway. A discontinuance takes place when it is determined that the roadway no longer provides sufficient public benefit to warrant VDOT maintenance, but the related ROW needs to be retained for a transportation purpose. A locality cannot discontinue a VDOT roadway.

With relation to the approval authority of discontinuances, the following are the bodies or individuals that approve discontinuances:

- All Primary discontinuances ([§33.2-901](#)) – CTB
- Secondary discontinuance without a replacement road ([§33.2-908.B](#)) – CTB
- Secondary discontinuance with a constructed replacement road OR the discontinuance does not involve a replacement road, BUT the proposed discontinuance is required for the completion of a construction or maintenance project ([§33.2-908.C](#)) – VDOT Commissioner

There can be confusion regarding the difference between a VDOT “abandonment” and a “discontinuance.” While the terms may seem alike, legally there is a great deal of difference between the two actions and they should never be used interchangeably.

Discontinuances are rare when compared to abandonments because the reasons for highway discontinuances do not occur frequently.

There are two main similarities between abandonments and discontinuances when the actions are completed. The similarities are:

- The action removes the associated road from VDOT’s highway systems and the agency no longer maintains the road
- The road no longer provides sufficient public service to warrant state maintenance

When a Secondary discontinuance is completed, the road remains a public facility and the road’s jurisdictional authority is returned to the locality. A discontinued Primary road remains under the jurisdiction of the Commonwealth Transportation Board and the Commissioner of Highways. A discontinued road continues to be open to public use, but is no longer maintained by VDOT.

Because discontinuances are infrequent, when a locality or Residency proposes this action, Office of Land Use staff will ask the reason for the discontinuance and why an abandonment is not the correct action. This is done to confirm that discontinuance is the proper highway system change action for the situation.

Types of Highway System Changes – Discontinuances (continued)

The following are examples of when a highway discontinuance is the correct change to the road:

- Property owners no longer want their road maintained by VDOT, but need to reserve the ROW to provide legal access to parcels
- County wants to use the road adjacent to its courthouse only for public safety vehicles
- The road no longer provides a sufficient public convenience to warrant maintenance at public expense (serves less than three occupied dwellings), but the ROW is needed to provide legal access to other properties (i.e. it prevents land locking property)

If you have any questions about discontinuances or if the action is appropriate to use in a particular case, do not hesitate to contact the VDOT Office of Land Use.

Types of Highway System Changes (continued)

d. Transfers

A highway transfer takes place when a road or a segment of road is moved from one VDOT highway system to another or from the Primary system to the local system. The most common transfers occur when roads are changed between the Primary and Secondary systems.

Highway transfers can take place for a number of reasons. This change may occur due to funding issues or a locality's use of a road. The most common reason for a transfer is when a shift in the Primary alignment occurs and all or a portion of the old alignment still provides sufficient service to remain in the VDOT system as a Secondary route.

Transfers are a highway system change and must complete the legal change process to be accomplished. A road that is renumbered, but remains in the same highway system, is not considered a transfer but is a renumbering.

With relation to §33.2-314 transfers, VDOT Department Memoranda 14-1 provides criteria on when this Code section should be used for Secondary to Primary transfers. This is discussed in detail in the §33.2-314 section of this Guide.

With relation to approval authority, the following are the bodies or individuals that approve system transfers:

- Transfer from Primary to Secondary system not related to new road construction or transfer from VDOT Primary to the local system (Urban, Arlington, or Henrico local systems) ([§33.2-315.A](#)) – CTB
- Transfer from Primary to Secondary system related to new road construction ([§33.2-315.B](#)) – VDOT Commissioner
- Transfer from Secondary to Primary system not related to new road construction ([§33.2-314.A](#)) – CTB
- Transfer from Secondary to Primary system related to new road construction ([§33.2-314.B](#)) – VDOT Commissioner

e. Abandonment of Previously Discontinued Roads

A road that was previously discontinued from the state Secondary system for maintenance can be abandoned using §33.2-914 through §33.2-926 by the locality, although these are not the only statutes that may be applicable for this purpose. These Code sections (§33.2-914 through §33.2-926) apply to county roads that are not part of either the Primary or Secondary highway systems (i.e. roads under the jurisdiction and control of the locality).

Localities should consult their local counsel for the appropriate Code section to use for previously discontinued roads and how to comply with those statutes. VDOT and the CTB typically have no involvement with this type of abandonment. Contact the Office of Land Use if you have questions about the applicability of these Code sections.

4. Interstates and U.S. Highways – Policies & Processes

As with any centerline change to highways in Virginia, highway system changes to Interstates and U.S. Highways in the state are required to complete the legal highway system change process. Interstates and U.S. Highways require an additional level of approval for highway system changes that is not required for State Highways. When a project involves highway system changes to Interstates and U.S. Highways, approval of the changes is also required from AASHTO and/or FHWA.

VDOT staff should contact the Office of Land Use as soon as possible when a pending Interstate or U.S. Highway change is planned. If the Interstate or U.S. Highway project involves more than one locality, the AASHTO and FHWA applications should include all impacted localities. The Residency will complete the documents and processes required by VDOT. After the complete HSC assembly has been received, the Office of Land Use will work with the Residency or District to write and submit the required documents to AASHTO and/or FHWA.

Virginia Interstates and U.S. Highways are listed on [pages 20 and 21](#).

Roads in the Dwight D. Eisenhower National System of Interstate and Defense Highways (Interstate System) and the U.S. Numbered Highway (U.S. Highways) systems are listed as Primary routes in Virginia’s roadway inventory. However, roads in these different systems have distinctive route markers to distinguish them from other state Primary roads:

Interstate Marker:



U.S. Route Marker:



VA Primary Marker:



a. AASHTO Approval Authority and Process – Interstate and U.S. Highway Changes

AASHTO is vested with the full authority to review the establishment, extension, relocation, elimination, and numbering of all roads within the Interstate and U.S. Highway systems. As part of the AASHTO policy, state highway agencies are also required to receive approval prior to erecting, removing, or revising any markers on Interstates and U.S. Highways.

AASHTO is also responsible for assigning special route designations on U.S. Highways, such as ‘business route’, ‘by-pass route’ and ‘alternate route.’ The organization’s authority exists independently of the FHWA’s authority to control or designate federal construction funding. AASHTO’s responsibility to regulate the numbering/markings of U.S. Highways may also apply to roads built entirely with state funds.

AASHTO website link: <https://route.transportation.org/>

AASHTO Approval Authority and Process (continued)

AASHTO's Council on Highways and Streets (CHS) has the authority to take action on matters submitted to it by the U.S. Route Numbering Special Committee. This AASHTO Committee:

- Recommends to CHS actions to take regarding proposed revisions, additions, or deletions within the U.S. numbered and Interstate Systems;
- Advises the CHS on matters of policy, dealing with the operation of the U.S. Highways and Interstate Systems; and
- Implements the U.S. Bicycle Route Numbering System

The following are the general steps in the process for Interstate and U.S. Highway applications. This process must be completed for the highway changes to become official:

- The U.S. Route Numbering Special Committee reviews applications for U.S. numbered and Interstate changes and makes recommendations to approve or disapprove requests
- Committee shall report all recommendations and decisions to the CHS for its approval. This will take place at the CHS's spring and annual meetings (generally held in May and October).
- In the case of Interstate route requests, both the FHWA and CHS must approve of the change (see FHWA information below)
- These decisions will be presented to the AASHTO Board of Directors in the CHS Report during the Board's annual meeting

AASHTO's CHS Application Website

https://route.transportation.org/wp-content/uploads/sites/50/2020/08/USRN_Electronic-Application-Form_Fall-2020.pdf

AASHTO Approval Authority and Process (continued)

Applications for changes to Interstates and U.S. Highways must be signed by the Commissioner of Transportation. When changes to these systems are required, VDOT District/Residency staff shall either submit the completed application form to the Office of Land Use for review or provide that office with the required application information. The Office of Land Use will complete the final review of the AASHTO application and submit to the Commissioner for signature. However, AASHTO does permit a letter signed by the Commissioner endorsing the application in lieu of a signature on the actual application.

When preparing the AASHTO CHS application, VDOT staff will need the following information:

1. The type of highway: Interstate or U.S. Highway
2. The type of change: Elimination, Establishment, Extension, Relocation, Establishment of an Alternate US Route, Establishment of a Temporary U.S. Route, Establishment of a Business U.S. Route, or Establishment of a By-pass U.S. Route
3. Termini: Beginning and ending points and the total mileage between the two
4. States involved: Changes may involve multiple states
5. Date the facility is available to traffic
6. If it involves re-routing of an existing route, the existing and future corridors and related locations
7. A map of the proposed change. This map should be prepared in accordance with the guidance contained in Appendix q of this Guide (HSC sketch examples)
8. The weighted traffic volume along the proposed corridor
9. A copy of the authorization for the Commissioner to sign and submit the application. This is authorized by Section 33.2-223 of the Code of Virginia which grants the Commissioner the authority to complete the acts necessary for the efficient operation and maintenance of the state highway systems.
10. Roadway data for the proposed corridor:
 - a. Control points (termini) and mileage
 - b. Pavement Type
 - c. Pavement Condition
 - d. Current traffic volume
11. Any AASHTO design deficiencies for:
 - a. Pavement & shoulder width
 - b. Width & loading on major structures
 - c. Vertical sight distance
 - d. Horizontal curvature
 - e. Percent grade.
12. VDOT contact: The person who prepared the application
13. A brief narrative. This narrative describes the highway change and road project, is given to the CHS, and it should be as concise as possible (i.e. single spaced paragraph)

Interstates and U.S. Highways (continued)

b. FHWA Approval Authority and Process – Interstate Changes

The legal processes and state Code sections for administering changes to the Interstate System are the same as those used for administering changes to the Primary System. For purposes of this section of the Guide, the emphasis is on the process for obtaining Interstate designation on a route and the numbering of Interstates.

At the request of a state or states, the FHWA may designate sections of the National Highway System (NHS) as Interstate Highways and may add highways to the Interstate System that are designated as NHS high priority corridors and future Interstate corridors. There are two basic eligibility requirements for roads to be designated as Interstates:

- The road must be constructed to Interstate standards
- The road must be a logical addition to the Interstate system

There are two processes for a state to obtain Interstate designation on a route: the Administrative path and the Congressional path. In the Administrative path, a state requests the FHWA to designate a route as an Interstate pursuant to the FHWA's authority granted in the United States Code. In the Congressional path, Congress designates a future Interstate corridor via statutory language primarily contained within the provisions of the Intermodal Surface Transportation Efficiency Act.

The major differences in these two paths are as follows:

1. In the Administrative path, the FHWA must make a determination that the route is a logical addition to the Interstate system. In the Congressional path, no such determination is required.
2. In the Administrative path, the state or states must make a commitment to construct the highway to Interstate standards within twenty-five years of the designation as an Interstate highway. In the Congressional path, no such time restriction commitment is required.
3. In the Administrative path, the FHWA must designate future Interstate corridors. In the Congressional path, future Interstate corridors are designated by law. However, a more specific corridor location requires FHWA approval to ensure consistency with the statutory language.
4. In the Administrative path, an approved final environmental review is required prior to FHWA designation as an Interstate. In the Congressional path, the Interstate designation typically precedes the environmental review.
5. In the Administrative path, the route number must be approved by the FHWA (and AASHTO). In the Congressional path, the route number may be assigned via statutory language.

Any VDOT Residency staff that may be administering highway system changes to the Interstate system should coordinate efforts closely with the Office of Land Use and Maintenance Division to ensure that the necessary FHWA processes and approvals are being followed and obtained prior to final submission of the changes for CTB approval.

FHWA Approval Authority and Process – Interstate Changes

FHWA is responsible for the regulating of Interstates and the U.S. Highway Systems. This authority is included in the *FHWA Federal Aid Policy Guide, Subchapter E-Planning: Section 470*, “Federal-aid Highway Systems.”

The Federal Highway Administrator is given the approval authority for all federal-aid highway system actions involving the designation of or revision to Interstates and U.S. Highways, including the renumbering of these routes. The Federal Highway Administrator is also authorized to approve functional classification actions on federal-aid highway systems.

Pursuant to the *FHWA Federal Aid Policy Guide*, state highway agencies have the responsibility of proposing to and obtaining approval from the FHWA for all highway system changes that involve the designation or revision to Interstate and U.S. Highways. This policy guide also makes it incumbent upon the state highway agency to submit any proposed changes to the Interstate system to the AASHTO Standing Committee on Highways.

SUBCHAPTER E - PLANNING
PART 470 - HIGHWAY SYSTEMS
Subpart A - Federal-Aid Highway Systems

<https://www.fhwa.dot.gov/legregs/directives/fapg/cfr0470a.htm>

c. CTB Approval of Interstates and U.S. Highways

The Commonwealth Transportation Board is authorized to administer changes to the Interstate and U.S. Highway systems under §33.2-300 of the Code of Virginia. Per the terms of this law, highway system changes to the Interstate and U.S. Highways are to be administered in the same manner as highway system changes to the Primary System.

VDOT Residency staff shall use the guidance contained herein for Primary System changes when administering highway system changes to the Interstate and U.S. Highway systems.

When completing highway changes involving U.S. Highways and Interstates, the CTB should approve a conditional resolution prior to submitting the respective applications to FHWA (Interstates only) and AASHTO.

VDOT Residency staff should provide the Office of Land Use with as much notice as reasonably possible if they will be submitting a highway system change to an Interstate or U.S. Highway.

d. Virginia Interstates and U.S. Highways

Virginia Interstates

I-64	I-295
I-66	I-381
I-77	I-395
I-81	I-464
I-85	I-495
I-95	I-564
I-195	I-581
I-264	I-664

U.S. Highways in Virginia

US-1	
BUS US-1 (City of Fredericksburg)	BUS US-19 (Town of Lebanon)
US-11	BUS US-19 (Town of Tazewell)
ALT US-11 (City of Roanoke)	TRK US-19
BUS US-11 (City of Staunton)	US-21
BUS US-11 (City of Lexington)	US-23
TRK US-11	BUS US-23 (Town of Gate City)
ALT US-11 (City of Roanoke)	BUS US-23 (Town of Pound)
US-13	BUS US-23 (Town of Wise)
BUS US-13 (Town of Accomac)	BUS US-23 (City of Norton)
BUS US-13 (Town of Exmore)	US-29
BUS US-13 (Town of Eastville)	BUS US-29 (City of Danville)
BUS US-13 (Town of Cheriton)	BUS US-29 (Town of Chatham)
BUS US-13 (City of Suffolk)	BUS US-29 (Town of Gretna)
US-15	BUS US-29 (Town of Altavista)
BUS US-15 (Town of Leesburg)	BUS US-29 (City of Lynchburg)
BUS US-15 (Town of Warrenton)	BUS US-29 (Town of Amherst)
BUS US-15 (Town of Remington)	BUS US-29 (Nelson County)
BUS US-15 (Town of Culpeper)	BUS US-29 (City of Charlottesville)
BUS US-15 (Town of Farmville)	BUS US-29 (Town of Madison)
BUS US-15 (Town of Keysville)	BUS US-29 (Town of Culpeper)
BUS US-15 (Loudoun County)	BUS US-29 (Town of Remington)
US-17	BUS US-29 (Town of Warrenton)
ALT US-17 (Spotsylvania County)	US-33
BUS US-17 (Stafford County)	BUS US-33 (Town of Elkton)
BUS US-17 (City of Fredericksburg)	BUS US-33 (Town of Stanardsville)
BUS US-17 (Fauquier County)	US-48
BUS US-17 (Middlesex County)	US-50
BUS US-17 (Gloucester County)	US-52
BUS US-17 (Town of Warrenton)	US-58
BUS US-17 (City of Chesapeake)	ALT US-58
BUS US-17 (Spotsylvania County)	BUS US-58 (Town of Lawrenceville)
US-19S	

U.S. Highways in Virginia (continued)

BUS US-58 (Town of Boydton)
BUS US-58 (City of Emporia)
BUS US-58 (City of Franklin)
BUS US-58 (City of Suffolk)
BUS US-58 (Town of Courtland)
BUS US-58 (City of Virginia Beach)
BUS US-58 (Town of Gate City)
BUS US-58 (City of Martinsville)
BUS US-58 (Town of South Hill)
BUS US-58 (Lee County)
BUS US-58 (Town of Stuart)
BUS US-58 (Town of Clarksville)
BUS US-58 (City of Danville)
BUS US-58 (Patrick County)
BUS US-58 (Lee County)
BUS US-58 (City of Franklin)
US-60
BUS US-60 (Town of Clifton Forge)
US-211
BUS US-211 (Town of Warrenton)
BUS US-211 (Town of Washington)
BUS US-211 (Town of Luray)
US-219
US-220
BUS US-220 (Town of Clifton Forge)
BUS US-220 (City of Roanoke)
BUS US-220 (Town of Rocky Mount)
BUS US-220 (City of Martinsville)
BUS US-220 (Town of Ridgeway)
US-221
US-250
BUS US-250 (City of Charlottesville)
US-258
BUS US-258 (Town of Smithfield)
BUS US-258 (City of Franklin)
US-301
ALT US-301 (City of Petersburg)
BUS US-301 (Town of Bowling Green)
US-311
US-340
BUS US-340 (Town of Luray)
US-360
BUS US-360 (Hanover County)
BUS US-360 (Amelia County)
BUS US-360 (Town of Burkeville)
BUS US-360 (Town of Keysville)

US-421
BUS US-421 (Town of Gate City)
US-460
ALT US-460 (City of Salem)
BUS US-460 (Town of Tazewell)
BUS US-460 (Town of Blackstone)
BUS US-460 (Town of Burkeville)
BUS US-460 (City of Suffolk)
BUS US-460 (Town of Pearisburg)
BUS US-460 (Town of Bedford)
BUS US-460 (Town of Christiansburg)
BUS US-460 (Town of Blacksburg)
BUS US-460 (Town of Richlands)
BUS US-460 (Town of Pamplin City)
BUS US-460 (City of Lynchburg)
BUS US-460 (Town of Farmville)
BUS US-460 (City of Petersburg)
BUS US-460 (Town of Appomattox)
ALT US-460 (City of Norfolk)
BUS US-460 (Town of Grundy)
US-501
ALT US-501 (City of Buena Vista)
BUS US-501 (City of Lynchburg)
US-522
BUS US-522 (Town of Washington)

5. Primary Roads – Codes, Policies & Processes

The state's Primary system consists of all roads and bridges under the jurisdiction and control of the Commonwealth Transportation Board (CTB) and the Commissioner of Highways. Primary roads are not part of the Secondary state highway system.

Roads within the state's Primary system have route numbers less than 600, though there are several exceptions due to highway numbering conventions (e.g. I-664 and Rt. 895). This type of road also includes Interstates, U.S. Highways, Frontage roads, State Park roads, and Institutional roads which serve such state institutions as public colleges, universities, and correctional facilities.

A number of Primary highway system changes are required to be approved by the CTB, the Commissioner, or the Chief of Policy. When VDOT staff is administering Primary highway changes, the VDOT Residency should inform the Office of Land Use about these changes early in this process. After receiving the complete RIMS HSC assembly, the Office of Land Use will process the proposed VDOT approval letters or CTB agenda item, have the CTB documents reviewed by VDOT's Governance Division, and submit the CTB meeting documents to the Commissioner's Office for inclusion on the CTB's earliest possible agenda. Highway changes requiring Commissioner or Chief of Policy approval will be sent to the Commissioner's Staff by the Office of Land Use as soon as possible.

This section of the Guide is divided into the following categories:

- a. [Additions](#)
- b. [Abandonments](#)
- c. [Discontinuances](#)
- d. [Transfers](#)
- e. [Institutional Roads](#)
- f. [State Parks](#)
- g. [Locally Administered Projects](#)
- h. [VDOT Projects](#)

Pertaining to Primary roads, Section 1-221 of the Code of Virginia defines "locality" as meaning a county, city, or town. Section 33.2-100 of the Code of Virginia defines "the Board" as meaning the Commonwealth Transportation Board. These terms have the same meaning as referenced in this section.

a. Primary Additions

Code Section §33.2-310 – Addition to Primary Route

Additions to the state's Primary system are most often accepted using §33.2-310. This Code section is used when Primary mileage is added to the system, as part of a project that relocates or adjusts an existing Primary road. This most often occurs when a VDOT Project adds Primary centerline mileage. In most cases, a corresponding road abandonment or discontinuance is associated with this type of addition.

Primary roads can be constructed by developers and localities, but this is rare. This usually happens when the road being constructed is part of a locality's Transportation Improvement Plan and project funding is administered by an entity other than VDOT.

The Office of Land Use is authorized to approve §33.2-310 Primary additions. Therefore, these additions do not need to be approved by the CTB or VDOT executives.

Although not required by law, VDOT procedure requires that a resolution or letter of support be obtained from the locality for Primary system changes. This is done to provide assurance that the locality has been informed of and is involved with the Primary highway system change process.

A VDOT Project HSC assembly can either be accompanied by a locality resolution or a letter of support (if the Project meets the [letter of support requirements](#) listed below). The letter of support is most often signed by the Board of Supervisors Chair, County Administrator/Manager, the Clerk of the Board of Supervisors, Director of the county Transportation Department, or the County Attorney. There is a template for this type of letter on the [Office of Land Use DOTi page](#).

In order for a Primary highway change to use a locality letter of support rather than a resolution, the related change must be the result of a VDOT Project and the ROW must be owned by the state. There is no construction deadline for the use of a letter of support regarding a Primary highway change.

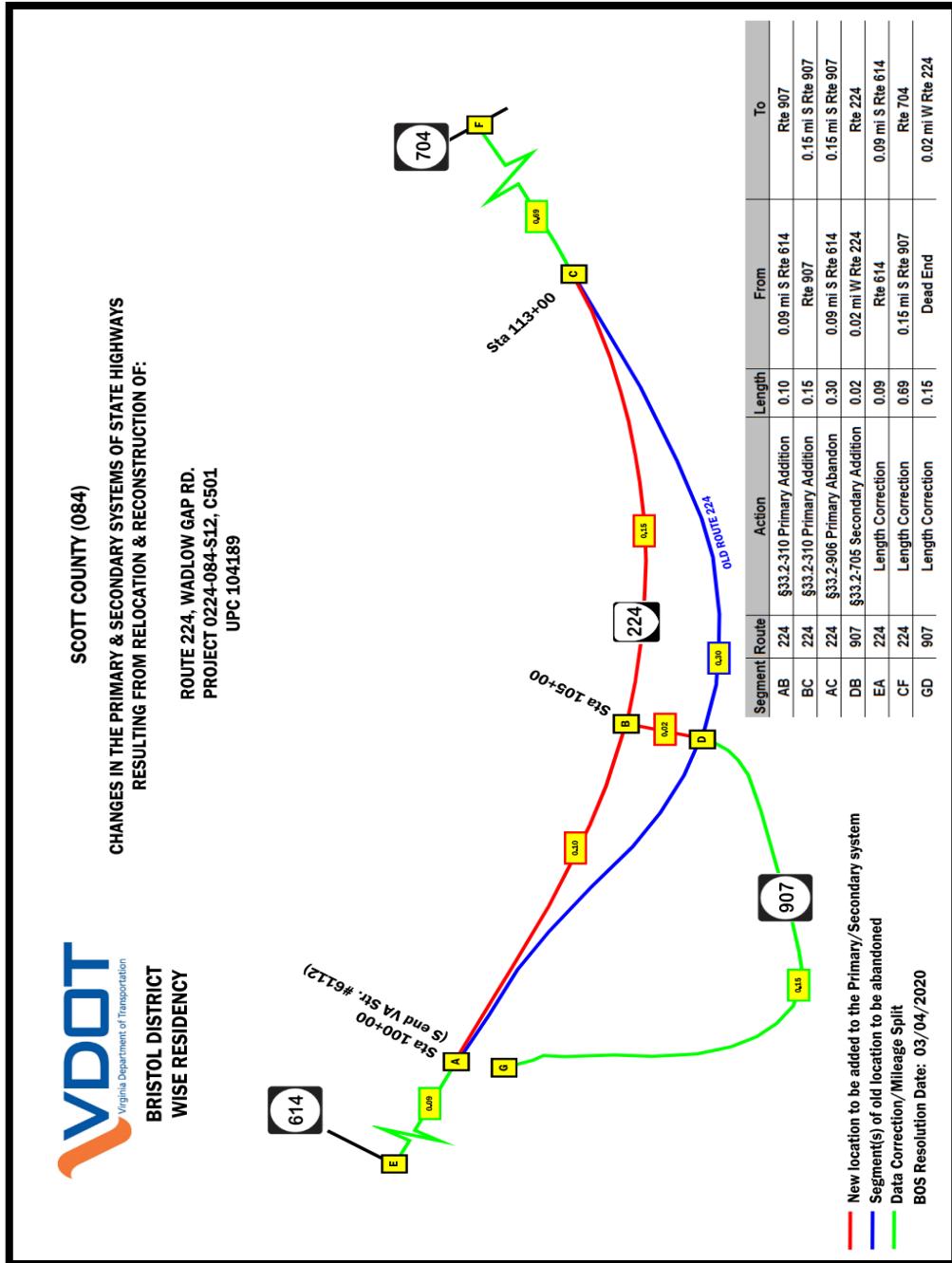
If a developer constructed Primary road is to be added to the state system, it is required to have an approved resolution from the locality. A letter of support cannot be used.

The letter of support requirement difference between a VDOT Project and a developer built project is that a locality has previously approved the VDOT Project additions in public settings via the locality's comments on the Six-Year Improvement Program (SYIP). For a developer built project, this type of local approval does not occur because developer built projects do not involve the appropriation of state funding, a public notification process, and are not included in the county's portion of the SYIP.

Primary Additions (continued)

Example of §33.2-310 Primary Addition

In the example below, segments AB and BC (in red) are being added to the Primary system using §33.2-310. These two added segments are replacing the corresponding segments in blue that are being abandoned pursuant to §33.2-906.



Primary Additions (continued)

Code Section §33.2-314.A – Primary Addition Involving New Primary Roads and Bypasses

During a review of HSC Code sections, VDOT's Governance Division determined that §33.2-314.A should be used in limited instances for the addition of some Primary roads. Section 33.2-314.A is only to be used for additions when new Primary roads are added to the system that involve:

- A completely new Primary road with a new route number
- The creation of new Primary Bypass roads

Please contact the Office of Land Use for assistance to determine if [§33.2-310](#) or §33.2-314.A should be used for a specific Primary addition.

The approval of a §33.2-314.A Primary addition has not been delegated to any VDOT management or staff. Therefore, §33.2-314.A additions must be approved by the CTB.

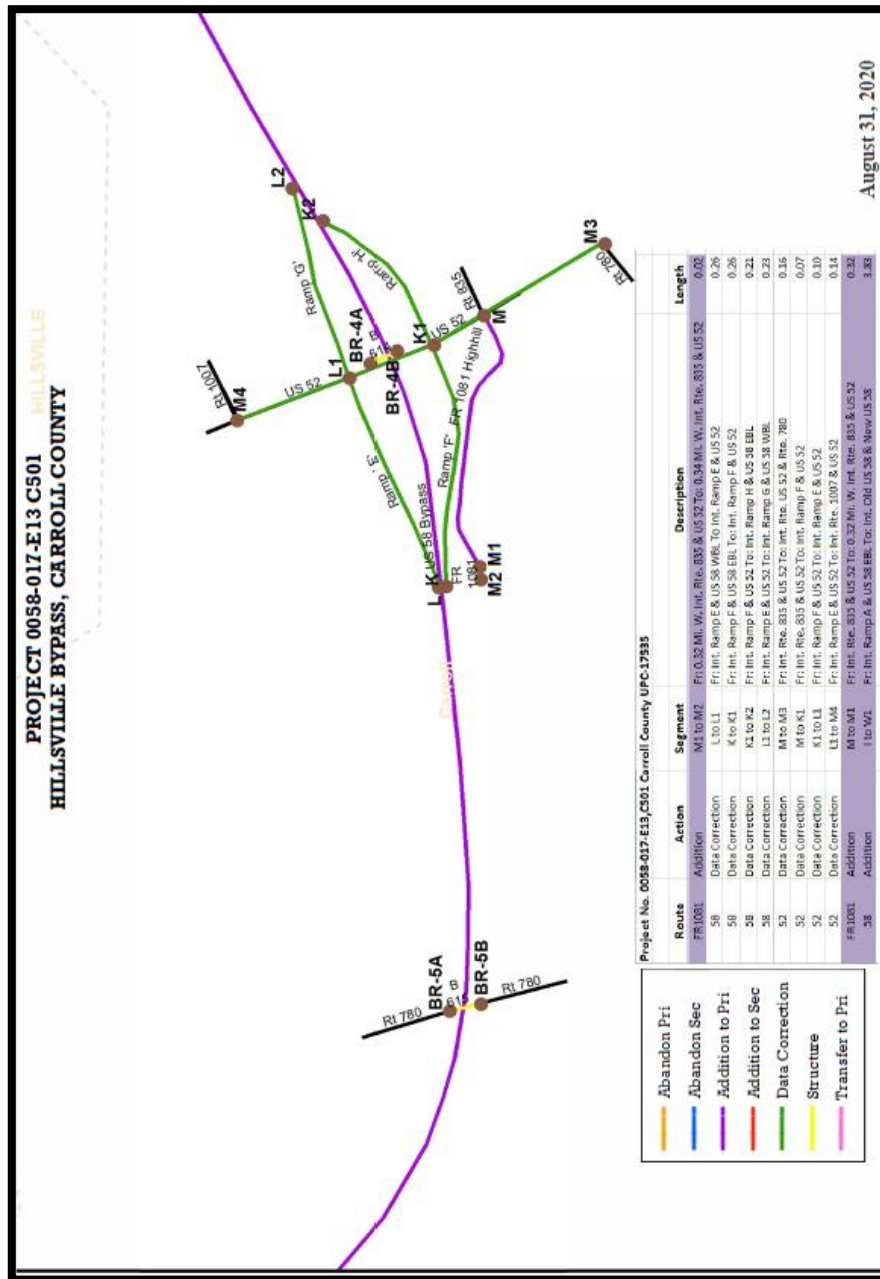
In order to proceed to the CTB to add a §33.2-314.A Primary route, the locality must approve a resolution or letter of support for VDOT to legally accept the road. The resolution for a §33.2-314.A addition should follow the same format as a §33.2-310 resolution.

Due to the CTB approval required for a §33.2-314.A Primary addition, please contact the Office of Land Use if you have a proposed addition using this Code section.

Primary Additions (continued)

Example of §33.2-314.A Primary Addition

The road segments in purple below, involving Routes 58 and FR-1081, are being added to the Primary system using §33.2-314.A. This Code section is used because Route 58 is defined as a Bypass and Route FR-1081 is a newly created Primary road. There are also no corresponding abandonments or discontinuances.



b. Primary Abandonments

Code Section 33.2-902 – Abandonment of Primary Route Without Replacement Road

Section 33.2-902 is used when an existing VDOT Primary road is being abandoned and there is no corresponding replacement road being constructed. This type of abandonment is initiated when VDOT or an interested property owner would like to abandon all or a portion of an existing Primary road. Typically this is done when a road no longer provides sufficient service to abutting properties to warrant public maintenance, or if abandonment is required as a prerequisite to the conveyance of surplus right of way. Because the Primary system is under the authority of the CTB and Commissioner of Highways, it is the responsibility of VDOT to administer and advertise §33.2-902 Primary abandonments.

There may be instances when [§33.2-906](#) can be used for a Primary abandonment without a replacement road. This is the case if the proposed abandonment is related to the completion of a construction or a maintenance project (see section on [§33.2-906](#) for more details).

Notice of Intent to Abandon (NOIA) – Section 33.2-902 requires that the proposed Primary abandonment be advertised so that the public has prior knowledge of the intended abandonment. VDOT will publish either a NOIA Willingness Advertisement or a NOIA Public Hearing Advertisement that complies with the public notification requirements of §33.2-902. Samples of these advertisements are included on the [HSC/SSAR DOTi page](#).

NOIA Willingness Advertisement vs. NOIA Public Hearing Advertisement – VDOT may choose to publish either a willingness to hold a public hearing advertisement or a public hearing advertisement. The willingness advertisement indicates that VDOT will hold a public hearing if requested. The public hearing advertisement indicates VDOT **will** hold a public hearing, and it gives notice of the date, time, and place of the public hearing. The willingness advertisement is typically used in situations where objections to the abandonment are not expected, because it saves VDOT the time and expense of conducting a public hearing. The NOIA public notification requirements are the same for both types of advertisements.

- NOTE: Some localities will always request a public hearing. Local VDOT staff administering the abandonment should coordinate with the respective locality to determine if this is the case prior to any advertisement's publication.

Primary Abandonments - §33.2-902 (continued)

§33.2-902 Public Notification Requirements: In order to comply with §33.2-902's public notification requirements:

1. VDOT MUST choose 1a or 1b below -
 - a. Post a notice of the pending abandonment at least three days before the first day of a regular term of the circuit court at the front door of the courthouse of the county in which the section of the highway is located, or if the section of the highway is located in two or more counties, at the front door of the courthouse of each county (this posting option is usually not used),
 - b. Publish a notice of the abandonment in two or more issues of the same newspaper published in the county in which the section of the highway or the crossing is located. Samples of this notice are included on the [HSC/SSAR DOTi page](#).
2. VDOT shall also send registered mail notice of the intent to abandon to the governing body of the county or counties in which the road is located. This letter should request either a letter of support or resolution related to Primary abandonment from the local governing body. Although not required by §33.2-902, the letter/resolution of support is a VDOT procedural requirement to provide the CTB with assurance that the locality supports the pending abandonment. Samples of the registered letter and letter/resolution of support are included on the [HSC/SSAR DOTi page](#).
3. If the highway is located in a town, VDOT shall also send registered mail notice of intent to abandon to the governing body of the town. This letter should also request a letter/resolution of support from the town.

Primary Abandonments - §33.2-902 (continued)

Holding a §33.2-902 Abandonment Public Hearing

- NOIA Willingness Advertisement: If one or more landowners in the county or town where the abandonment is located requests a public hearing be held within 30 days after the NOIA Willingness Advertisement is first posted, published, and mailed, VDOT shall hold a public hearing for consideration of the abandonment. VDOT shall then publish a NOIA Public Hearing Advertisement that gives notice of the date, time, and place of the hearing.
- NOIA Public Hearing Advertisement: If VDOT opts to forgo a NOIA Willingness Advertisement or if a public hearing is requested during the NOIA Willingness Advertisement, VDOT shall give notice of the date, time, and location of the public hearing. The public hearing must be held within the county (or one of the counties) where the proposed abandonment is located. The NOIA Public Hearing advertisement shall be published a minimum of 30 days in advance of the date of the public hearing and shall be published in accordance with the §33.2-902 Public Notification Requirements given herein.
 - NOTE: A transcript of any comments received at the public hearing is to be included in the HSC assembly sent to the Office of Land Use.

If no requests for a public hearing are received within 30 days after publication of the NOIA Willingness Advertisement, or if after a public hearing is held and VDOT is satisfied that no public necessity exists for the continuance of the section of highway, the Residency will forward the complete HSC assembly to the Office of Land Use where it will be prepared for the CTB agenda. The HSC assembly must also include the letter or resolution of support from the locality, the highway system change sketch, a copy of the abandonment advertisement, the name of the publication, and the dates advertised. The CTB will then approve a resolution either confirming or dismissing the abandonment.

Primary Abandonments - §33.2-902 (continued)

Deadline for CTB to Act on §33.2-902 Primary Abandonments – When Residency staff begins to process a §33.2-902 Primary abandonment, they need to be aware of mandatory deadline for the CTB to take action on these abandonments. This Code section states:

“...the Board shall (i) within four months of the 30-day period during which notice was posted where no petition for a public hearing was filed or (ii) within four months after the public hearing enter an order on its minutes abandoning the section of highway as a public highway or the railroad crossing as a public railroad crossing, and with that order the section of highway shall cease to be a public highway, unless the local governing body takes control as provided in this article, or the railroad crossing shall cease to be a public railroad crossing. If the Board is not so satisfied, it shall enter an order dismissing the application within the applicable four months provided in this subsection.”

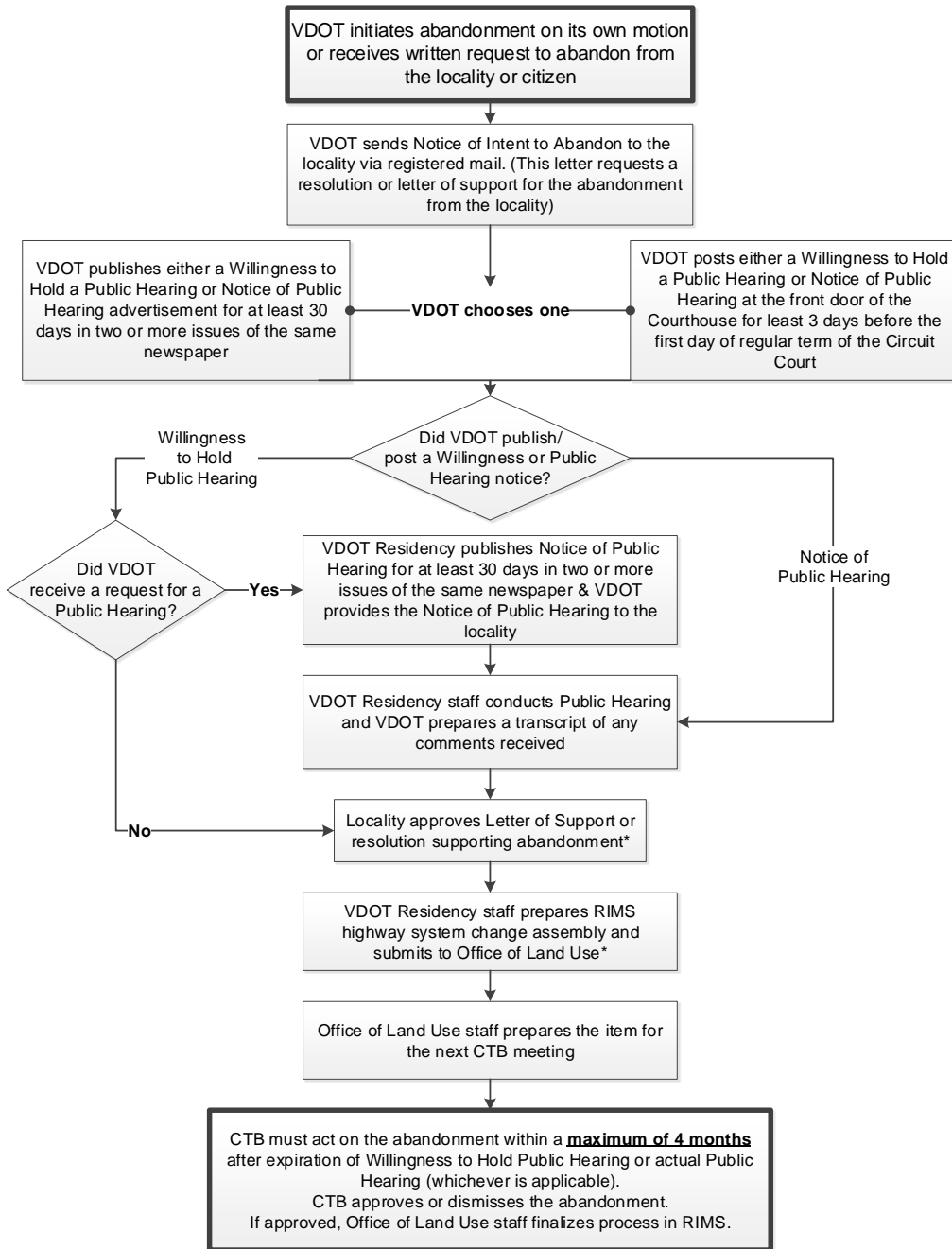
This Code language means that the CTB must act on the §33.2-902 Primary abandonment within four months of the expiration of the willingness to hold a public hearing as specified in the NOIA Willingness Advertisement OR within four months after the holding of the public hearing. If the CTB action has NOT been taken during this four month period, the entire §33.2-902 Primary abandonment process must be repeated from the beginning.

Due to this four month deadline, it is extremely important for the Residency to inform the Office of Land Use that the §33.2-902 abandonment is in process. The Residency is encouraged to have the Office of Land Use review the NOIA, the advertisement, and the proposed abandonment prior to the advertisement of the proposed abandonment.

The Residency shall send the full assembly to the Office of Land Use as soon as possible following the end of the willingness period to hold the public hearing or the date of the public hearing (whichever is applicable) and receipt of the locality’s resolution or letter of support.

In order to place an item on an upcoming CTB agenda, the Office of Land Use must draft the CTB documents and meet the deadlines to have the VDOT Governance Division review the agenda item. CTB agenda items are also required to be received by the Commissioner’s office by its designated deadline. Please contact the Office of Land Use for the related deadlines for upcoming CTB meetings.

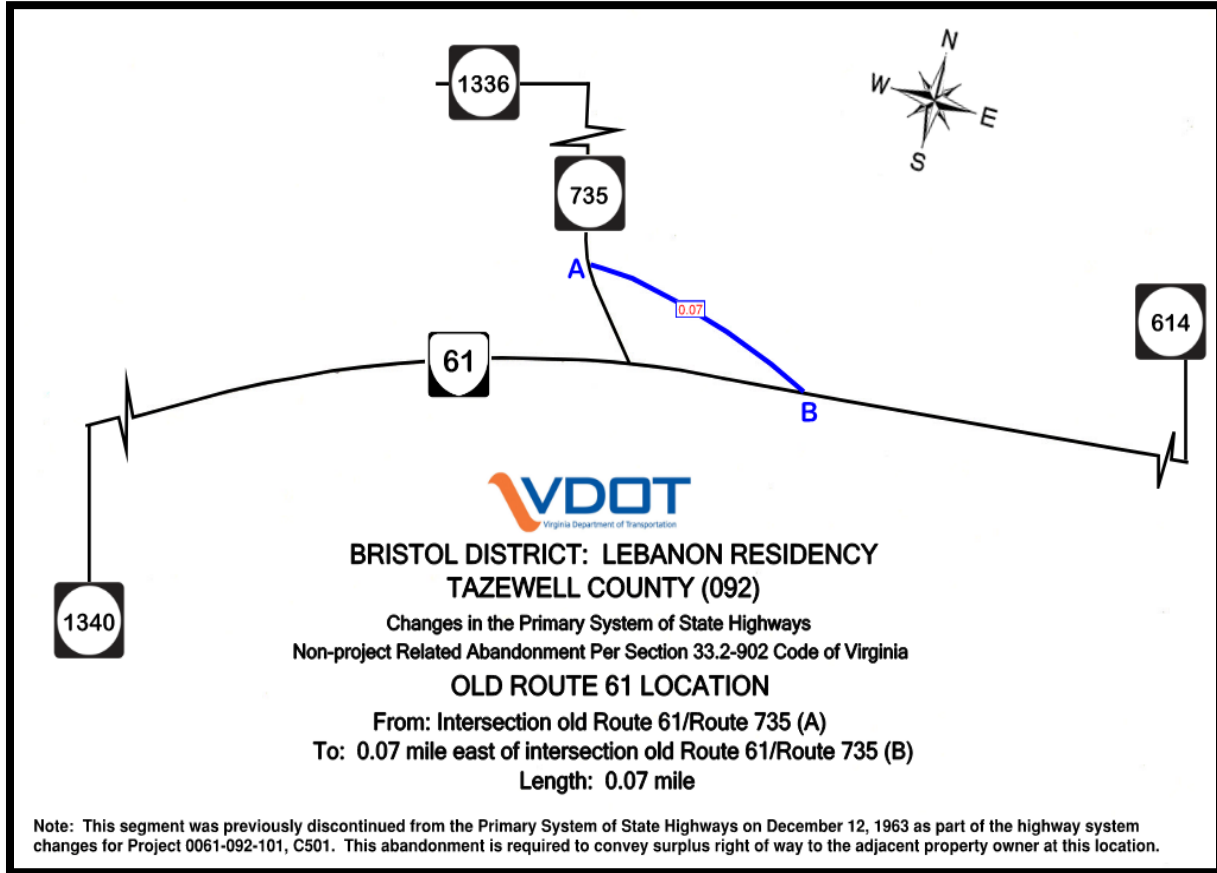
§33.2-902 Abandonment of Primary Route Without Replacement Road



*NOTE: The Resolution/Letter of Support from the locality and the RIMS assembly should be submitted to the Office of Land Use as soon as possible after the expiration of the willingness or the date of the public hearing, whichever is applicable, and the Resolution/Letter of Support has been approved by the locality due to the [time limit for CTB action within §33.2-902](#).

Example of §33.2-902 Primary Abandonment

In the sketch below, the 0.07 mile segment AB (shown in blue) of Old Route 61 is being abandoned using §33.2-902 because there was no replacement road being constructed. The abandonment is also not related to any construction or maintenance project.



Primary Abandonments (continued)

Code Section 33.2-906 – Abandonment of Primary Route With Replacement Road or in Conjunction with Construction or Maintenance Project

Section 33.2-906 is most often used when an existing VDOT Primary road is being abandoned and the segment of road that is being abandoned will be replaced with a new road, which generally serves the same users as the road that is being abandoned.

This type of abandonment usually occurs when a VDOT Project relocates or shifts a Primary road alignment, resulting in the need to abandon the old road alignment. Because a replacement road is added in conjunction with this type of abandonment, there is no public notification requirement for a §33.2-906 abandonment. Both the §33.2-906 abandonment and the related addition must be addressed in the same locality resolution or letter of support.

A §33.2-906 abandonment can also be used for a Primary abandonment when a replacement road is not being built **IF** the VDOT Chief Engineer recommends that this approach is appropriate in connection with the completion of a construction or maintenance project. An [example of this situation](#) is when a section of roadway is eliminated and will not be reconstructed. In such a situation, access to affected properties is provided via other existing routes.

If VDOT staff is unsure if the Chief Engineer will support the use of §33.2-906 for a Primary abandonment without a corresponding addition, the Office of Land Use should be contacted to communicate with the Chief Engineer's office prior to the approval of a locality resolution or letter of support.

Section 33.2-906 Primary abandonments are generally initiated at the VDOT Residency or District level, but are officially declared by the VDOT Commissioner. Approval of these Primary abandonments has been delegated to the VDOT Chief of Policy.

A VDOT Project can be accompanied by either a locality resolution or a letter of support. In order for a VDOT Project to use a locality [letter of support](#), the following shall apply:

- The highway change must be the result of VDOT Projects
- The related ROW must be owned by VDOT or the Commonwealth

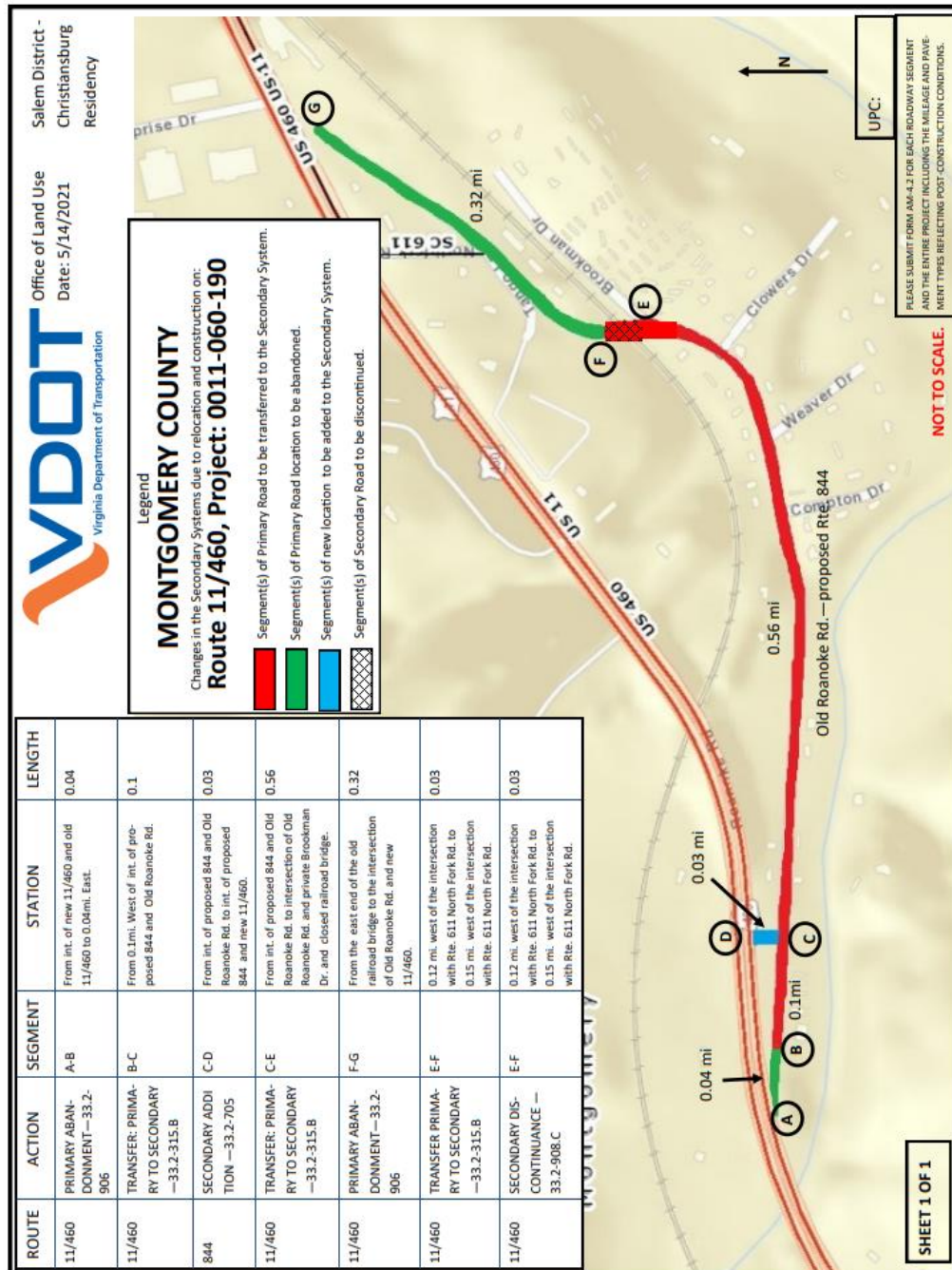
If a non-VDOT built project includes a §33.2-906 Primary abandonment, it must be supported by VDOT and is required to have an approved resolution of support from the locality. A letter of support cannot be used.

If a Primary abandonment has a road being constructed nearby and VDOT staff is unsure if this new road meets the "replacement road" requirement associated with §33.2-906, please contact the HSC section of the Office of Land Use to discuss the matter.

Primary Abandonments - §33.2-906 (continued)

Example of §33.2-906 Primary Abandonment without Replacement Road

In the sketch below, segment FG (in green) is being abandoned using §33.2-906. There is no related replacement road, but this abandonment is associated with the completion of this project.



C. Primary Discontinuances

Code Section 33.2-901 – Discontinuance of Primary Routes

Primary discontinuances can be initiated by the agency when the Commissioner deems that the road is no longer necessary for the uses of the Primary highway system. This situation usually takes place when the design, construction, or maintenance of a highway is altered, and a section of the highway is no longer necessary for vehicular traffic, but the ROW must be retained for a transportation purpose.

VDOT should contact the locality through written communication to inform the local officials about the proposed discontinuance.

All Primary discontinuances are approved pursuant to §33.2-901. This is the case regardless of whether there is a replacement road constructed or not.

The purpose and legal effect of highway [discontinuances](#) are discussed in [Section 3](#) of this Guide.

Primary discontinuances must be approved by the CTB and are required to be accompanied by an approved [resolution or letter of support](#) from the locality.

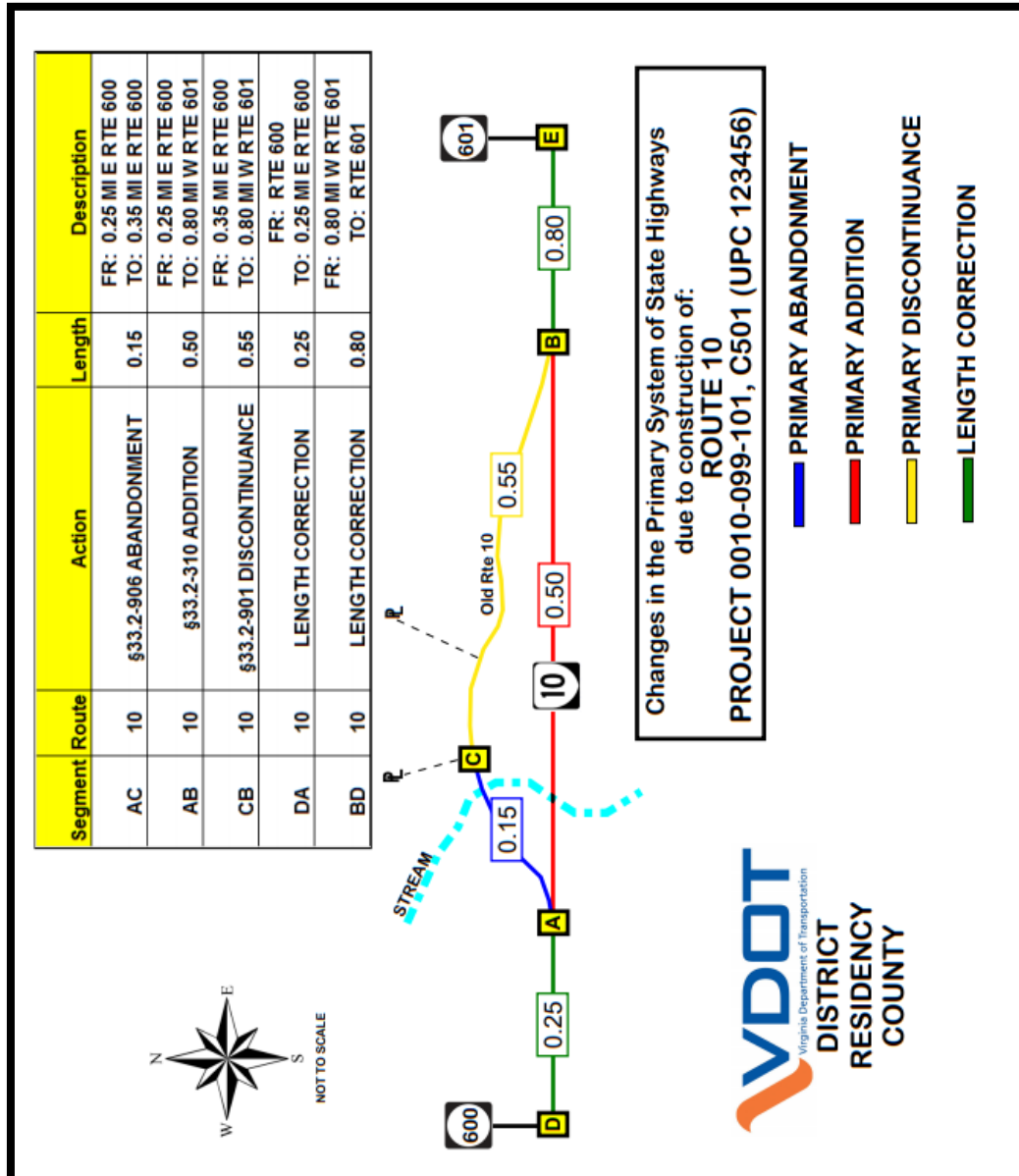
Section 33.2-901 does not include a public notification requirement and does not implicitly require VDOT to advertise a pending discontinuance or notify adjacent property owners of this action. However, the agency should contact adjacent property owners and those owners who are directly affected by the proposed discontinuance. In this way, VDOT will be able to communicate how the proposed highway change will impact the maintenance of the road.

In the event that VDOT decides to publicize the proposed Primary discontinuance, it is recommended that the public notification requirements for Secondary discontinuances contained in [§33.2-908.B](#) be followed for §33.2-901 Primary discontinuances. This process is outlined in [Section 6.e](#) of this Guide.

Primary Discontinuances - §33.2-901 (continued)

Example of §33.2-901 Primary Discontinuance

In this sketch, segment BC (in yellow) has been discontinued using §33.2-901. This segment is no longer needed as a part of the Primary system because it does not provide sufficient public service to warrant maintenance. The segment has been replaced by adding segment AB (in red) pursuant to §33.2-310. Segment AC (in blue) has been abandoned using §33.2-906.



D. Primary Transfers

There are two main types of Primary transfers that involve transfers from the Primary to the Secondary system. The difference between these two changes is that one deals with road construction and the other is a transfer with no new road being built. The Code sections' approval authority for these two types of transfers are also different.

Code Section 33.2-315.A – Transfer from Primary to Secondary System NOT Related to New Road Construction and Transfer between Primary System and the Local System

The CTB can transfer highways from the Primary highway system to the Secondary system. The CTB can complete this type of transfer if initiated by VDOT or requested by the local governing body.

A §33.2-315.A Transfer most often takes place when a locality or VDOT wants an existing Primary road transferred to the Secondary system. An example of when this may occur is a change in the nature or use of the subject road.

This type of transfer takes place when no new road construction is involved with the requested transfer.

There may also be instances when a VDOT Primary route is located in a city, an incorporated town, or Arlington or Henrico County and the locality requests that the road be [transferred to the local urban system](#) and be maintained by the locality. In this example, the resolution must be approved by the city or town council or the board of supervisors, whichever is appropriate.

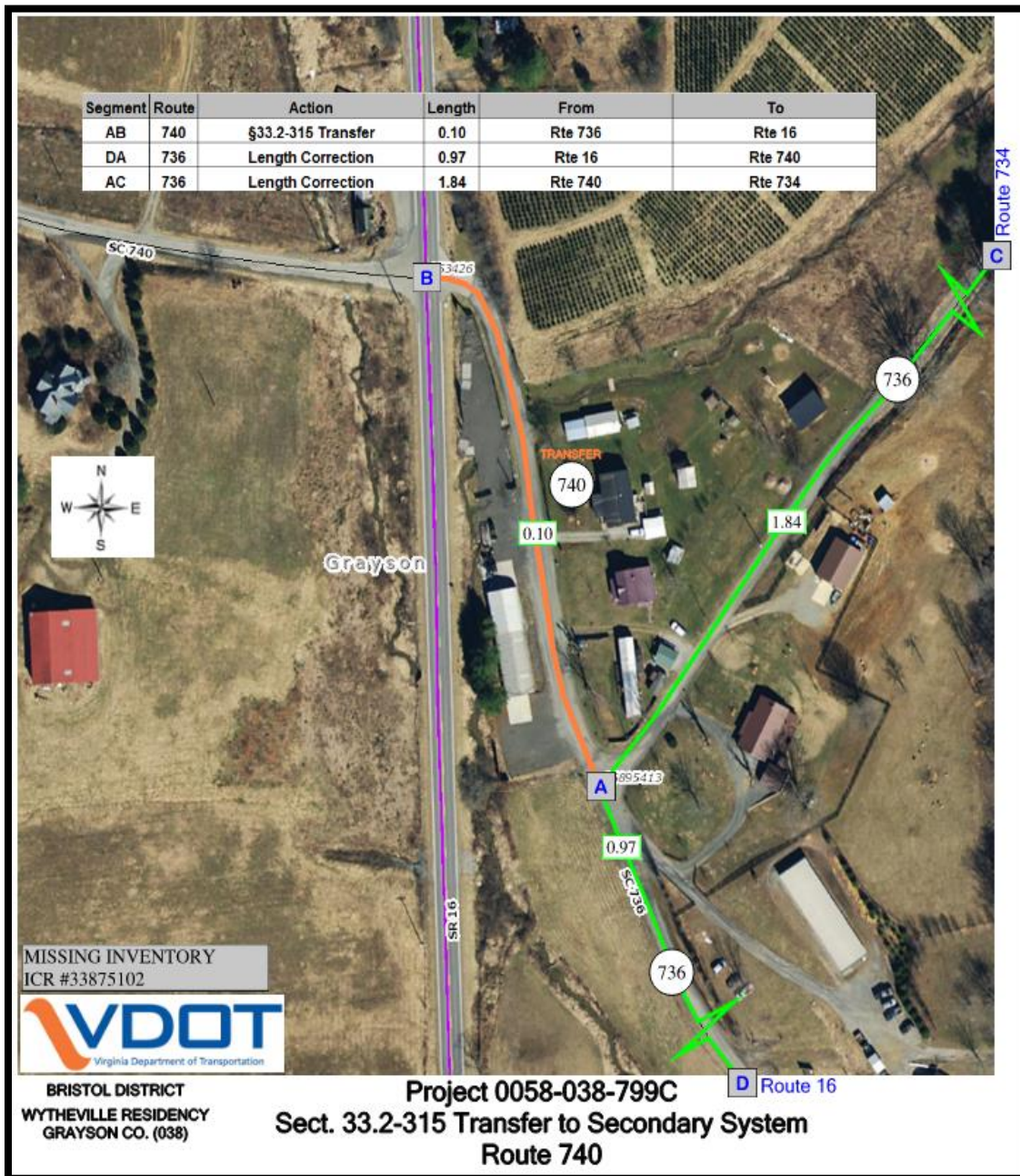
Section 33.2-315.A transfers are required to be approved by the CTB and the locality must approve a resolution requesting the transfer. This locality can be a county, city, or incorporated town. For example, if a VDOT maintained Primary road is located in an incorporated town, the town's governing body must approve a resolution requesting the transfer. Letters of support cannot be used for this type of transfer.

Section 33.2-315.A limits statewide transfers to 150 miles per fiscal year, but rarely is this threshold met.

Primary Transfers - §33.2-315.A (continued)

Example of §33.2-315.A Transfer

The sketch below depicts the 0.10 mile AB segment (in orange) being transferred from the Primary (was Route 58) to the Secondary system (to become Route 740) using §33.2-315.A. This transfer was not requested in conjunction with a new road construction project.



Code Section 33.2-315.B – Transfer from Primary to Secondary System Related to New Road Construction

A §33.2-315.B transfer takes place when the VDOT Chief Engineer recommends that this action is appropriate in connection with the completion of an agency construction or maintenance project.

Section 33.2-315.B transfers most frequently occur when VDOT constructs a new Primary road and as a result, all or a portion of the old road is transferred from the Primary to the Secondary system. These transfers are approved by the VDOT Commissioner. Prior to this approval, the transfer must first be recommended by VDOT's Chief Engineer. This transfer approval process is administered by the Office of Land Use. As soon as the Office of Land Use receives the complete HSC assembly, the Office of Land Use staff reviews the request and produces the required approval documents for the Commissioner's office.

If VDOT staff is unsure if the Chief Engineer will support the use of §33.2-315.B for a transfer, they should contact the Office of Land Use prior to the locality approval of the resolution. Office of Land Use staff will discuss this matter with the Chief Engineer and inform the District or Residency of the decision.

New road construction is required in conjunction with the use of §33.2-315.B. If VDOT staff has any questions about whether a Primary to Secondary transfer should use §33.2-315.A or §33.2-315.B, they should contact the HSC section of the Office of Land Use to discuss.

The locality must approve a resolution requesting the §33.2-315.B transfer. This locality can be a county, a city or incorporated town, depending on the location of the road to be transferred.

Because new road construction is involved with a §33.2-315.B transfer, both the road addition and the transfer must be addressed in the same locality resolution and HSC assembly.

Unlike the annual mileage limitation for §33.2-315A transfers, there is no such limitation for §33.2-315.B transfers.

E. Institutional Roads

Code Section 33.2-313 – Institutional Road Additions

Section 33.2-313 allows the governing body of a Virginia institution to request the addition of its roads to VDOT's highway system. These approved road additions become part of the state's Primary system. Roads which are added to the Primary system pursuant to §33.2-313 will be maintained by VDOT, but policing power for these roads remains with the public institution.

In order for Institutional roads to be added to the state's Primary system, the following requirements must be met (this information is contained within VDOT DPM 8-3 which was updated in 2021):

- Roads must be located within the grounds of State institutions and meet minimum design requirements
- Roadways shall have a width of at least 22 feet exclusive of ditches
- Drainage facilities shall be adequate to comply with stormwater management requirements

The most common agencies which add roads using §33.2-313 are the Department of Education, the Boards of Visitors for Virginia Public Colleges and Universities, and the Department of Corrections.

Note: State Park roads are added pursuant to a different Code section ([§33.2-311](#)) and public elementary, middle, and high school roads are added using [§33.2-325](#). Private colleges and universities cannot add roads pursuant to §33.2-313. These roads are typically added pursuant to [§33.2-705](#) when they qualify for street acceptance.

Rather than a locality resolution, the addition of a §33.2-313 Institutional road requires a resolution or letter requesting the addition from the governing body of the institution. This resolution or letter requesting the addition is most commonly provided by the requesting institution. The Office of Land Use will also accept a resolution or a letter of request from the governing body of the state agency (see the [Office of Land Use DOTi site](#) for template).

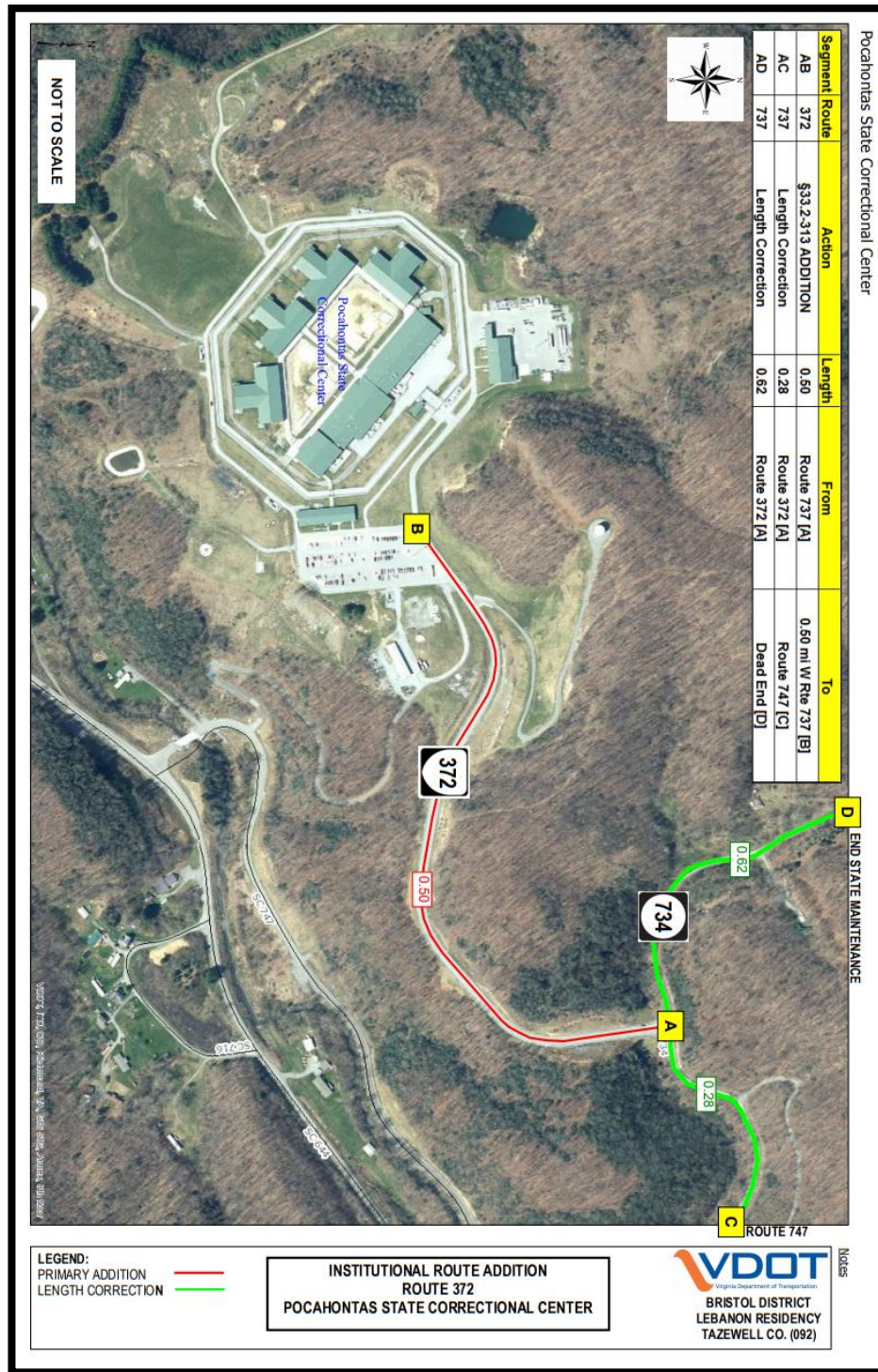
Section 33.2-313 can only be used to add Institutional roads. In the event that an Institutional road is requested to be abandoned or discontinued, the related highway system change needs to be completed pursuant to the applicable Code section for a Primary road change (e.g. [§33.2-902](#), [§33.2-901](#)) and a letter of request or resolution is required from the related state agency. VDOT may accept a letter of request from the governing body of the institution for this highway change.

Authority to accept §33.2-313 additions has been delegated by the VDOT Commissioner to the Office of Land Use Director and the agency's Highway System Program Manager.

Institutional Roads - §33.2-313 (continued)

Example of a §33.2-313 Institutional Road Addition

The sketch below shows the 0.50 mile AB segment (in red) addition of an Institutional road related to Pocahontas State Correctional Center.



F. State Park Roads

Code Section 33.2-311 – State Park Road Additions

Roads within Virginia state parks which connect to VDOT maintained roads can be added to the state's Primary system. Such requests for additions are made using §33.2-311. Roads to be added pursuant to §33.2-311 must provide direct access to the park or be located within the state park boundaries.

Much like Institutional roads, the request for State Park additions do not require a resolution from the locality. These additions need to be accompanied by a request for addition from the Virginia Department of Conservation and Recreation (DCR) which governs state parks. The Office of Land Use has a template for this letter (see the [Office of Land Use DOTi site](#)).

The VDOT Commissioner has the approval authority for §33.2-311 State Park additions. When the Office of Land Use receives a complete RIMS HSC assembly for this type of addition, the Office of Land Use reviews the assembly and prepares the documents required for the Commissioner's approval. The Office of Land Use will notify the VDOT Residency when the State Park road is added to the state's Primary system. It is the Residency's responsibility to inform the area State Park that the road has been added to VDOT's system for maintenance.

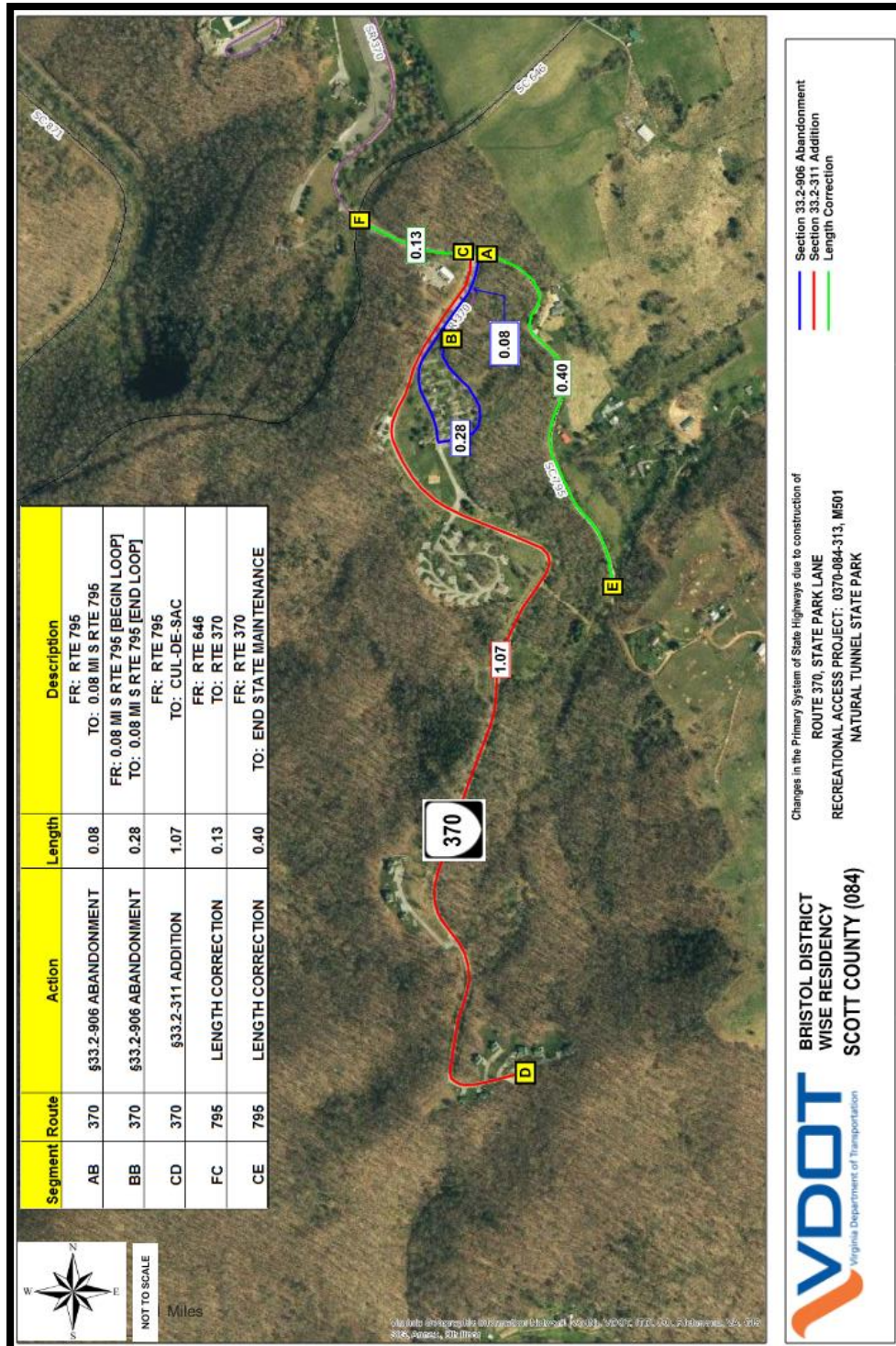
Section 33.2-311 can only be used to add State Park roads. If a State Park road needs to be abandoned or discontinued, the related highway system change needs to use and reference the pertinent Code section for a Primary road change. The request to abandon or discontinue needs to come from the DCR.

In the event that the CTB or Commissioner discontinues a state park road, with the concurrence of the DCR, the discontinued road reverts to the control, supervision, and maintenance of the DCR pursuant to §10.1-200 "Duties related to parks and outdoor recreation; additional powers." If VDOT staff has any questions about this process, please contact the Office of Land Use.

State Park Roads - §33.2-311 (continued)

Example of a §33.2-311 State Park Addition

The sketch below depicts segment CD (in red) in the Natural Tunnel State Park being added to the state's Primary system using §33.2-311.



G. Locally Administered Projects (LAP's)

Localities may use county, town, or other funds to construct new roads or to make highway changes. These projects may also include state or federal funds to be completed. VDOT assists localities with the administration and construction of these projects through Local Administered Projects (LAP) staff at the District level. LAP's are assigned VDOT project numbers and UPC's. Examples of some LAP's are Revenue Sharing projects, Economic Access projects, Airport Access projects, Recreational Access projects, and Enhancement projects.

Depending on the type of addition (e.g. Primary vs. Secondary, institutional, or recreational access), the Code sections used for administering highway system changes resulting from LAP's are the same as those used for any other type of system change. If you are unsure which Code section needs to be used for HSC's resulting from locally administered projects, please contact your Residency, District Land Use staff, or the Office of Land Use.

H. VDOT Projects and Highway System Changes

Any project that changes the centerline mileage of a VDOT road must complete the HSC process. This is one of the last steps for a project that VDOT must complete in order to give VDOT the legal authority to expend public funds for maintenance of a new (or improved) roadway and to maintain an accurate inventory record for maintenance budgeting purposes.

The Office of Land Use and a statewide team of Land Use and Location and Design staff has recommended organizational procedural changes to ensure that all VDOT Projects complete required HSCs. These procedural changes take place at both the design and closeout phases of VDOT Projects, and upon final approval will be incorporated into this Guide.

These required HSCs will follow the guidance and processes outlined in this document. If VDOT staff has any questions regarding HSCs for VDOT Projects, the Office of Land Use should be contacted.

6. Secondary Roads – Codes, Policies & Processes

Virginia's Secondary System of Highways was created in 1932 with the General Assembly's "[Byrd Act.](#)" This Act transferred these roads to the Virginia Department of Transportation's authority with local consent. Prior to 1932, these roads were administered by localities. Roads within the Secondary system have route numbers of 600 and above.

When Secondary roads are added to VDOT's system, a locality's resolution asking for VDOT administration and maintenance of a street is the locality's implied acceptance of a street as part of their system of local roads.

This section of the Guide is divided into the following categories:

- a. [Additions](#)
- b. [Abandonments](#)
- c. [VDOT Abandonment Certification Letter](#)
- d. [Vacations](#)
- e. [Discontinuances](#)
- f. [Transfers](#)
- g. [Rural Additions](#)
- h. [Town Additions – Populations under 3,500](#)
- i. [Public School Access Roads](#)
- j. [VDOT Projects](#)
- k. [Locally Administered Projects](#)
- l. [Recreational and Economic Access Road Projects](#)

Note: Section 1-221 of the Code of Virginia defines "locality" as meaning a county, city, or town. Section 33.2-100 of the Code of Virginia defines "the Board" as meaning the Commonwealth Transportation Board. These terms have the same meaning as referenced in this section of the Guide.

a. Secondary Additions

Code Section §33.2-705 – Addition to Secondary Route

The majority of Secondary additions are added to VDOT's system using §33.2-705. This Code section is used when roads added to the Secondary system are constructed by developers, VDOT Projects, and Locally Administered Projects.

This Code section is also used for [“No Cost” Rural Additions](#). A “No Cost” Rural Addition can generally be defined as a qualified Rural Addition road which does not need any improvements to meet VDOT requirements (see [Section 6.g](#) of this Guide for specific guidance on “No Cost” Rural Additions).

In 2009, the CTB approved the initial Secondary Street Acceptance Requirements (SSAR) regulation. The current version of the SSAR was approved by the CTB in 2011. The Code section which authorized creation of the SSAR is §33.2-334. This Code section was intended to authorize the creation of the SSAR regulations and was not intended to be used for adding streets to the VDOT system.

Any §33.2-705 addition resulting from private development (i.e. any Secondary route constructed without the use of VDOT funding) will require a resolution for street acceptance. For VDOT construction projects, either a resolution or letter of support may be used if the criteria below are met.

The standards given below dictate when a locality [letter of support](#) may be used. The letter of support is most often signed by the locality's Board of Supervisors Chair, County Administrator/Manager, the Clerk of the Board of Supervisors, or the County Attorney. There is a template for this type of letter on the [Office of Land Use Highway System Change DOTi page](#).

In order for a VDOT Project to use a locality [letter of support](#) rather than a resolution, the following shall apply:

- The HSCs must be the result of a VDOT Project
- Related ROW must be owned by VDOT or the Commonwealth
- VDOT construction must have been completed after July 1, 2011 (this is part of the state Code)
- VDOT projects completed prior to July 1, 2011 require a resolution of support from the local governing body

A completed RIMS HSC assembly must be sent to the Office of Land Use for all Secondary additions. The Office of Land Use is authorized to approve §33.2-705 Secondary additions.

b. Secondary Abandonments

Code Section 33.2-909 – Abandonment of Secondary Route Without Replacement Road

A county governing body or an interested landowner can initiate the §33.2-909 abandonment of a Secondary road or segment that is deemed to no longer be necessary for the uses of the highway system.

Section 33.2-909 is used when an existing VDOT Secondary road is being abandoned and there is no corresponding replacement road being constructed. This type of abandonment most commonly occurs when a Secondary road no longer meets Public Service Requirements to be in the state system.

There may be instances when §33.2-912 can be used for a Secondary abandonment [when a replacement road is not built](#). This takes place when the Chief Engineer recommends that §33.2-912 is the appropriate abandonment action in connection with the completion of a construction or maintenance project.

Notice of Intent to Abandon (NOIA) – Because there is no replacement road associated with this type of abandonment, there are public notification and participation requirements pursuant to §33.2-909 that the locality must follow. These public notification requirements are very similar to the standards that VDOT must adhere to when administering a §33.2-902 Primary abandonment. Samples of the locality's Notice of Intent to Abandon resolution, NOIA Willingness Advertisement, NOIA Public Hearing Advertisement, and the final locality §33.2-909 abandonment resolution are included on the [HSC/SSAR DOTi page](#).

NOIA Willingness Advertisement vs. NOIA Public Hearing Advertisement – The locality may choose to publish either a willingness to hold a public hearing advertisement or a public hearing advertisement. The willingness advertisement indicates that the locality will hold a public hearing if requested. The public hearing advertisement indicates the locality **is** going to hold a public hearing and gives notice of the date, time, and place of the public hearing.

The willingness advertisement is typically used in situations where objections to the abandonment are not expected, because it saves the locality the time and expense of conducting a public hearing. The §33.2-909 NOIA public notification requirements are the same for both advertisements.

Secondary Abandonments - §33.2-909 (continued)

Public Notification Requirements

The locality must notify VDOT when it intends to abandon a Secondary road using §33.2-909. This step is described in item #1 below. To fulfill the public notification requirements mandated in §33.2-909, the locality MUST complete EITHER item #2.A or #2.B below. The locality shall also publish the intent to abandon advertisement described in item #3 below.

1. The locality shall give notice of its intention to abandon the road to the VDOT Commissioner (this action must be completed). This notice is most often sent to the Residency, District, or the Commissioner's office. This is done through the NOIA Resolution or a letter to VDOT (either is acceptable). The locality will forward a copy of their approved resolution or letter to the VDOT Residency Administrator. A copy of the resolution or letter is to be included in the RIMS HSC assembly sent to the Office of Land Use.
2. Locality chooses either A or B:
 - A. Post the Notice of Intent to Abandon at least three days before the first day of a regular term of the circuit court at the front door of the courthouse of the county in which the section of highway is to be abandoned.
 - B. Post the Notice of Intent to Abandon in at least three places on and along the highway to be abandoned for at least 30 days. This 30 day period generally takes place concurrently with the NOIA.
3. Publish the Notice of Intent to Abandon in two or more issues of the same newspaper having general circulation in the county (this action must be completed).

Additional Notification Requirements for §33.2-909:

- If a proposed §33.2-909 abandonment is located in more than one locality, all affected localities must agree to the abandonment and all affected localities must adhere to the public notification requirements. A resolution is required from all localities in which the abandoned road is located.
- Public Water Landings and §33.2-909 Secondary Abandonments – If the abandonment involves a public water landing, the locality shall also provide notice of the abandonment to the Virginia Department of Wildlife Resources.

Secondary Abandonments - §33.2-909 (continued)

Holding a §33.2-909 Abandonment Public Hearing

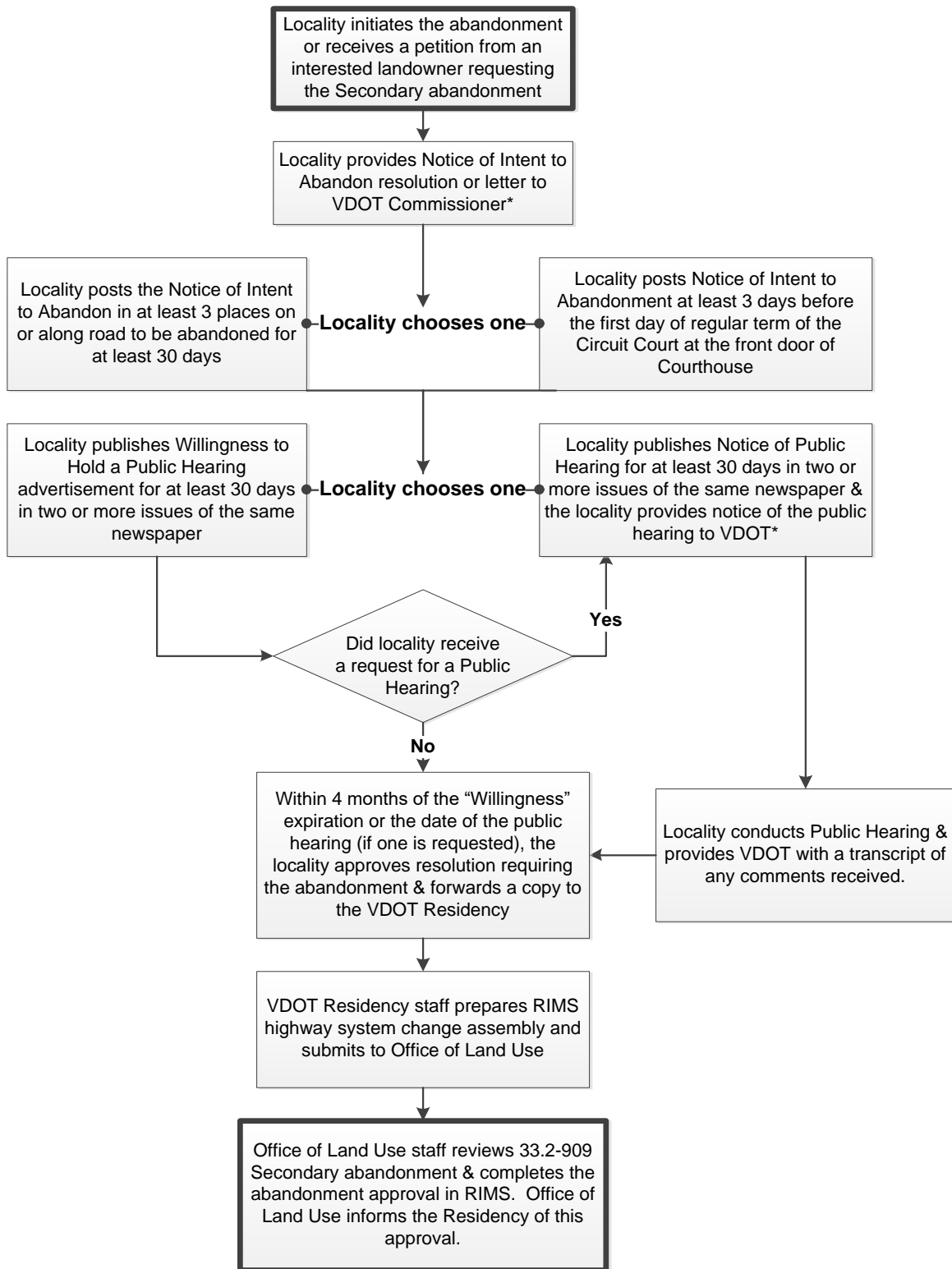
- NOIA Willingness Advertisement: If one or more landowners in the county or town where the abandonment is located requests a public hearing be held within 30 days after the NOIA Willingness Advertisement is first posted, published, and mailed, the locality shall hold a public hearing for consideration of the abandonment. The locality shall publish a NOIA Public Hearing Advertisement that gives notice of the date, time, and place of the hearing. If no request is made to hold a public hearing, the locality may proceed to the approval of the abandonment resolution.

- NOIA Public Hearing Advertisement: If the locality opts to forgo a NOIA Willingness Advertisement or if a public hearing is requested during the NOIA Willingness Advertisement, the locality shall give notice of the date, time, and location of the public hearing. The public hearing must be held within the county (or counties) where the proposed abandonment is located. The NOIA Public Hearing advertisement shall be published a minimum of 30 days in advance of the date of the public hearing and shall be published in accordance with the §33.2-909 Public Notification Requirements given herein.
 - NOTE: A transcript of any comments received at the public hearing is to be included in the RIMS HSC assembly sent to the Office of Land Use.

If the locality is satisfied that no public necessity exists for the continuance of the Secondary road, the locality shall, within four months of the 30-day period during which notice was posted when no petition for a public hearing was filed or within four months after the public hearing, adopt an ordinance or approve a resolution abandoning the section of highway.

If the locality is not satisfied that the Secondary road should be abandoned, the locality shall dismiss the proposed abandonment within the four month period designated in §33.2-909. If such is the case, the locality shall provide VDOT a resolution indicating that, upon consideration of public opposition to the petition and any other mitigating factors, the locality does not support the abandonment and requests that the mileage remain in the VDOT inventory. A copy of the public hearing transcripts should also be provided if a public hearing is held.

§33.2-909 Abandonment of Secondary Route Without Replacement Road



*Note: If the abandonment involves a public landing, the locality shall also provide notice to the Virginia Department of Wildlife Resources.

Code Section 33.2-912 – Abandonment of Secondary Route With Replacement Road or in Conjunction with Construction or Maintenance Project

Section 33.2-912 is used when an existing VDOT Secondary road is being proposed for abandonment and the segment of road that is being abandoned will be replaced with a new road. The road to be added generally serves the same users as the road that is being abandoned. This type of abandonment most often occurs when a VDOT Project relocates or shifts a Secondary road alignment, resulting in the need to abandon the old road alignment. Because a replacement road is added in conjunction with this type of abandonment, there is no public notification requirement for a §33.2-912 abandonment. This Code section is similar to §33.2-906 for Primary abandonments with replacement roads. The VDOT Commissioner can declare the above type of §33.2-912 abandonment.

When a §33.2-912 Secondary abandonment is associated with a replacement road, the abandonment of the old road and the addition of the new road (usually a [§33.2-705](#) Secondary addition) must be included in the same locality resolution or letter of support and RIMS HSC assembly.

If VDOT staff is administering a Secondary abandonment and are unsure if the new road meets the “replacement road” requirement associated with §33.2-912, please contact the Office of Land Use.

This Code section can also be used when a replacement road is not built if the Chief Engineer recommends that §33.2-912 is the appropriate abandonment action in connection with the completion of a construction or maintenance project.

The locality required documentation for a §33.2-912 abandonment can differ if the abandonment and new addition involve a VDOT Project as opposed to other types of development. A VDOT Project can either be accompanied by a locality resolution or a [letter of support](#). In order for a VDOT Project to use a locality letter of support, the following shall apply:

- The highway change must be the result of a VDOT Project.
- The related ROW must be owned by VDOT or the Commonwealth
- VDOT construction must have been completed after July 1, 2011 (this is part of the state Code).
- VDOT projects completed prior to July 1, 2011 require a resolution of support from the local governing body.

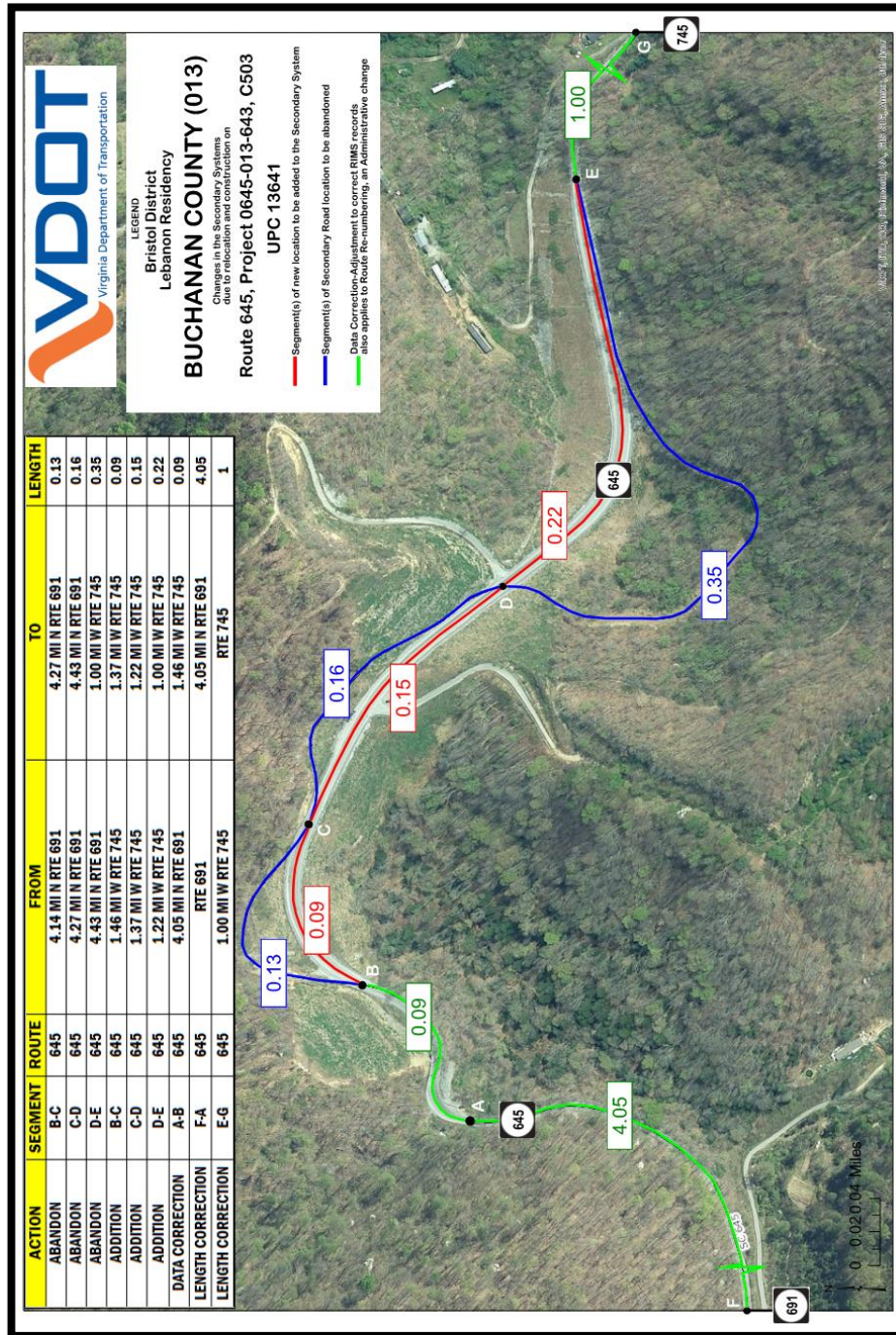
Any §33.2-912 abandonment that is not related to a VDOT Project is required to have an approved resolution from the locality.

Section 33.2-912 Secondary abandonments are approved by the VDOT Chief of Policy. This abandonment and corresponding addition will be approved by the Office of Land Use in RIMS effective the day which the Chief of Policy approves the abandonment.

Secondary Abandonments - §33.2-912 (continued)

Example of §33.2-912 Secondary Abandonment with Replacement Road

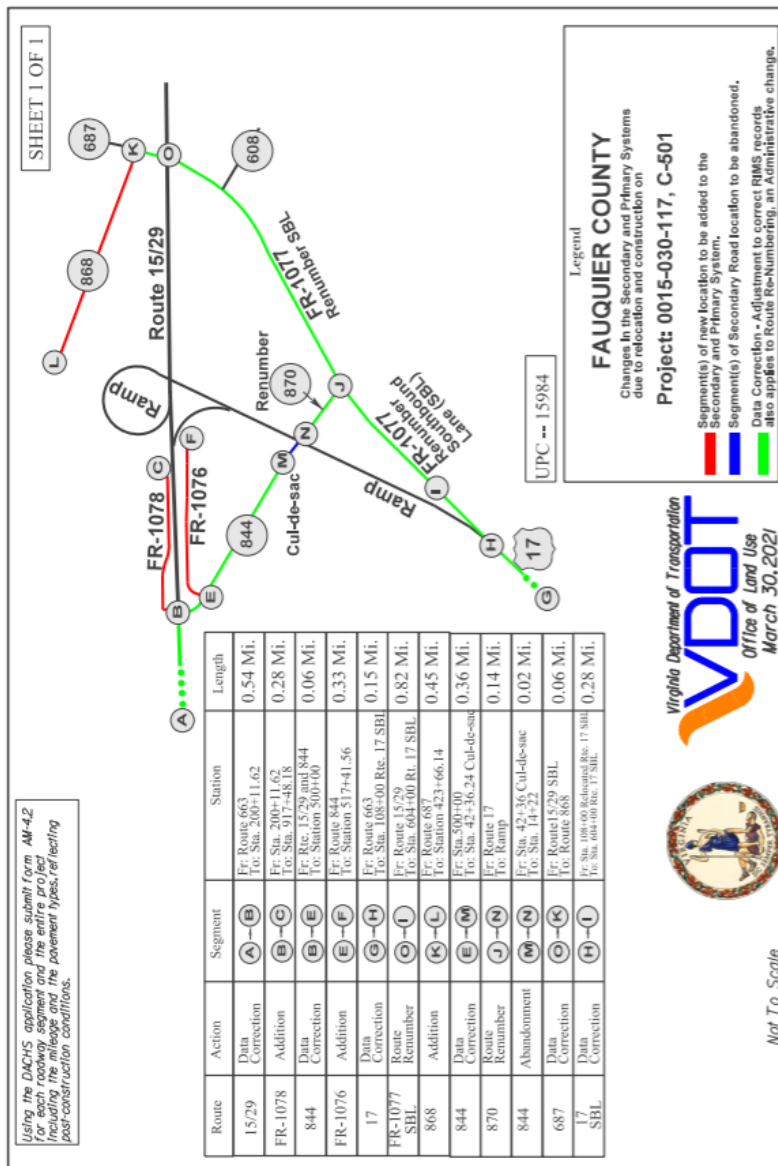
Segments BC, CD, and DE of Route 645 (in blue) are being abandoned using §33.2-912. These abandoned segments are being replaced by the corresponding alignment indicated in red which is being added to the Secondary system pursuant to §33.2-705.



Secondary Abandonments - §33.2-912 (continued)

Example of §33.2-912 Secondary Abandonment with Chief Engineer’s Recommendation

In the sketch below, segment MN (in blue) is being abandoned using §33.2-912. There is no replacement road being constructed that serves the users of this segment. This road segment needed to be abandoned to construct the realignment of the Route 17 ramp. This is an example of a §33.2-912 abandonment for which the Chief Engineer recommended this action related to the completion of the related VDOT construction project.



Secondary Abandonments - §33.2-912 (continued)

Example of §33.2-912 Secondary Abandonment with Chief Engineer’s Recommendation

In the sketch below, Route 58 was widened from two to four lanes. This improvement required the abandonment of the adjacent Secondary roads, but no replacement road was constructed because the affected properties were provided alternate access via the improvement of Route 58.



c. VDOT Abandonment Certification Letter

Code Section 33.2-913 – VDOT Letter Certifying Completed Secondary Abandonment

Following the VDOT completion of a [§33.2-909](#) or a [§33.2-912](#) Secondary abandonment, the locality can request an official letter from VDOT certifying that the abandonment has been finalized. In addition to confirming that the abandonment has been approved, another reason for this letter is to confirm that any surplus right-of-way associated with the abandonment is no longer needed by VDOT for any transportation purpose.

In order to make this confirmation, the Office of Land Use will email the Residency that submitted the abandonment. The Residency will respond with an email stating that the abandoned road in question and its right-of-way are no longer needed by VDOT.

After the abandonment has been legally completed and the communication has been received from the Residency Administrator/Engineer, the Office of Land Use's Highway System Program Manager sends the official §33.2-913 letter to the Chair of the local governing body. The Residency Administrator/Engineer and the VDOT Right-of-Way Division Administrator are copied on this correspondence. Attachments included with this letter are the approved abandonment cover sheet, the sketch of the road that was abandoned, and the communication from the Residency Administrator/Engineer.

The locality request for the §33.2-913 letter is most often included within the abandonment resolution, but the Office of Land Use will complete this letter if a request is received from a locality staff person. This county communication is in writing and is most often included in an email.

If VDOT staff has any questions about the §33.2-913 abandonment certification, do not hesitate to contact the Office of Land Use.

d. Secondary Vacations

Code Section 15.2-2272 – Vacation of Certain Secondary Roads

The highway vacation process defined in §15.2-2272 may only be used to abandon roads within the Secondary system if all of the following conditions are satisfied:

- The land shown on the plat to be vacated has been the subject of a rezoning or special exception application approved following public hearings required by §15.2-2204 of the Code of Virginia, and
- The VDOT Commissioner or his designee is notified in writing prior to the public hearing, and
- The vacation is necessary in order to implement a proffered condition accepted by the locality's governing body pursuant to §15.2-2297, §15.2-2298 or §15.2-2303 of the Code of Virginia or to implement a condition of special exception approval.

The vacation process is considered by VDOT to be an alternative method to abandonment and all other actions concerning facilities of the Secondary system continue to apply. Due to the strict requirements associated with the vacation process, this Code section is rarely used to abandon roadways.

The proposed vacation of the road must be published once a week for two consecutive weeks in a newspaper having general circulation in the locality. This notice shall specify the time and place of the related public hearing.

Similar to [§33.2-909](#), the locality is required to provide its intention to vacate the road to the VDOT Commissioner. This notice is most often in the form of a letter from the locality and is sent to the Residency, District, or the Commissioner's office. A copy of this letter is to be included in the RIMS HSC assembly sent to the Office of Land Use.

When the §15.2-2272 vacation process is completed, the local document to approve of the action is a copy of the executed and recorded Deed of Vacation rather than a resolution or a letter of support. This deed must be signed by all the owners of lots shown on the plat and also signed on behalf of the local Board.

The effect of completing a road vacation using §15.2-2272 is:

- A road is no longer part of the Secondary system of highways
- Pursuant to §33.2-925 of the Code of Virginia, these roads or facilities may be vacated under the provisions of §15.2-2272 as an alternative means of abandoning such roads to the procedures prescribed by §33.2-915 through §33.2-929. Such actions may be appealed under the provisions cited in §15.2-2272.

e. Secondary Discontinuances

Unlike discontinuances to the Primary system, Secondary discontinuances have two Code sections. The main difference between the two sections is whether or not a replacement road is built that is associated with the [discontinuance](#) which generally serves the same road users as the road that is discontinued. Localities cannot discontinue Secondary roads. Only the CTB has the authority to discontinue Secondary roads not related to construction projects. Upon recommendation by the Chief Engineer, the Commissioner may discontinue roads in connection with construction projects when it is deemed the appropriate action.

Code Section 33.2-908.B – Discontinuance of Secondary Route Without Replacement Road

A §33.2-908.B Secondary discontinuance can be initiated upon a petition from the local governing body of a county or town. The CTB can also initiate this type of discontinuance when it deems that the road is no longer required for public convenience.

Section 33.2-908.B is used when an existing VDOT Secondary road is being discontinued and there is no corresponding replacement road being constructed. This type of discontinuance most commonly occurs when a locality or property owner wants to end VDOT maintenance of the road. VDOT may also determine that the road no longer provides sufficient public service to warrant maintenance, but that the ROW needs to be retained for transportation purposes.

A Secondary discontinuance without a replacement road can be initiated by the Board on its own motion or when requested by the locality.

If the locality requests a discontinuance and the local VDOT Residency concurs with it, VDOT shall complete both of the following actions:

1. Provide notice of the proposed discontinuance by registered mail to the locality and each landowner whose property abuts the segment of road to be discontinued. This letter should include instructions for requesting a public hearing. Section 33.2-908 specifies that only the locality or an abutting landowner may request a public hearing. It is recommended that the deadline for requesting a public hearing should be no less than 30 days after the newspaper publication date of the Notice of Intent to Discontinue.
2. Publish a Notice of Intent to Discontinue for at least 30 days prior to CTB action by publishing the notice in one issue of a newspaper having general circulation within the locality. It is recommended that this notice be published at or about the same time as the registered letters to the locality and the landowners are posted.

Secondary Discontinuances - §33.2-908.B (continued)

If VDOT initiates a discontinuance on its own motion, VDOT shall complete both of the following actions:

1. Provide the locality and abutting landowners a Notice of Intent to Discontinue, at least 30 days in advance of CTB action, via registered mail. Although not specified in the Code, it is recommended that abutting landowners be provided the same 30 days of notice in this event. This letter should include instructions for requesting a public hearing. Section 33.2-908 specifies that only the locality or an abutting landowner may request a public hearing. It is recommended that the deadline for requesting a public hearing should be no less than 30 days after the newspaper publication date of the Notice of Intent to Discontinue.
2. Publish a Notice of Intent to Discontinue for at least 30 days prior to CTB action by publishing the notice in one issue of a newspaper having general circulation within the locality. It is recommended that this notice be published at or about the same time as the registered letters to the locality and the landowners are posted.

See the [flowchart on the next page](#) for the general steps VDOT staff must perform for processing a §33.2-908.B Discontinuance.

VDOT may rely on the locality's tax records to obtain names and addresses of abutting landowners.

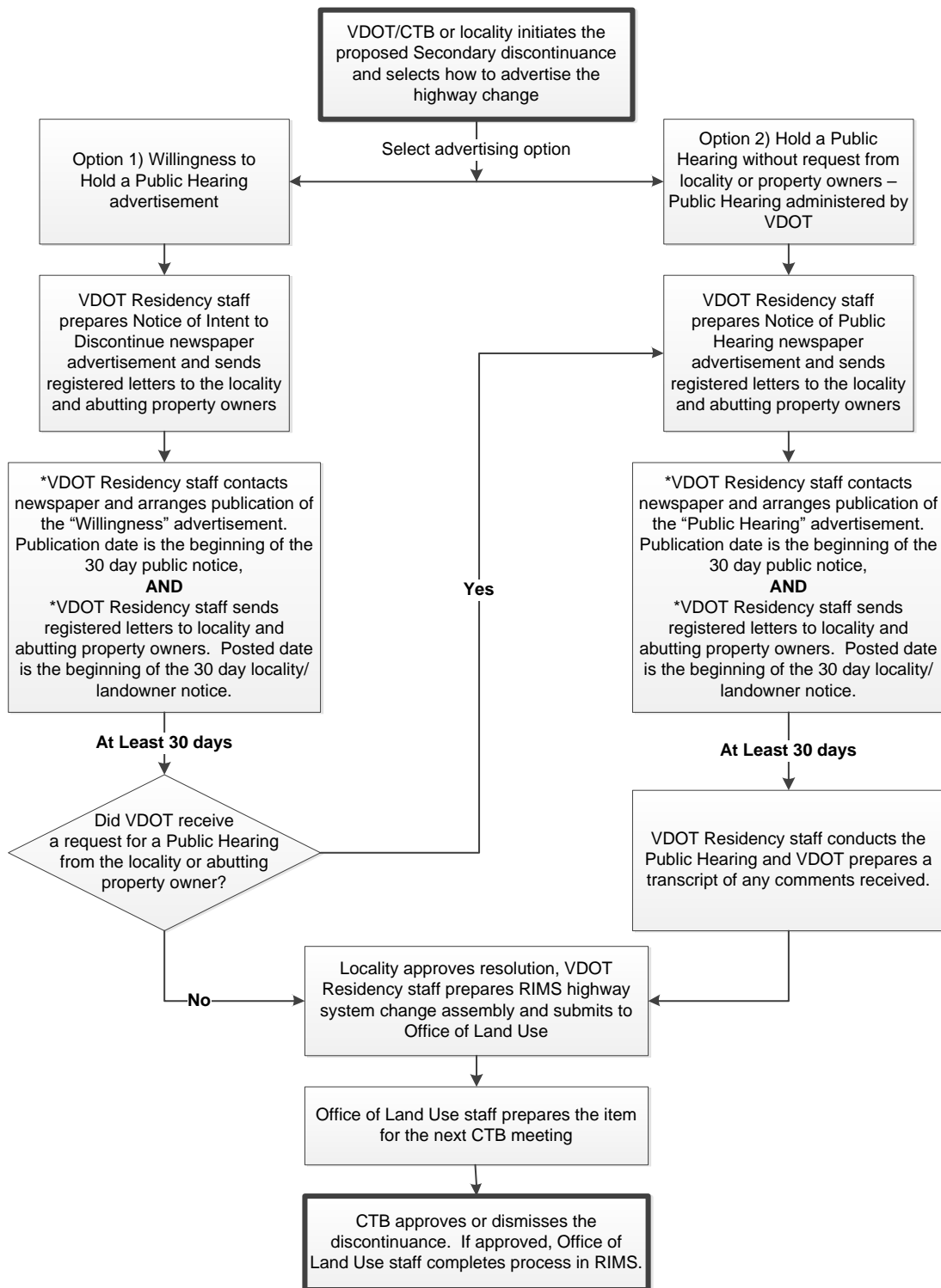
If the locality (county or town) or any abutting landowner requests a public hearing within 30 days of the Notice of Intent to Discontinue, VDOT shall hold a public hearing in the locality in which the road is located. However, VDOT may opt to forgo the Notice of Intent to Discontinue willingness advertisement, and conduct a discontinuance public hearing without a request from the locality or an abutting property owner.

Note: Section 33.2-908.B does not specify minimum public notification requirements if a public hearing is requested. However, it is recommended that the public notice be published in accordance with the same requirements as the Notice of Intent to Discontinue.

If no public hearing is requested or following an actual public hearing, the locality may approve a resolution supporting the discontinuance. Following the receipt of this resolution and public hearing transcript (if a public hearing is held), the VDOT Residency will complete a discontinuance RIMS HSC assembly and send it to the Office of Land Use, where it will be prepared for Board approval. The CTB must give final approval for §33.2-908.B discontinuances.

Any appeals to roads discontinued pursuant to §33.2-908.B shall be sent to the Circuit Court of the affected locality, conforming to the procedure prescribed in §33.2-905.

Section 33.2-908.B Discontinuance Public Notification Process

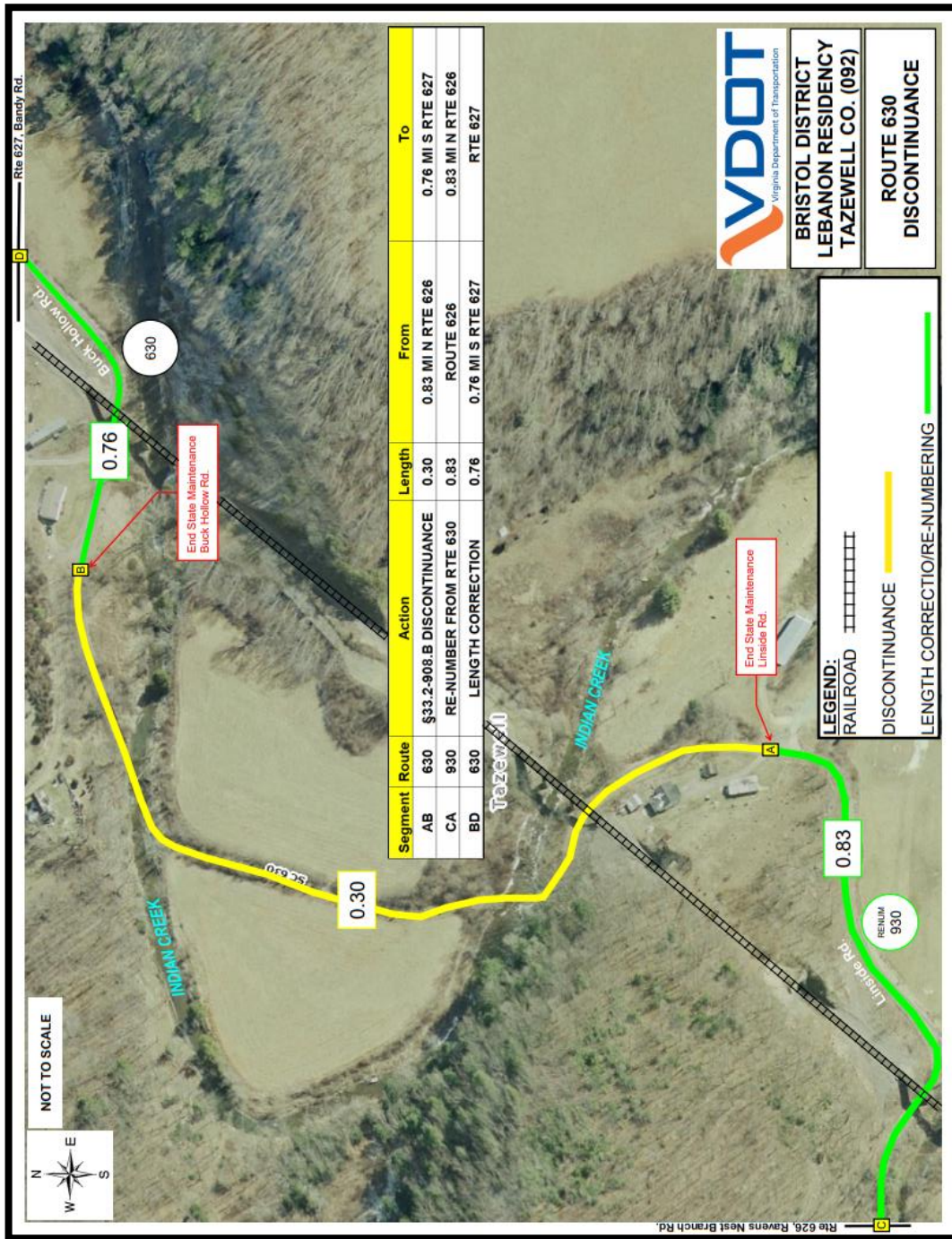


*These two events should coincide so that the 30 day notice of each runs concurrently.

Secondary Discontinuances - §33.2-908.B (continued)

Example of §33.2-908.B Secondary Discontinuance

Segment AB (in yellow) is being discontinued in the sketch below because it no longer provides a public service requirement, but it needs to remain as a transportation right-of-way for owners to access their property. Therefore, it is being discontinued instead of abandoned.



Code Section 33.2-908.C – Discontinuance of Secondary Route With Replacement Road or with Chief Engineer’s Recommendation

There are two situations when §33.2-908.C can be used for a Secondary discontinuance. These include:

- When there is a replacement road constructed which serves the same general users as the discontinued road, or
- When the road proposed to be discontinued has a direct relationship with a construction or maintenance project, AND the Chief Engineer gives his or her recommendation that §33.2-908.C is the appropriate Code section to use.

An example of the second situation is a Project that results in a road or section of road that no longer meets public service requirements, but the road’s ROW must be retained for maintenance purposes. The ROW must be retained to provide vehicular access to a parcel or parcels that do not meet public service requirements or parcels that would otherwise be left without an access by a highway abandonment.

When a §33.2-908.C discontinuance is completed in conjunction with a replacement road, the locality resolution or letter of support must include the new addition and the discontinuance in the same locality document. Both the addition and discontinuance must also be included in the same HSC assembly.

Because §33.2-908.C discontinuances are processed in connection with an addition, or construction and maintenance projects, the Code language does not require a public notification process for these types of discontinuances. There is a provision in §33.2-908.B that exempts the Board from the public notification requirements when a replacement road that serves the same users as the discontinued road has been constructed or Chief Engineer recommendation is given.

The required locality documentation for a §33.2-908.C discontinuance depends upon when the Project was completed. A VDOT Project can either be accompanied by a locality resolution or a letter of support. In order for a VDOT Project to use a locality letter of support, the following should apply:

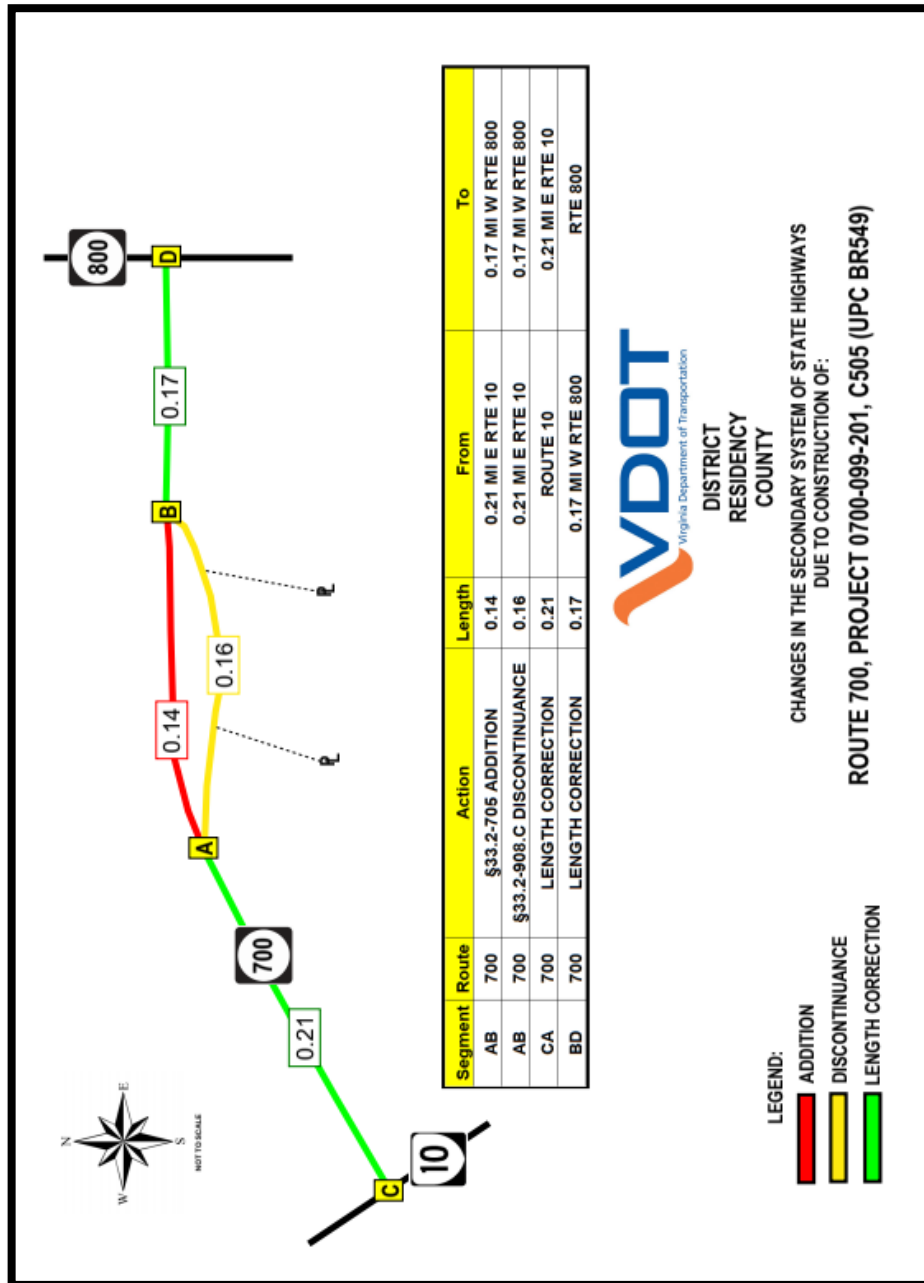
- The highway change must be the result of a VDOT Project
- Related ROW must be owned by VDOT or the Commonwealth
- VDOT construction must have been completed after July 1, 2011 (this is part of the state Code)
- VDOT projects completed prior to July 1, 2011 require a resolution of support from the local governing body

In the unlikely event that this type of discontinuance involves a developer project, such action is required to have an approved resolution of support from the locality.

Secondary Discontinuances - §33.2-908.C (continued)

Example of §33.2-908.C Secondary Discontinuance

In this sketch, the AB segment (in yellow) is being discontinued because it does not provide enough public service to warrant continued maintenance, but the right-of-way is still needed to prevent land locking property. The discontinued segment has been replaced by segment AB (in red).



f. Secondary Transfers

There are two types of Secondary [transfers](#) that involve a change from the Secondary to the Primary system. The difference between these changes is that one deals with construction project related changes while the other deals with non-project related changes. The approval authority for these two types of transfers is also different.

Code Section 33.2-314.A – Transfer from Secondary to Primary System NOT Related to New Road Construction (Non-Project Related)

The CTB can approve a §33.2-314.A transfer from the Secondary to the Primary system when it deems this to be the proper action. This results in the road being added to the state's Primary system.

Section 33.2-314.A transfers take place when a locality wants an existing Secondary road transferred to the Primary system that is not related to any type of construction or maintenance project. A locality resolution of support is required for a §33.2-314.A transfer. The CTB approves §33.2-314.A transfers. Upon CTB approval, the roads become part of the Primary system and are renumbered accordingly.

The criteria for transferring Secondary roads to the Primary system are as follows (see VDOT Department Memorandum 14-1 for reference):

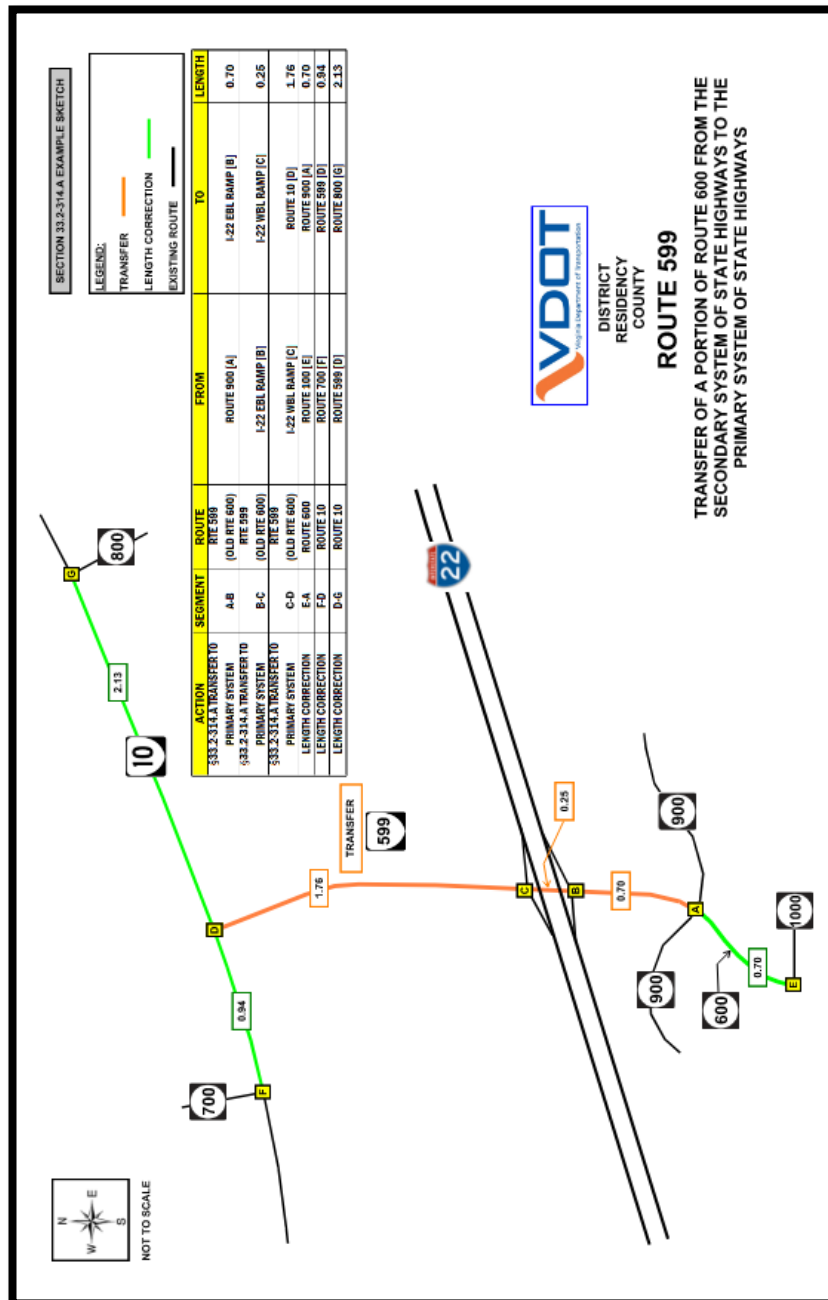
1. The road must connect to an existing Primary or interstate highway.
2. The road must meet the majority of the following criteria:
 - a. Provides a reasonably direct connection between activity centers not already connected by an existing primary or interstate highway
 - b. Has a traffic volume of at least 10,000 vehicles per day
 - c. Carries at least 200 tractor-trailers or buses per day
 - d. Has a functional classification of arterial
 - e. Designated as part of the National Highway System (NHS)
 - f. Meets the minimum lane width & shoulder width design standards for a highway of its current functional classification and traffic volume.

There is an annual statewide limit for the amount of mileage which can be transferred pursuant to §33.2-314.A. The total mileage of such highway transfers cannot exceed 50 miles during any fiscal year.

Secondary Transfers (continued)

Section 33.2-314.A Example Sketch

In this fictitious example, segments of Secondary Route 600 (in orange) are being transferred to the Primary system as Route 599 due to a change in the nature and use of the road resulting from private development and amendment to the locality's Comprehensive Plan.



Secondary Transfers (continued)

Code Section 33.2-314.B – Transfer from Secondary to Primary System Related to New Road Construction (Project Related)

Section 33.2-314.B transfers take place when the VDOT Chief Engineer recommends that it is appropriate action in connection with the completion of a construction or maintenance project.

These transfers usually occur when VDOT or the locality constructs a new Secondary road, and as a result, all or a portion of the old road is transferred from the Secondary to the Primary system.

Upon recommendation by the Chief Engineer, the Commissioner may approve the transfer of these roads from the Secondary to the Primary system.

The locality must approve a resolution or a letter of support for the §33.2-314.B transfer. This locality can be a county, a city, or incorporated town, depending on the location of the road to be transferred.

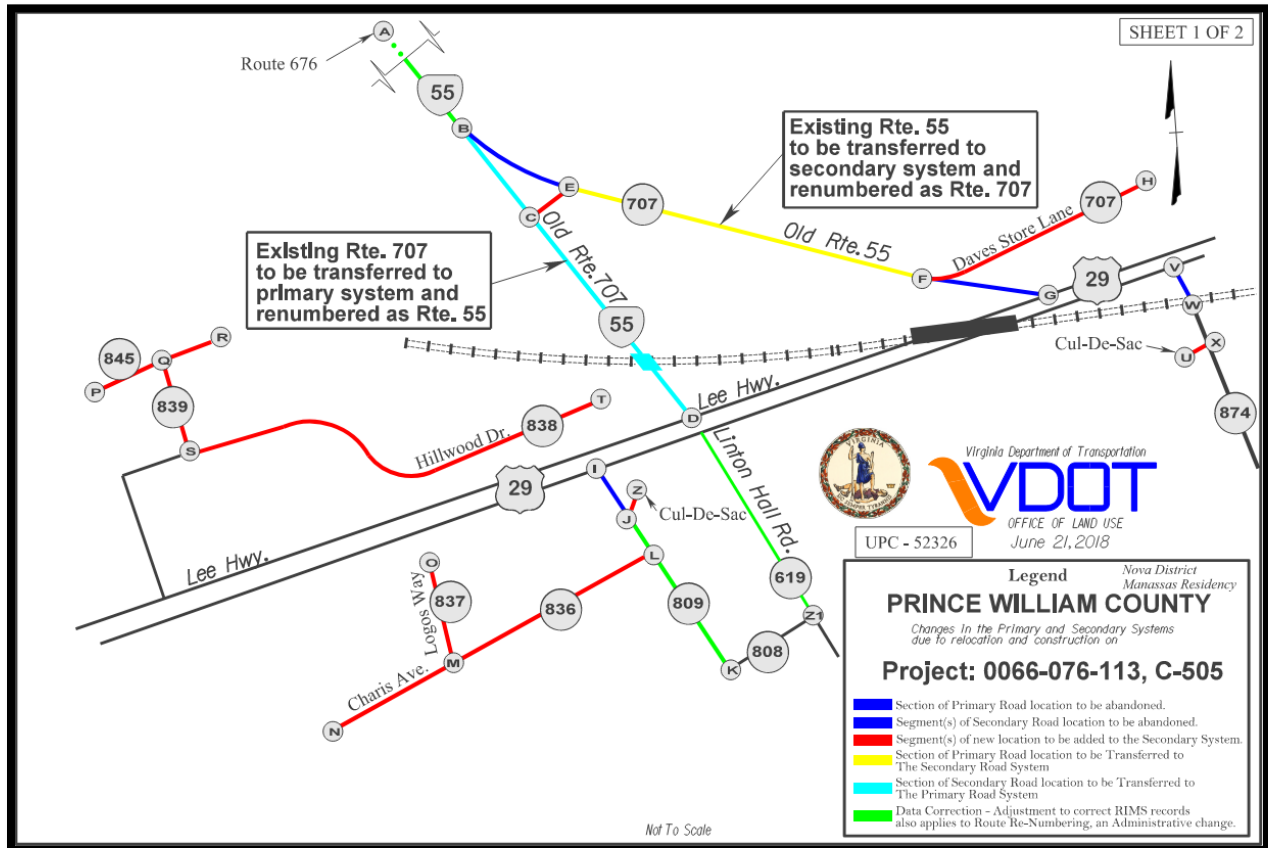
Unlike the annual mileage limit for §33.2-314.A transfers, no such restriction exists for §33.2-314.B actions.

If VDOT staff has any questions about whether a proposed transfer should use [§33.2-314.A](#) or §33.2-314.B, they should contact the Office of Land Use to discuss.

Secondary Transfers (continued)

Example of §33.2-314.B Transfer

Segment BCD (in turquoise) is being transferred from the Secondary (was Rt. 707) to the Primary system (to become Rt. 55) in conjunction with this VDOT Project.



ACTION	SEGMENT	ROUTE	FROM	TO	LENGTH
DATA CORRECTION	A-B	55	RTE 676	BEGIN OLD RTE 707	0.30
TRANSFER FR RTE 707	B-C	55	BEGIN OLD RTE 707	RTE 707	0.04
TRANSFER FR RTE 707	C-D	55	RTE 707	RTE 29	0.20
ADDITION	C-E	707	RTE 55	0.05 MI E RTE 55	0.05
ABANDONMENT	B-E	55	RTE 55	RTE 707	0.10
TRANSFER FR RTE 55	E-F	707	0.05 MI E RTE 55	0.28 MI SE RTE 55	0.23
ADDITION	F-H	707	0.28 MI SE RTE 55	CUL-DE-SAC	0.20
ABANDONMENT	F-G	55	0.28 MI SE RTE 55	RTE 29	0.09
ABANDONMENT	I-J	809	RTE 29	CUL-DE-SAC	0.05
DATA CORRECTION	J-L	809	0.5 MI N RTE 836	RTE 836	0.05
DATA CORRECTION	K-L	809	RTE 808	RTE 836	0.08
ADDITION	L-M	836	RTE 809	RTE 837	0.13
ADDITION	M-N	836	RTE 837	CUL-DE-SAC	0.10
ADDITION	M-O	837	RTE 836	DEAD END	0.06
ADDITION	S-T	838	RTE 839	CUL-DE-SAC	0.28
ADDITION	Q-S	839	RTE 838	RTE 845	0.06
ADDITION	Q-P	845	RTE 839	WEST CUL-DE-SAC	0.05
ADDITION	Q-R	845	RTE 839	EAST CUL-DE-SAC	0.02
ADDITION	X-U	874	RTE 874	CUL-DE-SAC	0.02
ABANDONMENT	V-W	874	RTE 29	LIMITED ACCESS LINE	0.04
ADDITION	J-Z	809	0.05 MI N RTE 836	CUL-DE-SAC	0.02
DATA CORRECTION	D-Z1	619	RTE 29	RTE 808	0.17

g. Rural Additions

Rural Additions are public roads that qualify for state maintenance, but were not initially accepted by VDOT. These roads were not established as a result of the Byrd Act transfer of roads but rather as a result of subsequent land development that created public roads which were not accepted by VDOT at the time they were initially constructed.

VDOT staff must first determine if candidate roads are eligible to be accepted as Rural Additions. The following are the general requirements for Rural Addition roads:

1. The streets must have been shown on a plat that has been recorded or otherwise opened to public use and used by motor vehicles for at least 20 years and constantly open to public use
2. At least 40 feet of right-of-way, or in the event of extenuating circumstances as defined in the [CTB guidance](#), a minimum dedicated width of no less than 30 feet.
3. Streets must have drainage easements and accommodations, which meet current storm water management requirements and policies.
4. Right-of-way must be unrestricted and unencumbered by utility or other easements. In other words, the locality or the Commonwealth must have fee simple title to the right of way.
5. Public Service Requirements for Rural Additions – Must serve at least three occupied dwelling units. Nonresidential units (e.g. business, industrial uses) may also be present in addition to the required minimum of three occupied dwelling units.
6. Residency believes the road can safely accommodate anticipated traffic volume
7. Roads must be physically connected to a road currently in the VDOT system or the Urban system.
8. Special requirements if “speculative interest” exist. “Speculative interest” means that the original developer or a successor developer retains ownership in two or more lots abutting such street for development or speculative purposes. In instances where it is determined that speculative interest is involved, the governing body of the county shall require a pro rata participation by such original developer, developers, or successor developers as prescribed in §33.2-335.D as a condition for the county's recommendation for the addition. In instances where it is determined that speculative interest exists, the basis for the pro rata percentage required of such developer, developers, or successor developers shall be the proportion that the value of the abutting parcels owned or partly owned by the developer, developers, or successor developers bears to the total value of all abutting property as determined by the current valuation of the property for real estate purposes. If this process is not completed, the street(s) may not be accepted into the Secondary system as a Rural Addition.

Rural Additions (continued)

9. Section 55.1-308 of the Code of Virginia (see below) pertains to private roads which serve subdivisions of 50 or fewer lots for which the related right-of-way has NOT been dedicated for public use. Unlike regular Rural Additions where the right-of-way has been previously dedicated to public use, §55.1-308 provides a mechanism for localities to add older subdivision streets to the VDOT system that meet all other Rural Addition requirements except for right-of-way dedication. This situation rarely occurs. If this situation exists, every lot owner must give written consent to have the right-of-way dedicated to public use, and this consent must be recorded with the locality's Clerk of Court. This written consent must also be included with the Rural Addition HSC assembly that is sent to the Office of Land Use. Contact the Office of Land Use if you have any questions about this requirement.

§ 55.1-308. 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 in which the private road is located.

The following are the [general steps](#) involved when a locality requests a Rural Addition:

1. Homeowners who live on potential Rural Addition roads should contact the local VDOT Residency and the locality to determine if the road is eligible for the Rural Addition program. The citizens should also discuss possible funding sources with the locality if road improvements are required.
2. If the street is determined to be a "Qualifying" Rural Addition, Residency staff will inspect the road, prepare a list of improvements (if any), and an estimate of costs for physical improvements required to meet the current minimum design standards for Rural Additions. The estimated amount is then used by the locality to identify funding sources and to determine pro rata participation amounts if speculative interest(s) exist. See the following section on Ineligible Project Costs for important restrictions/limitations on Rural Addition funding uses.

Rural Additions – General Steps (continued)

3. If no physical improvements are necessary to meet minimum design standards and the roads meet the Residency Administrator/Engineer's requirements, the locality can request the addition as a "No Cost" Rural Addition pursuant to [§33.2-705](#).
4. If improvements are needed, the street must first be formally added to the Secondary system pursuant to §33.2-335, because Rural Addition funds cannot be expended on roads that are not legally in the VDOT system.
 - The resolution from the locality requesting the addition must also identify the source and amount of funding secured to make the roadway improvements. If a source of adequate funds is not identified, the road cannot be added as a Rural Addition.
5. Once the Office of Land Use approves the addition, the VDOT Residency will establish a project UPC to track actual construction costs, and the allocated funding will be deposited. At this point, the project can begin. Rural Additions can be constructed by a third party contractor under a duly advertised and awarded construction contract, or they can be constructed by state forces/hired equipment.
 - State forces/hired equipment contracts are limited to projects with an **actual** cost of \$600,000 or less, pursuant to §33.2-234.

"No Cost" Rural Additions

If roads do NOT need any improvements to be accepted as Rural Additions, these roads can be accepted as "No Cost" Rural Additions pursuant to [§33.2-705](#). Residency staff should use a standard [§33.2-705](#) resolution which includes language referencing the "No Cost" Rural Addition (see the resolution template on the [Office of Land Use DOTi site](#)).

"Cost" Rural Additions

Qualified Rural Additions are roads which require physical improvements to be accepted to the Secondary system using §33.2-335. This process will follow the steps listed above. A "Cost" Rural Addition resolution is unique as it includes the source of funds the locality has secured for the improvements to the roads and the related amounts (see resolution template on the [Office of Land Use DOTi site](#)).

Section 33.2-335 Cost Rural Additions must be accepted into the Secondary system by the Office of Land Use BEFORE any funds can be used by VDOT to improve the related road(s). This order of events is necessary because VDOT cannot physically improve the road until its ROW is legally within the state system.

Rural Additions (continued)

CTB Rural Addition Guidance

In February 1988, the CTB approved its Rural Addition Policy. In December 2017, VDOT repealed this policy as a regulatory document and re-classified it as a guidance document.

CTB RURAL ADDITION GUIDANCE

Approved by the Commonwealth Transportation Board on February 18, 1988

1. *Rural additions to the Secondary System of State Highways will be considered when requested by resolution of the Boards of Supervisors of the several counties where the proposed roads provide sufficient public service to warrant the expenditure of highway funds for maintenance and improvement thereof; provided, however, that a minimum 40' unrestricted right of way plus additional widths for cuts and fills where necessary, along with adequate drainage easements, are established and recorded in the deed books of the county at no cost to the Commonwealth; except that a lesser right of way width, but not less than 30', may be considered where buildings or permanent structures (not including fences) were in place prior to December 31, 1961 (date of the Transportation Board's policy on right of way for the Secondary System). Further, the resolution of the Board of Supervisors shall specifically guarantee the necessary right of way and easements for the proposed road addition. Where a county has a policy requiring greater widths of right of way, its policy becomes the policy of the Commonwealth Transportation Board in that county.*
2. *Rural additions to the Secondary System will be limited during any one fiscal year to not more than 1¼% of each county's Secondary mileage at the end of the preceding calendar year, provided that the total mileage added to the system can be improved to a minimum standard for rural roads as established by the Department of Transportation with a maximum expenditure of not more than a sum equal to 5% of the allocation of construction funds for use on the Secondary System in such county.*
3. *Streets within subdivisions developed prior to July 1, 1949, may be considered as rural additions in accordance with Sections 1 and 2 aforementioned, provided that neither the original developer, developers, nor successor developers retain speculative interest in property abutting such streets. Ownership or partnership in two or more parcels, or equivalent frontage, abutting such streets shall constitute a speculative interest for the purposes of this policy. The Board of Supervisors requesting the addition of such subdivision streets meeting the requirements of Sections 1 and 2 shall submit with its resolution of request a certified copy of a plat of the area involved indicating street right of way, drainage easements, and place of recordation of the plat, including a detailed listing of the lot ownership at the time of submission.*

Rural Additions – CTB Guidance (continued)

4. *The addition of streets in subdivisions developed subsequent to July 1, 1949, and prior to the adoption of a subdivision control ordinance in the county, the street requirements of which are equal to or greater than the requirements of the Department of Transportation for subdivision streets, or prior to November 15, 1959, (date of revised the Transportation Board's general policy on subdivision additions), whichever occurred first, may be considered under Sections 1 and 2 aforementioned provided all of the following are complied with:*
 - a. *The county has passed a subdivision control ordinance having street requirements meeting or exceeding the Department of Transportation's Subdivision Street Requirements.*
 - b. *Neither the original developer, developers, nor successor developers retain a speculative interest in property abutting such streets. Ownership or partnership in two or more parcels, or equivalent frontage, abutting such streets shall constitute a speculative interest for the purposes of this policy.*
 - c. *One-half of the Department of Transportation's estimated cost for developing the streets to minimum rural standards as established by the Department of Transportation is donated through the county.*
 - d. *A certified copy of the plat indicating street right of way, drainage easements, and place of recordation and a detailed record of lot ownership, along with the required donation, shall be furnished with the submission of the resolution requesting the addition.*
5. *Where a county policy requires that a rural addition meeting the requirements of Section 1 be graded, drained, and surfaced to minimum standards for rural additions as established by the Department of Transportation or where this work has been accomplished by the property owners living thereon prior to recommendation for acceptance into the Secondary System, consideration may be given to the waiving of the mileage requirements. However, no consideration may be given to the waiving of the monetary limitations as set forth in Section 2 above, except with the express permission of the Commonwealth Transportation Commissioner.*
6. *The Commonwealth Transportation Commissioner, through the Deputy Commissioner and Chief Engineer, is directed to set up standards and administrative procedures to see that the provisions of this policy are adhered to and complied with.*
7. *All portions of the general policy for acceptance of subdivision streets into the Secondary System of State Highways, as approved by this Board on October 29, 1959 and subsequent revisions, in conflict with this policy are rescinded only to the extent of such conflict; and*
8. *The Boards of Supervisors of the several counties are urgently requested to instruct their appointed viewers or road engineer to give careful consideration to the public necessity for any requested addition, and to carefully weigh the need for the addition against other road needs in the county, so that the program of improving existing secondary roads not be hindered by expenditures of available funds upon roads of questionable public service.*

Rural Additions – CTB Guidance (continued)

Minimum Standards for New Rural Additions to Secondary System

Traffic Volume (five years hence)	Roadway Width	Width & Type of Surface
Not more than 10 VPD	22 feet	14 feet, hard surface
10 VPD to 25 VPD	22 feet	16 feet, hard surface
25 VPD to 50 VPD	24 feet	16 feet, hard surface
50 VPD to 100 VPD	24 feet	16 feet, hard surface
Over 100 VPD	Roadway width, base, and surface in accordance with criteria set forth in the agency’s Geometric Design Standards/Rural Local Road System for the applicable terrain classification and anticipated traffic volume.	
Grades and alignment for any Rural Addition shall not be less stringent than the minimums as set forth in the Geometric Design Standards/Rural Local Road System of the Road Design Manual for the applicable terrain classification and anticipated traffic volume.		
Any bridge located on a Rural Addition shall be constructed to the applicable width and capacity as set forth in the Geometric Design Standards/Rural Road System of the Road Design Manual for the anticipated traffic volume.		

It is recommended that the Guidelines for RRR Projects (VDOT’s “Resurfacing, Restoration and Rehabilitation” Guidelines) located in Appendix A-4 of the Road Design Manual be followed. Deviations from the above shall be justified and approved by the Office of Land Use.

Rural Additions (continued)

Physical and Right-of-Way Requirements for Rural Additions

Qualified Rural Addition roads can use VDOT's "Resurfacing, Restoration and Rehabilitation" (RRR) Guidelines within VDOT's Road Design Manual. These standards may be used for Rural Addition improvements, except that pavement width, ROW width, and pavement type must meet the minimum standards established in the CTB's Rural Additions Guidance. Improvements may exceed VDOT standards, provided the costs in excess of the prescribed minimum is funded by sources other than those administered by VDOT.

A formal agreement with the county is required if a stormwater management facility receives runoff from the road or the road crosses a dam or an extrinsic structure. Any and all agreements must be in force before the road is accepted as part of the system. Copies of any such agreements are to be included in the Highway System Change assembly sent to the Office of Land Use when the street is added to the system.

Ineligible Rural Addition Project Costs

Rural Addition funds administered by VDOT are reserved for engineering costs and construction only. Costs for providing a clear, unencumbered ROW and any relocation of such items as utilities, mail boxes, fences, septic systems, and wells are ineligible costs and are not covered by Rural Addition or Revenue Sharing funds administered by VDOT. The county must obtain separate financing for such costs.

Rural Addition Funding Options for Road Improvements

1. Rural Addition Funds

- Counties are allowed to set aside five percent of the Secondary road construction funds they are allocated in order to improve qualifying roads that are not state maintained, within the funding and mileage limitations as given in the CTB Rural Addition Guidance. Rural Addition Funds do not require a locality match.

2. Revenue Sharing Funds in accordance with §33.2-357.

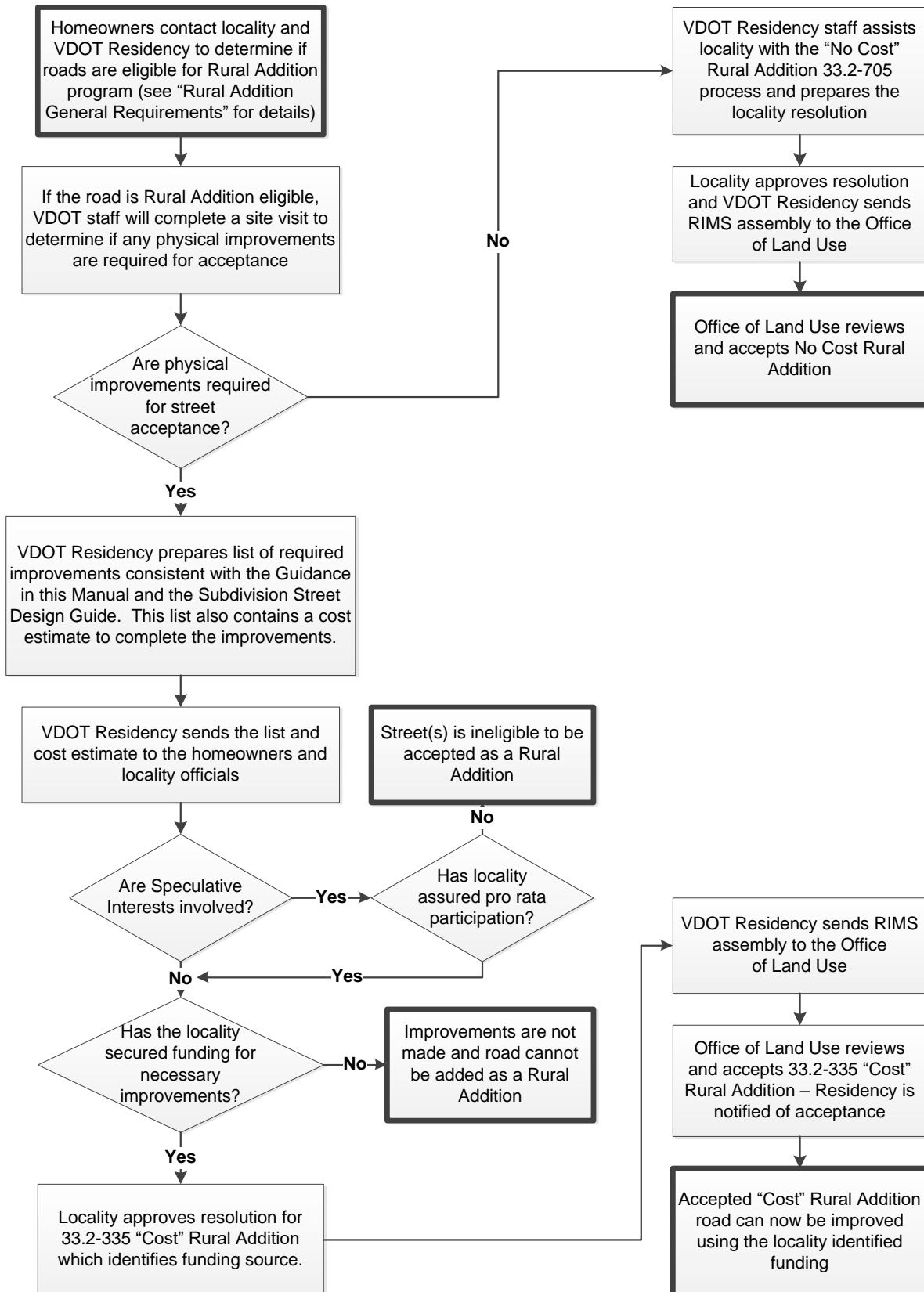
- i. Local match required (1:1 match for state funds)
- ii. Projects must be started within 1 year of allocation
- iii. Revenue sharing funds used for rural additions are restricted to subdivision streets.

Rural Additions (continued)

3. Local Funds

- i. County's general fund. There are no funding limitations for this funding source.
- ii. Special assessment of the land owners served. Localities can use this type of funding in conjunction with Rural Addition Funds, provided that this funding accounts for at least one-half of the project costs.
 - In order to use this funding, §33.2-335 stipulates that special assessments cannot be done unless 75% or more of the landowners of the abutting parcels agree to the assessment.
- iii. Revenue derived from the sale of bonds
- iv. The locality may permit one or more of the landowners abutting the street to pay one-half of the qualifying costs. Thereafter, the locality shall use funds collected via special assessment to reimburse said landowner(s).

General Rural Addition Review & Acceptance Process



h. Town Additions – Populations Under 3,500

Incorporated towns with populations under 3,500 may add Secondary roads to the state system pursuant to §33.2-339 or §33.2-340. Towns have been required to select which of these Code sections would be used for its additions.

The list of Virginia towns which are governed by [§33.2-339](#) and [§33.2-340](#) are included in the Appendix section of this Guide.

When requesting a Town addition pursuant to §33.2-339 or §33.2-340, the resolution is approved by the Town Council.

In the event a town requests to change the Code section under which it adds roads, it can make this request to the CTB.

The major differences in these statutes are as follows:

- §33.2-339 – The total length of additions in a town operating under this statute is limited to 0.25 centerline miles per fiscal year. No surety and fees are required for §33.2-339 Town additions. Although §33.2-339 is silent on design requirements, it has been the long-standing policy of the CTB that new Secondary additions meet the current VDOT minimum standards in place at the time of said additions. It is recommended that the RRR Guidelines in Appendix A-4 of the Road Design Manual be used in the development of town streets to be added pursuant to §33.2-339. In addition to this requirement, the Resident Administrator/Engineer has the authority to determine if the road(s) should be accepted pursuant to §33.2-339.
- §33.2-340 – There is no mileage limitation for additions that can be approved within a fiscal year pursuant to this Code section. However, §33.2-340 provides specific requirements for pavement widths, pavement type, and ROW widths that must be in place at the time of the addition. Because certain §33.2-340 Town additions must meet SSAR requirements, surety and fees may be applicable. If a town is the developer of roads to be added pursuant to §33.2-340 and a surety is required, the town has the option to provide surety via resolution from the town's governing body.

Sample resolutions for §33.2-339 and §33.2-340 town additions can be found on the [Office of Land Use DOTi site](#).

See [Appendix “I”](#) of the Guide for the lists of towns governed by §33.2-339 and §33.2-340.

Town Additions (continued)

Minimum Standards for Town Additions (Population Under 3,500)
§33.2-339 Additions (Maximum Mileage Allowed = 0.25 Mile per Fiscal Year)

- Unrestricted ROW Width – 30 feet minimum
- Pavement Width – 16 feet minimum
- Pavement Type – Hard Surface

Minimum Standards for Town Additions (Population Under 3,500)
§33.2-340 Additions (No Yearly Mileage Limitations)

For Streets Established & Used by Motor Vehicles	Unrestricted Right of Way Width	Pavement Width	Pavement Type
Before July 1, 1950	30 feet minimum	12 feet minimum	Hard Surface*
After July 1, 1950 & established by the locality	50 feet minimum	20 feet minimum	Hard Surface*
After January 1, 1996 for streets functionally classified as local streets that meet current VDOT standards for pavement width and right of way width	Current SSAR/SSR Requirements	Current SSAR/SSR Requirements	Current SSAR/SSR Requirements

*In this context “Hard Surface” means surface treatment, plant mix asphalt, or concrete pavement.

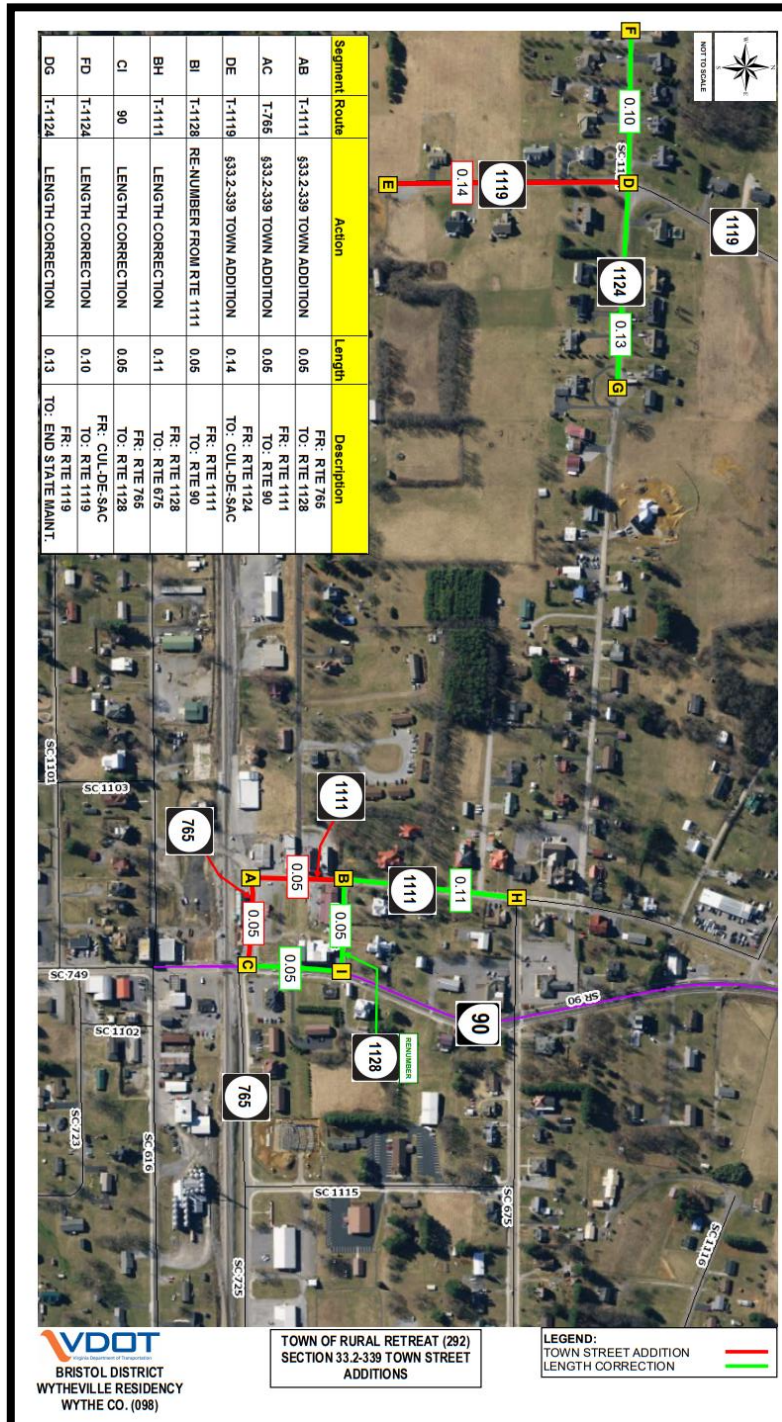
Drainage easements for all town additions should be of sufficient size and dimension so as to be compliant with the applicable storm water management regulations and requirements in place at the time of the addition.

The code sections and procedures for the abandonment and discontinuance of town streets are the same as for any other type of Secondary abandonment or discontinuance.

Town Additions (continued)

Example of a §33.2-339 Town Addition

The example below shows three segments, AB, AC, and DE (in red), being added to the Secondary system pursuant to §33.2-339. This Code section was used because the Town has elected to use this section for adding its roads.



i. Public School Access Roads - §33.2-325

Roads that are connected to VDOT or publicly maintained streets that lead to public elementary, middle, and high schools may be accepted into the state's Secondary system. The main function of these roads is to provide school buses and other vehicles access to school buildings. Public school access roads are given 9000 series route numbers. These school roads are a subset of public roads over which school authorities exercise limited police powers regarding access and use of the road.

In order for a public school road to be accepted into the Secondary system, the local school system should work with the locality's Administrator, Manager, or governing body to complete the acceptance process. A requirement for this acceptance is a locality approved §33.2-325 resolution (see [Office of Land Use DOTi site](#) for a resolution template). The Residency then completes a RIMS HSC assembly which is sent to the Office of Land Use for final approval.

Prior to street acceptance, construction of the school access road must be completed to the standards appropriate for the anticipated traffic. The standards for school access roads are included in VDOT's Road Design Manual.

The accepted roadway must be clearly defined and distinctly not a portion of a parking lot; however, the travel way through a parking lot may be added as a public school access road.

The School Board and the Board of Supervisors together must guarantee an unencumbered ROW or a perpetual easement. The resolution for a §33.2-325 public school road addition, located in a town less than 3,500 in population that does not maintain its roads, must be approved by the county, not the Town Council, because the schools are under the county's jurisdiction.

The right-of-way for new school access roads shall be of a sufficient width to accommodate all roadway elements intended for VDOT maintenance, but in no case shall the right-of-way width be less than 40 feet, pursuant to the design requirements given in VDOT's Road Design Manual.

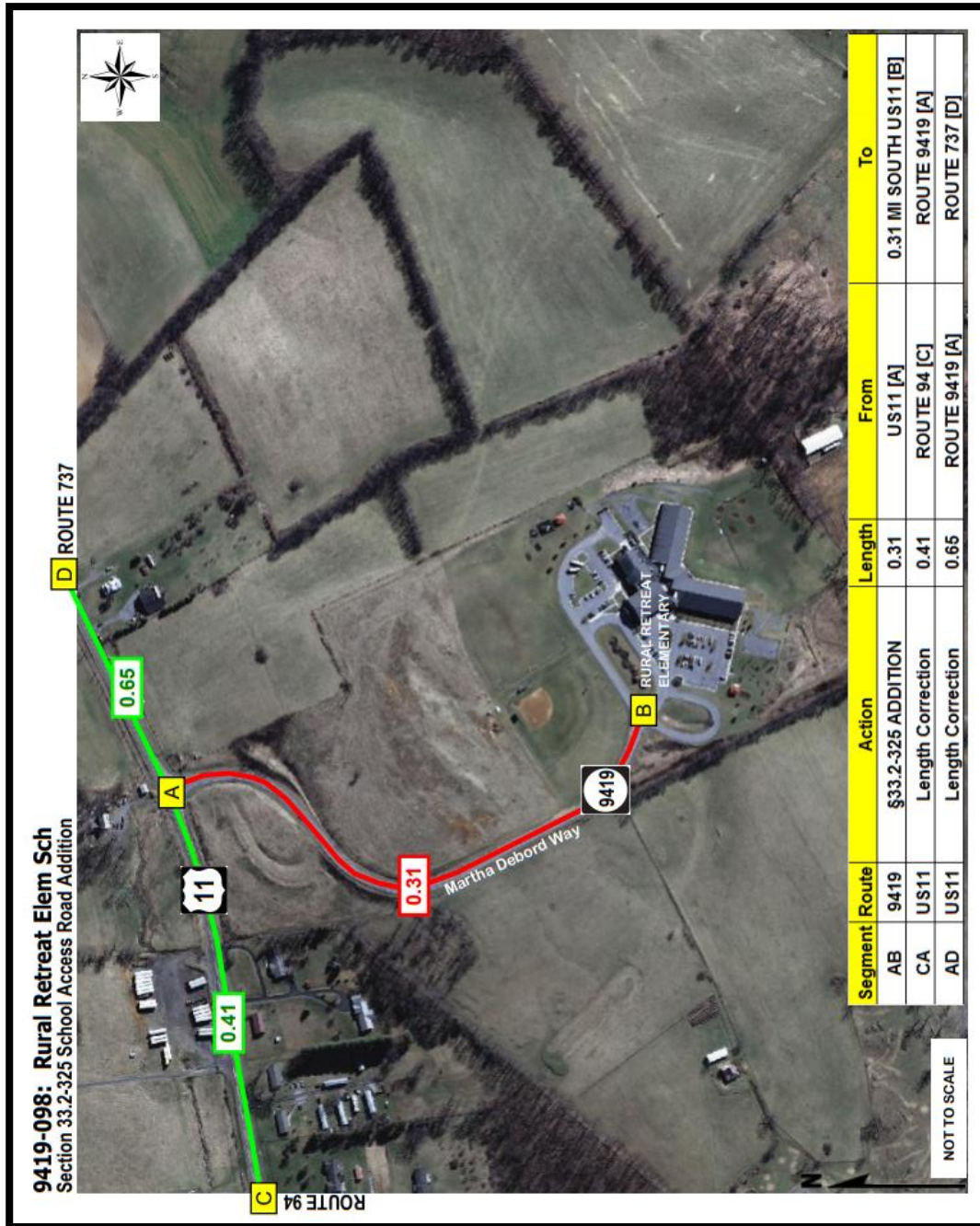
In the event that the road serves properties other than the school, the portion of the road to be added that lies beyond the school's property will be considered as a normal addition to the Secondary system and not a school access road. When this occurs, the Secondary requirements of the governing regulation (SSAR or SSR) must be met and the portion of the road to be added that lies beyond the school's property may be assigned a separate route number.

The Code sections and procedures for the abandonment and discontinuance of public school access roads are the same as for any other type of Secondary abandonment or discontinuance

Public School Access Roads (continued)

Example of a §33.2-325 Public School Access Road Addition

In the sketch below, the 0.31 mile segment AB (in red) is being added to the Secondary system as a §33.2-325 Public School Access Road for a public elementary school.



j. VDOT Projects and Highway System Changes

As previously stated in the Primary system section of this Guide, all Projects that change the centerline mileage of a road must complete the HSC process. This process is required to give VDOT the legal authority to expend public funds for maintenance of a new (or improved) roadway and to maintain an accurate inventory record for maintenance budgeting purposes.

The Office of Land Use and a statewide Team of Land Use and Location and Design staff are recommending organizational process changes to ensure that all VDOT Projects complete required HSCs. These process changes take place at both the design and closeout phases of VDOT Projects.

These required HSCs will follow the guidance and processes outlined in this document. If VDOT staff has any questions regarding HSCs for VDOT Projects, the Office of Land Use should be contacted.

k. Locally Administered Projects (LAP's)

Localities may use county or town funds to construct new roads or to make highway changes. These projects may also include state or federal funds to be completed. VDOT assists localities with the administration and construction of these projects through Local Administered Projects (LAP) staff at the District level. LAP's are assigned VDOT project numbers and UPC's. Examples of some LAP's are Revenue Sharing projects, Economic Access projects, Airport Access projects, Recreational Access projects, and Enhancement projects.

Depending on the type of highway system changes, the Code sections used for administering the changes resulting from LAP's are the same as those used for any other type of highway system change. If you are unsure which Code section needs to be used for HSC's resulting from locally administered projects, please contact your Residency, District Land Use staff, or the Office of Land Use.

I. Recreational Access Roads & Economic Access Road Projects

Additions can be made to the Secondary system that are a result of Recreational Access, Economic Development Access, and Airport Access programs. These programs are administered by VDOT's Local Assistance Division and related staff at the Districts.

When these projects are in localities for which VDOT maintains streets, a highway system change assembly is required for all projects that change centerline miles (e.g. addition, abandonment). The locality resolution will contain language stating that all applicable VDOT standards have been met and will request that the related highway system changes be completed and legally be added to the Secondary system. The HSC assembly will also include the CTB resolution allocating the related access funds. The applicable Secondary system Code sections (e.g. [§33.2-705](#), [§33.2-912](#)) are used for these changes.

7. Appendix Sections

The previous sections of this guidance document cover the majority of potential highway system change processes. Because there are numerous other issues which are not related to a single highway change, the Appendix sections include information which is unique or pertain to a number of land development situations.

This section of the Guide includes the following appendices:

- a. [Guide to Highway System Legal Changes](#)
- b. [History of the Secondary System of State Highways](#)
- c. [Commonwealth Transportation Board Highway System Change Process and Approval Documents](#)
- d. [Guidelines for Virtual Public Participation for Highway Changes](#)
- e. [SSAR Refresher Section](#)
- f. [R-O-W Types and Related Information](#)
- g. [Local Street Construction Inspection Programs](#)
- h. [Minimum Standards for Public School Roads](#)
- i. [Special Measurements](#)
- j. [Towns Governed by §33.2-339 and §33.2-340 for Additions](#)
- k. [Locality Resolutions and Letter of Support](#)
- l. [SSAR and SSR Sureties and Fees](#)
- m. [Agreements](#)
- n. [RIMS System](#)
- o. [Data Corrections](#)
- p. [Length Corrections in RIMS](#)
- q. [Highway System Change Sketch Standards and Examples](#)
- r. [Submitting Highway System Change Assemblies](#)
- s. [Appeal of Abandonments & Discontinuances After Approval](#)
- t. [Highway Research Requests](#)
- u. [Transfers of Roads Between the VDOT & Urban Systems](#)
- v. [Glossary](#)

a. Guide to Highway System Legal Changes

Shortly after the creation of the Office of Land Use in 2016, the HSC/SSAR Section created the table for HSCs below. This information contains the majority of the highway changes that are made. The items include the Code number, a brief description of the change, the local action required, and the individual or group which has the authority to approve the action. The Primary and Secondary road sections of the Guide contain detailed information about each of these Code Sections.

Primary System		
Code	Description	Requirements
<u>§33.2-310</u>	Additions to Primary Route – Involving Primary Relocations	<ol style="list-style-type: none"> 1. Description: Additions to Primary System when the relocation of a road is involved. This usually takes place in conjunction with an abandonment or discontinuance. 2. Local Action: Local Governing Body resolution or <u>letter of support</u> 3. Approval Authority: Commissioner approves construction via VDOT Programming and Office of Land Use accepts completed project in RIMS
<u>§33.2-314.A</u>	Additions to Primary Route – Involving New Primaries & Bypasses	<ol style="list-style-type: none"> 1. Description: Additions to Primary System when a new road or a bypass is built 2. Local Action: Local Governing Body resolution or <u>letter of support</u> 3. Approval Authority: Commonwealth Transportation Board (CTB) approval
<u>§33.2-902</u>	Abandonment of Primary Route - <u>Without</u> Replacement Road	<ol style="list-style-type: none"> 1. Description: Abandonment of a Primary Route when a replacement road is NOT built. Public notification process required. 2. Agency Action: Public hearing willingness to abandon is posted 3. Local Action: Local Governing Body resolution or <u>letter of support</u> 4. Approval Authority: Commonwealth Transportation Board (CTB) approval <p><u>Note:</u> There is a maximum of four months allowed between public hearing/posting of willingness and when the abandonment is addressed by the CTB. If this period is longer than four months, the process must be restarted.</p>

<p>§33.2-906</p>	<p>Abandonment of Primary Route - With Replacement Road OR Related to a Construction or Maintenance Project</p>	<ol style="list-style-type: none"> 1. Description: Abandonment to the Primary System involving the construction of a replacement road(s) which serves the same users as the abandoned road(s) OR an abandonment directly related to a construction or maintenance project without a replacement road (use of latter alternative must be approved by Chief Engineer) 2. Local action: Local Governing Body resolution or letter of support 3. Approval Authority: Chief of Policy has authority to approve via VDOT Commissioner delegation of authority
<p>§33.2-901</p>	<p>Discontinuance of Primary Route</p>	<ol style="list-style-type: none"> 1. Description: Discontinuance of a Primary Route 2. Local Action: Local Governing Body resolution or letter of support 3. Approval Authority: CTB approval
<p>§33.2-315.A</p>	<p>Transfer – From Primary to Secondary System or from Primary to Urban System (Transfer not related to new road construction)</p>	<ol style="list-style-type: none"> 1. Description: Takes place most often when a locality wants an existing road transferred from the Primary to the Secondary System (no new related road construction takes place). Also used when a road is transferred from the VDOT Primary to the Urban system. 2. Local Action: Local Governing Body resolution or letter of support 3. Approval Authority: CTB approval <p>Note: Total statewide non-construction §33.2-315.A transfers cannot exceed 150 miles per fiscal year</p>
<p>§33.2-315.B</p>	<p>Transfer – From Primary to Secondary System (Transfer related to new road construction)</p>	<ol style="list-style-type: none"> 1. Description: Transfer associated with the construction of a road(s) related to a Land Use, VDOT construction project, maintenance project, locally administered project, etc. 2. Local Action: Local Governing Body resolution or letter of support 3. Approval Authority: VDOT Commissioner approval with Chief Engineer’s recommendation <p>Note: There is no mileage limitation related to this type of construction associated transfer</p>

§33.2-311	Additions to State Parks	<ol style="list-style-type: none"> 1. Description: Additions to state park roads 2. Local Action: Department of Conservation and Recreation letter of request 3. Approval Authority: VDOT Commissioner approval
§33.2-313	Addition of Institutional Roads (e.g. State university, prison)	<ol style="list-style-type: none"> 1. Description: Additions to state institutional roads such as state colleges, universities, prisons, and psychiatric facilities 2. Local Action: Resolution or letter of request from the related Governing Board (e.g. University Board, Department of Corrections) 3. Approval Authority: Office of Land Use Director or Highway Systems Program Manager via delegation from the Commissioner

VDOT must submit all [U.S. Highway and Interstate](#) route changes to AASHTO and FHWA (for Interstates only) for final approval.

Secondary System		
Code	Description	Requirements
§33.2-705	Additions to Secondary Route	<ol style="list-style-type: none"> 1. Description: Most Additions to Secondary System including “No Cost” Rural Additions 2. Local Action: Local Governing Body resolution or letter of support 3. Approval Authority: Office of Land Use via delegation from the Commissioner
§33.2-909	Abandonment of Secondary Route – <u>Without</u> Replacement Road	<ol style="list-style-type: none"> 1. Description: Abandonment of a Secondary Route when a replacement road is NOT built. Public notification process required. 2. Local Action: Local Governing Body resolution, including Code-required public notice of intent to abandon as well as notification of abandonment action to VDOT 3. Approval Authority/Official Response: Office of Land Use, via delegation from the Commissioner, accepts the abandonment <p><u>Note:</u> Locality notifies Department of Wildlife Resources if abandonment ends at water or affects a public boat landing</p>

<p>§33.2-912</p>	<p>Abandonment of Secondary Route – <u>With</u> Replacement Road OR Related to VDOT Construction or Maintenance Project</p>	<ol style="list-style-type: none"> 1. Description: Abandonment of a Secondary Route involving the construction of a replacement road(s) which serves the same users as the abandoned road(s) OR an abandonment directly related to a construction or maintenance project without a replacement road (use of latter alternative must be approved by Chief Engineer) 2. Local Action: Local Governing Body resolution or letter of support 3. Approval Authority: Chief of Policy has authority to approve via VDOT Commissioner delegation of authority
<p>§33.2-908.B</p>	<p>Discontinuance – Secondary Discontinuance with <u>No</u> road replacement constructed</p>	<ol style="list-style-type: none"> 1. Description: Discontinuance of a Secondary road when no replacement road(s) is constructed. Public notification process required. 2. Local Action: Local Governing Board resolution or letter of support 3. Approval Authority: CTB approval
<p>§33.2-908.C</p>	<p>Discontinuance – Secondary Discontinuance with the construction of a replacement road OR related to a Construction or Maintenance Project</p>	<ol style="list-style-type: none"> 1. Description: Discontinuance to the Secondary system involving the construction of a replacement road(s) which serve the same users as the discontinued road(s) OR an abandonment directly related to a construction or maintenance project without a replacement road (use of latter alternative must be approved by Chief Engineer) 2. Local Action: Local Governing Body resolution or letter of support 3. Approval Authority: VDOT Commissioner
<p>§33.2-314.A</p>	<p>Transfer – From Secondary to Primary System (Transfer not related to new road construction)</p>	<ol style="list-style-type: none"> 1. Description: Transfer from the Secondary to the Primary system that is not related to the construction of a new road(s) 2. Local Action: Local Governing Body resolution or letter of support 3. Approval Authority: CTB approval <p><u>Note:</u> Total statewide §33.2-314.A transfers cannot exceed 50 miles per fiscal year</p>
<p>§33.2-314.B</p>	<p>Transfer – From Secondary to Primary System (Transfer related to new road construction)</p>	<ol style="list-style-type: none"> 1. Description: Transfer from the Secondary to Primary system related to the construction of a road(s) 2. Local Action: Local Governing Body resolution or letter of support 3. Approval Authority: VDOT Commissioner

<p>§33.2-325</p>	<p>Addition of Public School Roads – Elementary, Middle and High School</p>	<ol style="list-style-type: none"> 1. Description: Access road addition from an existing publicly maintained road to public school buildings 2. Local Action: Local Governing Body resolution 3. Approval Authority: Office of Land Use via delegation from the Commissioner
<p>§33.2-335</p>	<p>Rural Addition – Requiring Funds for Improvements</p>	<ol style="list-style-type: none"> 1. Description: A qualified Rural Addition which requires funds to be improved to meet VDOT standards 2. Local Action: Local Governing Body resolution listing funding amounts and sources 3. Approval Authority: Office of Land Use via delegation from the Commissioner
<p>§33.2-339</p>	<p>Town Addition (Population less than 3,500) – Road does NOT need to meet VDOT standards</p>	<ol style="list-style-type: none"> 1. Description: This type of Addition uses Secondary funds but does not need to meet specific VDOT standards – any design requirements are at the discretion of the RA/RE (see note below regarding mileage limitation) 2. Local Action: Local Governing Body resolution 3. Approval Authority: Office of Land Use via delegation from the Commissioner <p><u>Notes:</u> This type of addition shall not to exceed ¼ mile per fiscal year per locality. A town operates either under 33.2-339 or 33.2-340 (it cannot use both).</p>
<p>§33.2-340</p>	<p>Town Addition (Population less than 3,500) – Road must meet minimal standards</p>	<ol style="list-style-type: none"> 1. Description: This type of Town Addition needs to meet the ROW and design requirements of §33.2-340, but does not have an annual mileage limit 2. Local Action: Local Governing Body resolution 3. Approval Authority: Office of Land Use via delegation from the Commissioner <p><u>Note:</u> A town operates either under 33.2-339 or 33.2-340 (it cannot use both).</p>

b. History of the Secondary System of State Highways

Prior to the Byrd Road Act of 1932, commonly referred to as the “Byrd Act,” the operation and maintenance responsibility for local public roads was under the jurisdiction of the local governing body of each county. Before this legislation, the “Secondary system of state highways” did not exist.

Under the Byrd Act, the General Assembly transferred the authority to maintain these roads from the counties to the state. The exceptions to this legislation were those counties that elected to continue the maintenance of their county roads. The Byrd Act created the Secondary system of state highways, placing it under the jurisdiction of the Virginia Department of Transportation (VDOT).

Arlington, Henrico, Elizabeth City, and Warwick Counties elected to continue to maintain their own local roads. Of these counties, only Arlington and Henrico Counties remain. Elizabeth City was later consolidated into the City of Hampton and Warwick was combined with the City of Newport News.

The Byrd Act did continue certain powers of the local governing bodies, including the powers to create or establish new public roads and the authority to extinguish the rights of the public to use certain public roads. For this reason, each element of the Secondary system of state highways begins as a facility developed with the consent of the local governing body and its acceptance as part of the county’s local network of roads. Only after this local acceptance can a new local road be transferred from county control to VDOT.

Under the partnership of the state and local governments, the local governing bodies have reserved certain legislative authorities while others are under VDOT’s domain. Chief among these is the underlying basis of VDOT’s authority:

“The control, supervision, management and jurisdiction over the secondary system of state highways shall be vested in the Department of Transportation and the maintenance and improvement, including construction and reconstruction, of such secondary system of state highways shall be by the Commonwealth under the supervision of the Commonwealth Transportation Commissioner.” -- §33.2-326 of the Code of Virginia

c. Commonwealth Transportation Board Highway System Change Process and Approval Documents

There are six main VDOT highway system changes which are required to be approved by the Commonwealth Transportation Board (CTB). These Code sections include:

1. Section [33.2-314.A](#) – Addition of a new Primary road or bypass
2. Section [33.2-902](#) – Abandonment of a Primary road without a corresponding replacement road
3. Section [33.2-901](#) – Discontinuance of a Primary route
4. Section [33.2-315.A](#) – Transfer of a Primary to a Secondary route which is not related to new road construction and Primary to Urban system transfer
5. Section [33.2-908.B](#) – Discontinuance of a Secondary road without a corresponding replacement road
6. Section [33.2-314.A](#) – Transfer of a Secondary to a Primary route which is not related to new road construction

When VDOT staff at a Residency or District is working with a locality on one of the above highway changes, the Office of Land Use should be informed about this as soon as possible. There are three main reasons for this:

1. There are statutory time limits for the CTB to act on certain highway system changes.
2. All action items to be placed on CTB agendas must be reviewed and approved by VDOT's Governance Division. When the Office of Land Use receives these assemblies, Office of Land Use staff must draft the CTB resolution approving the action and a related CTB decision brief. The Office of Land Use can only create these two documents after the complete highway assembly has been received.
3. Each month CTB items must meet deadlines to be placed on the group's next agenda. If this deadline is not met, the highway change must wait until the next CTB meeting.


Prior to the CTB meeting, it is the responsibility of the District or Residency to contact the area's CTB member to discuss the meeting agenda item. The main purposes of this communication are to make the member aware of the item, to inform the member of the Residency's recommendation, and to ask if the member needs additional information.

If you have any questions about a potential highway change that requires CTB approval, contact the Office of Land Use.

d. Guidelines for Virtual Public Participation for Highway Changes

Certain highway system change actions require public hearings to be offered or held. This is mandated by the Code of Virginia for some changes.


Beginning in 2020, VDOT Land Use staff was required to balance this public hearing requirement with state restrictions related to gatherings in response to the COVID-19 pandemic. As a result, Bristol District staff developed the approach below. This hybrid approach encourages virtual participation as the primary means for providing public comment, while providing alternatives for those citizens without the capability or resources for virtual participation. This document is also located on the [Office of Land Use DOTi site](#) for easier access.



RUSSELL COUNTY OLD ROUTE 671 & OLD ROUTE 678 DISCONTINUANCE

PUBLIC HEARING INFORMATION BROCHURE

PUBLIC HEARING DATE: 01/15/2021
LOCATION:
1067 Fincastle Rd
Lebanon, VA 24266
TIME: 8:00 A.M. TO 5:00 P.M.



A DETAILED MAP OF THE PROPOSED
HIGHWAY SYSTEM CHANGES IS ON
THE REVERSE SIDE OF THIS BROCHURE.

VIRGINIA DEPARTMENT OF TRANSPORTATION
PUBLIC HEARING INFORMATION
DISCONTINUANCE OF OLD ROUTE 671 & OLD ROUTE
678 FROM THE SECONDARY SYSTEM OF STATE
HIGHWAYS

The Virginia Department of Transportation is in the process of doing a statewide reconciliation of missing and/or erroneous roadway inventory data. This is largely an administrative matter to address old roadways that VDOT has not maintained in many years due to lack of public use, re-construction, re-development, or other changes in roadway use.

There are two routes in Russell County that have been identified by VDOT as part of this reconciliation:

- 1.) A section of old Route 671, from the current end of state maintenance on Route 671-Honaker Chapel Road (0.28 mile north of Route 806) to a point where the old Route 671 intersects with the segment of old Route 678 also being proposed for discontinuance and described below. The length of this segment is 0.70 mile.
- 2.) A section of old Route 678, from the intersection with existing Route 678-Upper Copper Creek Road (approximately 1.1 mile south of Route 58 Alt) to the dead end of Route 936-Dickensonville Drive. The length of this section is 1.19 miles.

VDOT stopped maintaining these routes many years ago (best estimates are sometime in the 1960's) because they were not being actively used by the public and did not provide sufficient public service to warrant continued maintenance at public expense. Over the many years, these conditions have not changed, but yet the mileage remains in VDOT's inventory records. To resolve this error, the routes need to be officially discontinued to remove the mileage from the inventory and officially relieve VDOT of the maintenance responsibility.

Discontinuance of a VDOT secondary route is an act of the Commonwealth Transportation Board that officially relieves VDOT of the maintenance and regulatory responsibility for a roadway when it is determined that the road does not provide sufficient public benefit to warrant maintenance at public expense. Discontinuance does NOT close a road to public use. The administrative and regulatory authority over the old Route 671 and old Route 678 will be returned to the Russell County Board of Supervisors, and the right of way associated with the road(s) remains open to public use and continues to provide legal access to a public road for any abutting landowners (i.e. No properties will be land locked by a discontinuance). A discontinued roadway can be re-added to the Secondary System of State Highways at a later date if the road re-attains the required public benefit to warrant maintenance at public expense and has been improved to VDOT minimum standards at the time of its re-addition.

Highway Change Public Hearings with Virtual Meetings (continued)

Discontinuance pursuant to §33.2-908.B of the Code of Virginia is the preferred action for the sections of old Route 671 and old Route 678 described above to prevent properties from being land locked, to facilitate future development or subdivision of property by abutting landowners, and to provide Russell County options for continued use of the discontinued right of way for alternate public transportation uses such as hiking/biking trails, ATV trails, etc.

Discontinuance of these two routes will not affect any VDOT maintenance currently being performed. Any portions of the intersecting routes that are currently being maintained by VDOT will continue to be maintained by VDOT and remain in the Secondary System of State Highways.

Additional materials related to the proposed discontinuance(s) are available for public viewing by contacting the VDOT Lebanon Residency at the address/phone number/email below.

Due to COVID-19 restrictions, this will not be an open forum public hearing. Comments and questions must be submitted virtually, remotely, or via pre-scheduled in-person appointment with a VDOT Lebanon Residency staff member. Please contact the VDOT Lebanon Residency at the address/phone number/email below to schedule an appointment on or before January 15, 2021.

CONTACT INFORMATION:

[Mon -Fri, 8a.m.-5p.m.]
VA Dept. of Transportation
P.O. Box 127
Lebanon, VA 24266
(276) 415-3433
john.bolling@vdot.virginia.gov

**NOTE: ALL PUBLIC COMMENTS
MUST BE SUBMITTED ON OR BEFORE
JANUARY 15, 2021.**

Code of Virginia
Title 33.2. Highways and Other Surface Transportation Systems
Chapter 9. Abandonment and Discontinuance of Highways and Roads

§ 33.2-908. Discontinuance of highway, landing, or railroad crossing; procedure

A. For the purposes of this article, "landing" means a place on a river or other navigable body of water for loading or unloading goods or for the reception and delivery of travelers, the terminus of a highway on a river or other navigable body of water for loading or unloading goods or for the reception and delivery of travelers, or a place for loading or unloading watercraft, but not a harbor for watercraft.

B. Upon petition of the governing body of any county in which a highway, landing, or railroad crossing is located or upon petition of the governing body of a town with a population of 3,500 or less, or on its own motion, the Board may discontinue any highway, landing, or railroad crossing in the secondary state highway system as a part thereof in any case in which the Board deems such highway, landing, or railroad crossing not required for public convenience. If the Board on its own motion desires to discontinue any such highway, landing, or railroad crossing, the Board shall give notice to the affected governing body at least 30 days prior to such discontinuance. In addition, in cases where only a highway or landing or the maintenance thereof is to be discontinued, the Board shall give notice of such intention to the public at least 30 days prior to such action by publishing such notice in at least one issue in a newspaper having general circulation in the county in which the affected highway or landing is situated and, where practicable, by a registered letter to each landowner whose property abuts the section of highway or landing to be discontinued. For the purposes of this section, the Board may, where practicable, rely upon the tax records of the county to determine the names and addresses of such owners. These additional notice provisions shall not be required in cases where the section of highway to be discontinued has been replaced by a new highway serving the same users. If the governing body of any county or town requests a hearing, or upon petition of any landowner whose property abuts a highway or landing that is to be discontinued, the Board shall hold a hearing in the county in which the highway, landing, or railroad crossing is located in order to ascertain whether or not such highway, landing, or railroad crossing should be discontinued. From the finding of the Board, an appeal shall lie to the circuit court of the county in which such highway, landing, or railroad crossing is located and the procedure thereon shall conform to the procedure prescribed in § 33.2-905. The jurisdiction and procedure for abandonment of highways and landings discontinued as parts of the secondary state highway system in accordance with this article shall remain in the local governing bodies.

C. In cases where the Chief Engineer of the Department recommends that it is appropriate in connection with the completion of a construction or maintenance project to discontinue any highway, landing, or railroad crossing in the secondary state highway system, the Commissioner of Highways may discontinue such highway, landing, or railroad crossing as he deems proper. The entry by the Commissioner of Highways upon the records of the Department of the discontinuance shall be sufficient to constitute such discontinuance.

Code 1950, § 33-76.7; 1950, p. 731; 1970, c. 322, § 33.1-150; 1978, c. 337; 1981, c. 323; 2011, cc. 36, 152; 2014, c. 805.

8/21/2020: <https://law.lis.virginia.gov/vacode/title33.2/chapter9/section33.2-908/>

e. SSAR Refresher Section

Prior to 2009, VDOT administered the 2005 Subdivision Street Requirements (SSR). This is the regulation which governed the addition of subdivision and most Secondary streets not constructed by the agency.

In 2007, the General Assembly enacted §33.2-334 which directed the CTB to develop acceptance requirements that would improve the connectivity of road and pedestrian networks, minimize stormwater runoff and impervious surfaces (reduce local street widths), and update performance bonding and cost recovery fees.

The first edition of this new regulation, titled the Secondary Street Acceptance Requirements (SSAR), was approved by the CTB in February 2009.

In 2011, following a period of poor economic activity, the 2011 General Assembly approved Chapter 870 which required the CTB to solicit public comments and revise the SSAR. As a result, the SSAR experienced a great deal of change and reduced a number of its previous requirements.

SSAR Grandfathering:

1. 2011 SSAR supersedes the 2005 SSR and the 2009 SSAR
2. Developments submitted prior to July 2009 may use the 2005 SSR
3. Developments submitted between July 1, 2009 and January 31, 2012 may use either version of the SSAR
4. Plans submitted after January 2012 must use the 2011 SSAR
5. Grandfathered 2009 SSAR developments usually choose to use the 2011 SSAR requirements
6. Subdivision Street Design Guide: SSR developments use Appendix B while SSAR additions use Appendix B(1) of the VDOT Road Design Manual
7. See the Grandfathering section of the SSAR for details about specific types of plans, plats, and sketches. If you have any Grandfathering questions, please contact the Office of Land Use.

Some Major Requirements of the SSAR:

1. Every network addition is required to have at least two vehicular access points – one must be a physical connection to a publically maintained road and the second may be a VDOT approved, SSAR defined stub out.
2. If only one connection is made, the District Administrator or Designee must grant a SSAR connectivity exception for the addition to be accepted into the VDOT system for maintenance.
3. Pedestrian accommodations are required for some developments and this is mainly based on median lot size.
4. Third party inspection can only be used for SSAR additions

SSAR Refresher Section (continued)

SSAR Waivers (VA Administrative Code sections noted):

1. SSAR applicability may be waived by the Commissioner – Section VAC30-92-20(C)
2. District Administrator may waive the connection to an existing, state maintained stub out if the connection will be “unsafe” – Section VAC30-92-60(C.1)
3. District Administrator’s Designee – Can waive/modify the “additional connections standard” if any of four situations makes the connection impracticable (not all VDOT Districts have these Designees) – Section VAC30-92-60(C.3)
4. Connectivity requirements for a network addition can be waived/modified by District Administrator’s Designee – Section VAC30-92-60(C.5)
5. Commissioner or his Designee (the Director of the Office of Land Use) can waive surety and fees with extenuating circumstances beyond developer's control – Section VAC30-92-140

f. Right-of-Way Types and Related Information

For VDOT's purposes, there are three basic types of roads:

1. Private Roads: Roads not open to public use, not publicly maintained, and exist only to serve abutting properties. The right of way associated with these routes is under private ownership and not administered by the locality or VDOT (e.g. gated subdivisions).
2. Locality (or County) Roads: Roads dedicated to public use, but are not part of the VDOT maintained systems. Examples are undeveloped subdivision streets, streets maintained by the locality or a private organization (i.e. homeowners' association), and roads that do not meet VDOT's public benefit requirements. Right of Way associated with these streets is typically owned by the locality.
3. VDOT Roads: Roads that have been officially accepted as part of either the Primary or Secondary System of State Highways. Right of Way for VDOT roads can be owned by VDOT, the locality, another state agency (e.g. Department of Wildlife Resources or DCR), a state funded institution (e.g. DOC sites or public colleges & universities), or federal agency.

The right of way associated with VDOT maintained roads can typically be placed into one of three categories:

1. Prescriptive Easement: Right of way by prescription generally only applies to roads accepted into the Secondary System as part of the 1932 Byrd Act. After the Byrd Act, localities were required to guarantee right of way for new additions by resolution. Ownership of prescriptive easement right of way is vested with the underlying fee simple owner(s) of record. VDOT only has an easement across property to maintain the road for public use. The thirty feet width claimed by VDOT on prescriptive ROW is derived from statutory language contained in §33.2-105.
2. Dedicated Right of Way: Right of way dedicated to public use pursuant to §15.2-2265 is owned by the locality. When a locality requests VDOT maintenance on streets with dedicated right of way, it does not transfer the right of way ownership to VDOT, but rather transfers the regulatory and maintenance authority for the road to VDOT.
3. Deeded Right of Way: Fee simple right of way is owned by the locality or the Commonwealth by virtue of a deed recorded in the locality wherein the road lays.

NOTE: For roads with prescriptive easement right of way, abandonment of such routes automatically extinguishes the easement. There is no formal document required for VDOT to relinquish the easement and return full use of the property to the underlying fee simple owner. For roads with dedicated or fee simple right of way, abandonment of such routes requires a subsequent real estate transaction by either VDOT or the locality to transfer ownership or any other property rights

g. Local Comprehensive Street Construction Inspection Program

There are currently two Virginia counties which have agreements with VDOT to administer locality Secondary street inspection programs. These counties are Fairfax and Prince William.

The requirements of these programs shall be followed for the inspection and testing of Secondary streets intended to be accepted as part of the state system.

Because the county governments complete the related inspections, the one year surety is waived for street additions constructed in Fairfax and Prince William Counties.

h. Minimum Standards for Public School Roads

The addition of public school roads using [§33.2-325](#) is discussed in Section 6(i) of this guide. Design standards for these roads must follow the requirements included within VDOT’s Road Design Manual and Subdivision Street Design Guide.

The table below provides geometric design standards for school bus routes. For additional guidance on school bus route design refer to the VDOT Road Design Manual’s Subdivision Street Design Guide.

GEOMETRIC DESIGN STANDARDS FOR SCHOOL BUS ACCESS ROADS		
ONE WAY	SHOULDER & DITCH SECTION	CURB & GUTTER SECTION
PAVEMENT WIDTH	15 FEET	15 FEET
SHOULDER WIDTH	2 FEET EACH SIDE (1)	N/A
PARKING	PROHIBITED	PERMITTED (2)
MINIMUM TURNING RADIUS	45 FEET	45 FEET
TWO WAY	SHOULDER & DITCH SECTION	CURB & GUTTER SECTION
PAVEMENT WIDTH	24 FEET	24 FEET
SHOULDER WIDTH	6 FEET EACH SIDE (1)	N/A
PARKING	PROHIBITED	PERMITTED (2)
MINIMUM TURNING RADIUS	45 FEET	45 FEET
(1): If guardrail is required, increase shoulder width by 4 feet.		
(2): Parking lanes are 7 feet wide minimum and include the gutter pan width in curb & gutter sections.		
NOTE: The gutter pan is not considered a portion of the travelway, but is a portion of any parking lanes		

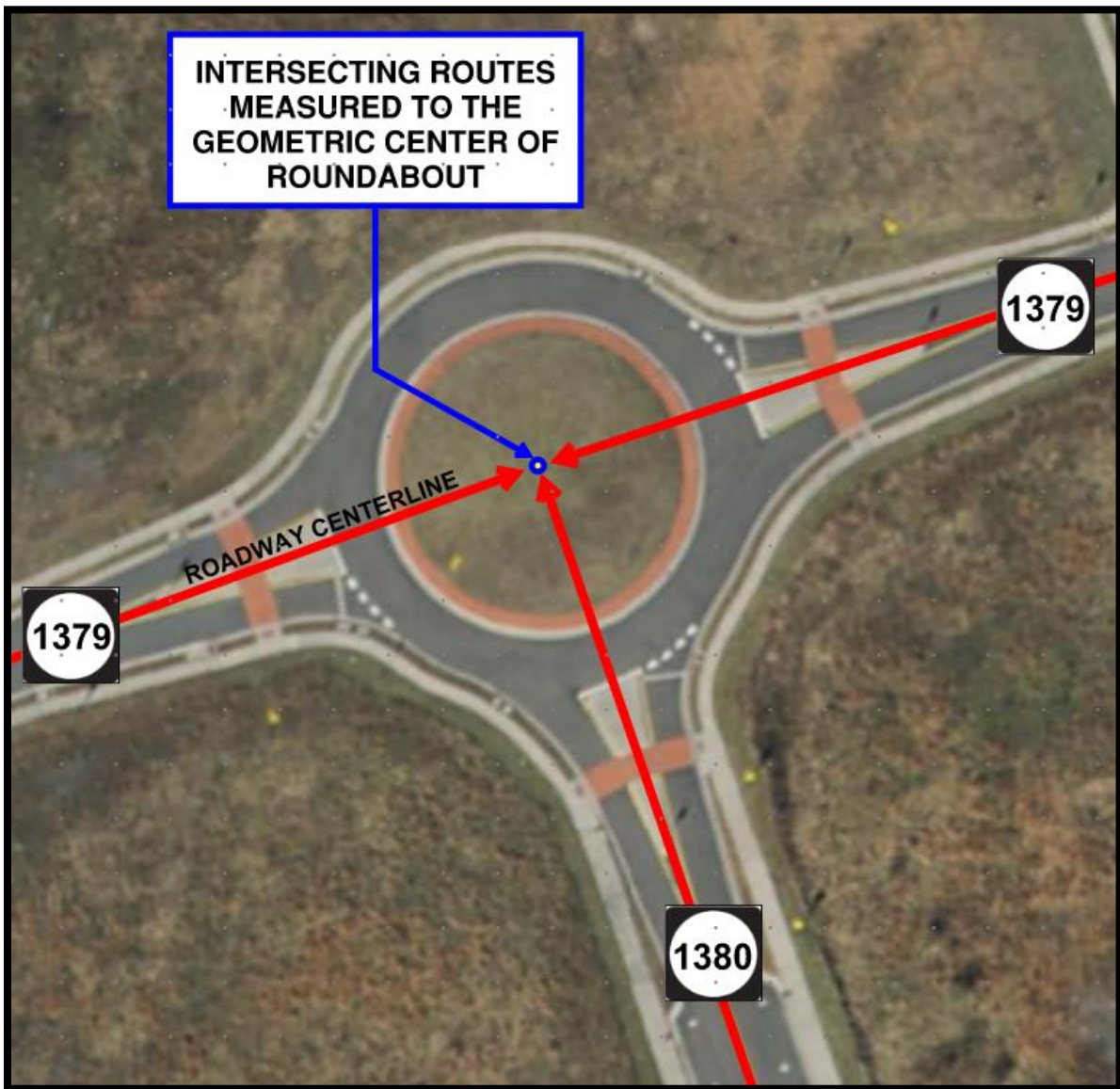
i. Special Measurements

Roundabouts:

The design standards for the construction of roundabouts to be maintained by VDOT are contained within Appendix F of the Road Design Manual. With relation to this Guide, the interest is focused on how to correctly measure centerline mileage in a new roundabout to be added to the Secondary system.

Centerline mileage in these highway features should be measured to the geometric center of a roundabout as opposed to the circumference of the roundabout alignment.

Roundabout Measurement

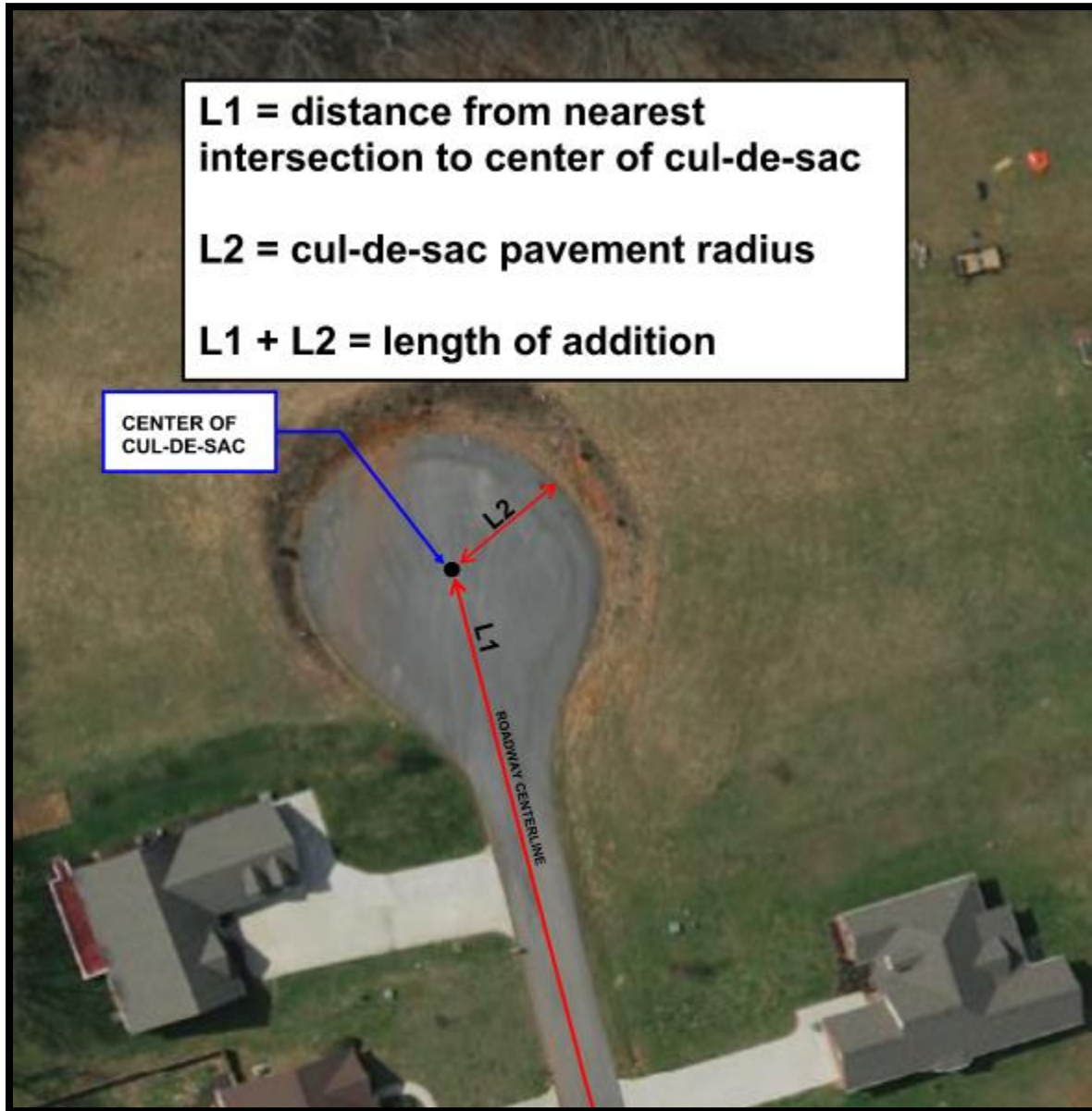


Special Measurements (continued)

Standard Cul-De-Sacs:

The length should be measured along the centerline of the roadway from the nearest intersection to the geometric center of the cul-de-sac plus the cul-de-sac pavement radius. (i.e. $L1 + L2$)

Standard Cul-De-Sac Measurement

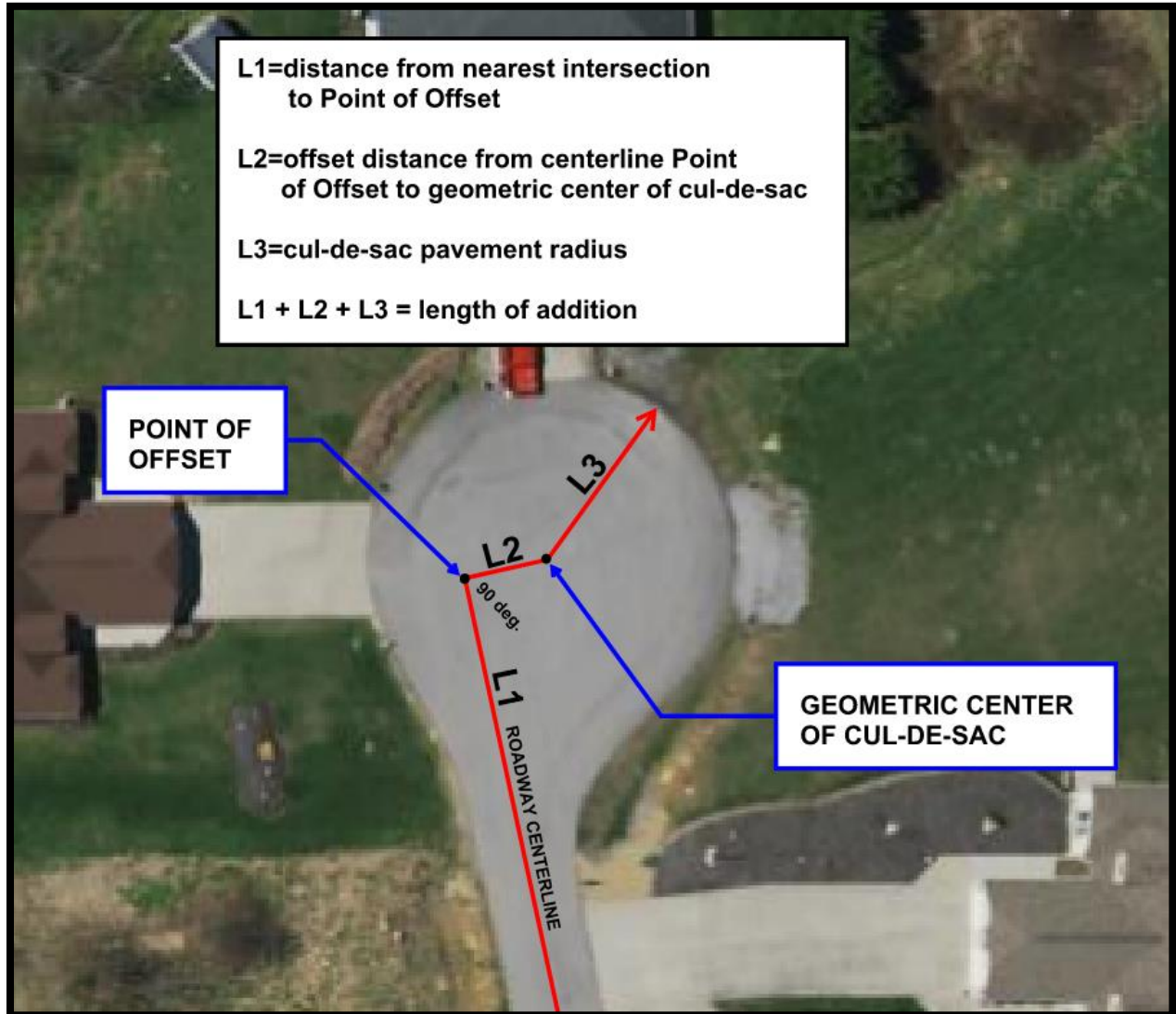


Special Measurements (continued)

Offset (Bulb) Cul-De-Sacs:

The length should be measured along the roadway centerline from the nearest intersection to the Point of Offset (L1), plus the offset distance from the roadway centerline to the geometric center of the cul-de-sac (L2), plus the cul-de-sac pavement radius (L3).

Offset (Bulb) Cul-De-Sac Measurement

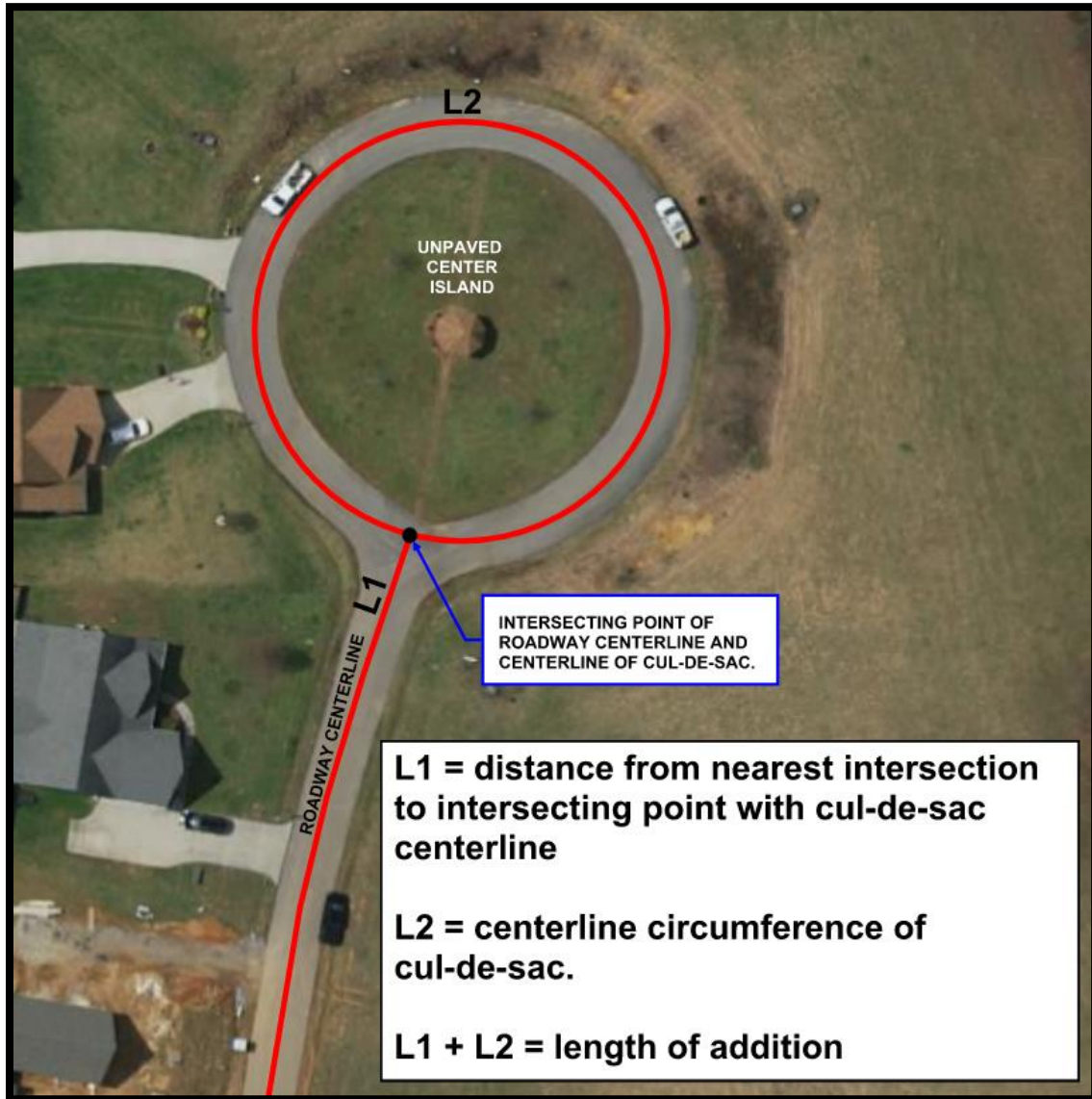


Special Measurements (continued)

Cul-De-Sacs With a Center Island:

The length should be measured along the roadway centerline from the nearest intersection to a point where the roadway centerline intersects with the cul-de-sac centerline (L1) plus the centerline circumference of the cul-de-sac (L2).

CUL-DE-SAC WITH CENTER ISLAND MEASUREMENT



NOTE: In this example, traffic is bi-directional. However, traffic may be bi-directional or one-way for this type of cul-de-sac. This directional detail needs to be denoted when entering the segment data into RIMS.

j. Towns Governed by §33.2-339 and §33.2-340 for Additions

Incorporated towns with populations under 3,500 can add streets to the Secondary system using [§33.2-339](#) or [§33.2-340](#). Towns selected which of these Code sections would be used for its additions.

The following are the current lists of towns operating pursuant to §33.2-339 and §33.2-340. In the event a town requests to change its Code section designation for Secondary additions, please contact the Office of Land Use. These requests require the approval of the CTB.

Towns Adding Roads using §33.2-339

1. Accomack – Accomack County, Hampton Roads District
2. Alberta – Brunswick County, Richmond District
3. Amherst – Amherst County, Lynchburg District
4. Appomattox – Appomattox County, Lynchburg District
5. Belle Haven – Accomack and Northampton Counties, Hampton Roads District
6. Bloxom – Accomack County, Hampton Roads District
7. Boones Mill – Franklin County, Salem District
8. Bowling Green – Caroline County, Fredericksburg District
9. Boyce – Clarke County, Staunton District
10. Boydton – Mecklenburg County, Richmond District
11. Boykins – Southampton County, Hampton Roads District
12. Branchville – Southampton County, Hampton Roads District
13. Capron – Southampton County, Hampton Roads District
14. Charlotte – Charlotte County, Lynchburg District
15. Cheriton – Northampton County, Hampton Roads District
16. Claremont – Surry County, Hampton Roads District
17. Clarksville – Mecklenburg County, Hampton Roads District
18. Cleveland – Russell County, Bristol District
19. Clifton – Fairfax County, NOVA District
20. Clinchport – Scott County, Bristol District
21. Clintwood – Dickenson County, Bristol District
22. Clover – Halifax County, Lynchburg District
23. Coeburn – Wise County, Bristol District
24. Columbia – Fluvanna County, Culpeper District
25. Courtland – Southampton County, Hampton Roads District
26. Dayton – Rockingham County, Staunton District
27. Dendron – Surry County, Hampton Roads District
28. Dillwyn – Buckingham County, Lynchburg District
29. Drakes Branch – Charlotte County, Lynchburg District
30. Dungannon – Scott County, Bristol District
31. Eastville – Northampton County, Hampton Roads District
32. Edinburg – Shenandoah County, Staunton District
33. Exmore – Northampton County, Hampton Roads District

Towns Adding Roads using §33.2-339 (continued)

34. Fincastle – Botetourt County, Salem District
35. Floyd – Floyd County, Salem District
36. Fries – Grayson County, Bristol District
37. Gate City – Scott County, Bristol District
38. Glade Spring – Washington County, Bristol District
39. Glen Lyn – Giles County, Salem District
40. Gordonsville – Orange County, Culpeper District
41. Goshen – Rockbridge County, Staunton District
42. Gretna – Pittsylvania County, Lynchburg District
43. Grundy – Buchanan County, Bristol District
44. Halifax – Halifax County, Lynchburg District
45. Hallwood – Accomack County, Hampton Roads District
46. Hamilton – Loudoun County, NOVA District
47. Haymarket – Prince William County, NOVA District
48. Haysi – Dickenson County, Bristol District
49. Duffield – Scott County, Bristol District
50. Hillsboro – Loudoun County, NOVA District
51. Hillsville – Carroll County, Salem District
52. Honaker – Russell County, Bristol District
53. Independence – Grayson County, Bristol District
54. Iron Gate – Alleghany County, Staunton District
55. Irvington – Lancaster County, Fredericksburg District
56. Ivor – Southampton County, Hampton Roads District
57. Jarratt – Greensville and Sussex Counties, Hampton Roads District
58. Jonesville – Lee County, Bristol District
59. Keller – Accomack County, Hampton Roads District
60. Kenbridge – Lunenburg County, Richmond District
61. Keysville – Charlotte County, Lynchburg District
62. Kilmarnock – Lancaster and Northampton Counties, Fredericksburg District
63. LaCrosse – Mecklenburg County, Richmond District
64. Lawrenceville – Brunswick County, Richmond District
65. Lebanon – Russell County, Bristol District
66. Louisa – Louisa County, Culpeper District
67. Lovettsville – Loudoun County, NOVA District
68. Madison – Madison County, Culpeper District
69. McKenney – Dinwiddie County, Richmond District
70. Melfa – Accomack County, Hampton Roads District
71. Middleburg – Loudoun County, NOVA District
72. Middletown – Frederick County, Staunton District
73. Mineral – Louisa County, Culpeper District
74. Monterey – Highland County, Staunton District
75. Montross – Westmoreland County, Fredericksburg District
76. Mount Crawford – Rockingham County, Staunton District
77. Mount Jackson – Shenandoah County, Staunton District
78. Nassawadox – Northampton County, Fredericksburg District
79. New Castle – Craig County, Salem District

Towns Adding Roads using \$33.2-339 (continued)

80. New Market – Shenandoah County, Staunton District
81. Newsoms – Southampton County, Hampton Roads District
82. Nickelsville – Scott County, Bristol District
83. Occoquan – Prince William County, NOVA District
84. Onancock – Accomack County, Hampton Roads District
85. Onley – Accomack County, Hampton Roads District
86. Orange – Orange County, Culpeper District
87. Painter – Accomack County, Hampton Roads District
88. Pamplin City – Appomattox and Prince Edward Counties, Lynchburg District
89. Parksley – Accomack County, Hampton Roads District
90. Pembroke – Giles County, Salem District
91. Pennington Gap – Lee County, Bristol District
92. Phenix – Charlotte County, Lynchburg District
93. Pocahontas – Tazewell County, Bristol District
94. Port Royal – Caroline County, Fredericksburg District
95. Pound – Wise County, Bristol District
96. Purcellville – Loudoun County, NOVA District
97. Quantico – Prince William County, NOVA District
98. Remington – Fauquier County, Culpeper District
99. Rich Creek – Giles County, Salem District
100. Ridgeway – Henry County, Salem District
101. Round Hill – Loudoun County, NOVA District
102. Rural Retreat – Wythe County, Bristol District
103. Saint Charles – Lee County, Bristol District
104. Saint Paul – Russell and Wise Counties, Bristol District
105. Saxis – Accomack County, Hampton Roads District
106. Scottsburg – Halifax County, Lynchburg District
107. Scottsville – Albemarle and Fluvanna Counties, Culpeper District
108. Shenandoah – Page County, Staunton District
109. Stanardsville – Greene County, Culpeper District
110. Stanley – Page County, Staunton District
111. Stephens City – Frederick County, Staunton District
112. Stoney Creek – Sussex County, Hampton Roads District
113. Stuart – Patrick County, Salem County
114. Surry – Surry County, Hampton Roads District
115. Tangier – Accomack County, Hampton Roads District
116. Tappahannock – Essex County, Fredericksburg District
117. The Plains – Fauquier County, Culpeper District
118. Timberville – Rockingham County, Staunton District
119. Urbanna – Middlesex County, Fredericksburg District
120. Wachapreague – Accomack County, Hampton Roads District
121. Wakefield – Sussex County, Hampton Roads District
122. Warsaw – Richmond County, Fredericksburg District
123. Washington – Rappahannock County, Culpeper District
124. Waverly – Sussex County, Hampton Roads District
125. Webber City – Scott County, Bristol District

Towns Adding Roads using §33.2-339 (continued)

- 126. West Point – King William County, Fredericksburg District
- 127. White Stone – Lancaster County, Fredericksburg District
- 128. Windsor – Isle of Wight County, Hampton Roads District

Towns Adding Roads using §33.2-340

- 1. Appalachia – Wise County, Bristol District
- 2. Berryville – Clarke County, Staunton District
- 3. Cape Charles – Northampton County, Hampton Roads District
- 4. Cedar Bluff – Tazewell County, Bristol District
- 5. Chatham – Pittsylvania County, Lynchburg District
- 6. Chilhowie – Smyth County, Bristol District
- 7. Colonial Beach – Westmoreland County, Fredericksburg District
- 8. Craigsville – Augusta County, Staunton District
- 9. Crewe – Nottoway County, Richmond District
- 10. Damascus – Washington County, Bristol District
- 11. Glasgow – Rockbridge County, Staunton District
- 12. Hurt – Pittsylvania County, Lynchburg District
- 13. Victoria – Lunenburg County, Richmond District

k. Locality Resolutions and Letters of Support

Legal highway system changes require a resolution or a letter of support from the governing body of the locality or institution in order to be completed. The [Office of Land Use has a DOTi page](#) that includes these document templates in Word format so they can be edited for your specific highway change. If you need a specific resolution which is not included on this site, please contact the Office of Land Use.

Highway system change assemblies may include more than one type of change. When this occurs, the changes should generally be addressed in the following order:

- Abandonments
- Discontinuances
- Transfers
- Renumbering
- Additions

In 2018, the Office of Land Use received approval from the VDOT Chief of Policy to use a letter of support instead of a traditional resolution in certain situations. This letter of support is also included on the above site.

The guidelines for using the letter of support are:

- For VDOT Projects Only
- Related ROW must be owned by VDOT or the Commonwealth
- Not to be used for SSAR, SSR, or Rural Additions
- VDOT Project Secondary street construction must have been completed on or after July 1, 2011 (this requirement does not apply to Primary changes).

If VDOT staff has any questions about the use of the letter of support, please contact the Office of Land Use.

I. SSAR and SSR Sureties and Fees

It is the responsibility of the developer to guarantee the quality of construction and the performance of the streets that are intended for VDOT acceptance for maintenance. The developer is required to follow all of VDOT's construction and inspection procedures in order for the newly constructed streets to be accepted into the Secondary system.

Note: Because Fairfax and Prince William Counties administer comprehensive Street Construction Inspection Programs, additions in these localities do not require sureties.

SSAR Added Streets - The developer will provide the following for roads added that are governed by the SSAR:

1. Surety to warranty proper construction of the street - \$3,000 for each tenth of a lane mile and any portion thereafter
2. Street Inspection Fee – To fund VDOT's direct costs to inspect the new street for acceptance:
 - a. Base rate of \$250 per addition, regardless of street length
 - b. Plus \$125 per tenth of a centerline mile or portion thereafter
3. Street Inspection Fees for Fairfax and Prince William Counties, Third Party Inspected Projects, and developments using VDOT's Comprehensive Street Construction Inspection Program option – Reduced by 75% of standard Street Inspection Fee
4. Administrative Cost Recovery Fee – To recover the review and acceptance processing costs related to the development:
 - a. Base rate of \$500 per addition regardless of street length
 - b. Plus \$250 per tenth of a centerline mile or any portion thereafter

SSR Added Streets - The developer will provide the following for roads added governed by the SSR:

1. Surety to warranty proper construction of the street - \$2,000 for each tenth of a lane mile and any portion thereafter
2. Maintenance Fee - \$150 per lane per tenth mile or portion thereof
3. Maintenance Fees for Fairfax and Prince William Counties – 50% of standard base fee
4. Administrative Cost Recovery Fee – The “prevailing fee” within SSAR
 - a. Base rate of \$500 per addition regardless of street length
 - b. Plus \$250 per tenth of a centerline mile or any portion thereafter

SSAR and SSR Sureties and Fees (continued)

Forms of Surety - Acceptable forms of surety include the following:

1. Performance Bond – Held by VDOT until expiration
2. Cash Deposit – Held and deposited by VDOT, but does not accrue interest
3. Certified Cashier's Check – Held by and deposited by VDOT, but does not accrue interest
4. Irrevocable Letter of Credit – Original held by VDOT
5. Third Party Escrow Account – Executed by VDOT until expiration. Under no circumstances shall VDOT, the Commonwealth, or any other state agency be named the escrow agent.
6. Other surety mutually acceptable to VDOT and the developer

Locality Guarantee of Surety:

Rather than using a traditional surety, a locality can guarantee the performance of new roads through language in its acceptance resolution. This resolution text can be used in lieu of an actual surety provided by the developer of the streets the county wants accepted into the Secondary System when the developer is incapable of providing any surety. In these situations, the local governing body becomes financially responsible for the improvement of streets for which a normal surety would be used. Please contact the Office of Land Use if you have questions about the use of this resolution.

Surety Expiration Dates & RIMS System:

When VDOT staff enter an addition assembly in RIMS, that system populates a "Recommended Expiration Date" within that RIMS field. This recommended date is the locality's resolution date, plus one year and one month.

This recommended expiration date is shown in the RIMS field, but it has to be entered and finalized by the Residency.

If there is a need to extend the surety expiration date, the Residency can amend this date at any time before the assembly is submitted to the Office of Land Use. After the assembly has been received by the Office of Land Use, this change to surety expiration date can only be completed by the Office of Land Use or the RIMU Section of the Maintenance Division (depending on which Division it is assigned to it in RIMS). The HSC assembly can also be assigned back to the Residency long enough for them to make the surety date change.

If Residency or District staff wishes to extend the surety expiration date based on the results of final street inspections, the Residency will need to contact the RIMU Section. The RIMU Section will reopen the HSC assembly and change the surety expiration to the date requested. It is the responsibility of the developer to contact the financial institution to officially extend the surety expiration date and inform VDOT of this change.

m. Agreements

Some roads to be added to the state's system of highways require a legal agreement as part of acceptance. Common highway system change agreements with relation to street additions are related to subordination of rights, quitclaims, stormwater management, pedestrian accommodations outside of the ROW, dam crossings, and grade separation structures.

The Office of Land Use has a [DOTi page](#) that includes most of these agreement document templates in Word format so they can be edited for the specific situation.

Most agreements require County signature prior to submission to the Residency. When an agreement is required for a street addition, the Residency or District should send three (3) originals of the agreement to the Office of Land Use for review, signature, and notarization. This process must be completed before the development's streets are added to the state system.

Following the final signature of the agreement, an electronic version is sent to the VDOT staff at the Residency or District. The Office of Land Use retains one original version of the agreement and the remaining originals are returned to the Residency or District. The signed and notarized agreement must be recorded at the locality's courthouse.

In the situation when a utility removes their facilities from an easement that was in place prior to the right-of-way dedication, the utility may vacate their easement when no facilities remain in the easement. A copy of the vacation document should be submitted to VDOT for review prior to the recordation, and should include language that no facilities remain in the easement.

If you need a specific agreement which is not included on the above site, please contact the Office of Land Use.

SSAR and SSR Required Agreements

The SSAR and SSR regulations contain specific language which require an agreement in certain situations when a road is proposed to be added to the VDOT system. The review and approval of such agreements are a legal requirement for street acceptance. Within the current SSAR, sections which specify the requirement of legally completed agreements include administrative procedures (street acceptance), phased development of streets, design, and agreement requirements.

Some examples of SSAR and SSR required agreements include documents for stormwater management, pedestrian accommodations, dams, grade separation structures, special pavement surfaces, and subordination of rights for existing easement holders.

Agreements (continued)

The use of the term “agreement” in the SSAR and the SSR is meant to be used as the appropriate type of agreement in a given situation.

These agreements are frequently required because an easement which crosses a proposed VDOT road is an encumbrance and prevents the free and unencumbered right-of-way required by regulation. Examples of these agreements can be found on the [Office of Land Use DOTi site](#).

Subordination of Rights Versus Quitclaims

Subordination of Rights (SOR) and quitclaims are alternative methods to “unencumber” right-of-way. While it is important for VDOT Land Use staff to determine if a SOR or quitclaim is the most appropriate or correct approach for a given situation, it is up to the utility to determine whether they use the SOR agreement or a quitclaim. If the existing easement is for utilities that only serve the property owners adjacent to the road proposed for acceptance, a quitclaim is a reasonable approach, as the abandonment of the road generally means that the customers served by the utility easement are also gone. For utilities that provide service beyond the immediate area, a SOR agreement is usually best, as abandonment or vacation of the road does not impact the need for the utility (and hence, the easement).

For easements which cross roads to be accepted by VDOT, a public utility owner will enter into either a SOR agreement with VDOT or quitclaim its prior rights within the right-of-way to the Commonwealth in exchange for a permit (LUP-IPP) for in-place utilities. The utility may continue to occupy such street in its existing condition and location. The public utility owner shall be responsible for the utility and resulting damages to persons and property that might result from the presence of the utility.

A quitclaim deed extinguishes all of the utility easement holder’s interest in the subject property. The quitclaim is used when there is no particular need to keep a subordinated easement in place. The easement is extinguished, and in return, VDOT will provide a Land Use Permit for the utility to remain in place within the right-of-way. The Land Use Permit will remain in effect until VDOT or the permittee needs to remove or relocate the utility. Although VDOT does not sign the deed, it is recommended that it be submitted to VDOT for review prior to recordation to ensure the correct language has been used.

A SOR agreement subordinates a utility’s easement in a particular parcel of land to VDOT’s (or the locality’s) rights in that land. This agreement is often used when there is a utility easement crossing private land that is to become part of the state’s Secondary system, but owned by a locality rather than VDOT. VDOT will be undertaking maintenance of the ROW in this situation. In these cases, VDOT will require as a condition to accept the road into the Secondary system that the utility must subordinate to VDOT’s rights to maintain public ROW owned by the locality and the public’s ability to use the roadway. The SOR agreement requires the local authority to sign the agreement prior to being submitted to VDOT for processing.

Agreements (continued)

A SOR agreement is generally used for all petrochemical product transmission or distribution lines or gas pipelines that cross the right-of-way for new streets. The gas company will want to be certain that if the ROW is ever abandoned or discontinued, the gas pipeline easement remains.

Whenever a SOR agreement is used, the utility must obtain a Land Use Permit for its facilities and another Land Use Permit for any repairs or modifications that require cutting pavement or interrupting travel. The utility easement being subordinated is not extinguished and remains in place, but subordinated to VDOT's rights. The agreement provides that if the ROW is ever abandoned, the subordinated easement is restored to its original primary position. If the ROW is discontinued, the easement is still subordinate to the locality's rights to operate and maintain the road.

n. RIMS System

The Roadway Inventory Management System (RIMS) is administered by VDOT's Maintenance Division. This is the system that inventories official state mileages for all VDOT maintained routes. This is also the system which coordinates highway system changes with the agency's Integrator mapping system. Every HSC assembly entered into RIMS is assigned an Inventory Change Record (ICR) number for tracking purposes.

In the past, VDOT used the RIMSDACHS system to approve highway system changes. Effective June 1, 2020, the Maintenance Division integrated RIMSDACHS and RIMS to become the new, merged RIMS system. New highway change assemblies are initiated in RIMS after this date.

The following documents are part of a RIMS Highway System Change assembly:

1. Form AM-4.0 – Cover sheet describing assembly location, type, resolution date, Code section(s), surety used, fees, SSAR/SSR, and ICR number
2. Surety Type – Copy of Surety used or original Letter of Credit
3. Surety Addendum
4. Fees – Copy of all fee checks
5. Form AM-4.1 – Code section(s) used and assembly checklist
6. AM-4.2 Forms – Description of each street segment to be accepted, one page for each segment, including the segment's Public Service Requirement. An individual segment is designated as a Proposed Inventory (PI) extending from one intersection to another when entering an HSC assembly in RIMS.
7. Local Governing Body Resolution – Including correct Code section(s)
8. Form AM-4.3 – Listing of all Secondary local Board requested changes and signed by locality official
9. Any related Agreements (i.e. Stormwater Detention)
10. Sketch of Street Assembly – Connection to current VDOT road(s), all street segments to be added/abandon, route numbers, street segment lengths, and distance to adjacent, current VDOT roads

At the time of the initial publication of this Guide, the Maintenance Division is making revisions to RIMS. Following the completion of these changes and the publication of related guidance from the Maintenance Division, this section of the Guide will be revised accordingly.

o. Data Corrections

VDOT completes data corrections most often when there was a small error or there was missing information related to a highway change assembly. There is no locality action required to complete a data correction. Data corrections are completed with RIMS actions between Residencies, the Office of Land Use, and the VDOT Maintenance Division. Examples of the need for a data correction include:

- Mileage related to an original highway change was found to be incorrect
- Route number was entered incorrectly in original assembly
- Route re-numbering which does NOT require a system transfer
- Significant non-mileage related changes to the roadway typical section (e.g. 2 to 4 lanes, widening, change in surface type, addition of auxiliary lanes, addition of curb & gutter, etc.)

VDOT has used two different working definitions for the term "Data Correction" in the past. This section and the following section of the Guide will clarify this distinction moving forward.

This section includes the description above that refers to minor administrative changes in centerline miles to VDOT maintained roads that do not require legal actions with documentation. Data corrections should be entered in RIMS to correct mileage on existing VDOT roads that usually only have one intersection to intersection segment (e.g. cul-de-sac or stub out streets).

The next Guide section refers to mileage measurements on existing VDOT roads between the intersections of new VDOT street additions and the nearest existing VDOT street intersections. These measurements between new VDOT street intersections and existing VDOT intersections are commonly referred to as "mileage splits" and assist the agency identify the physical location of newly constructed roads.

Following the publication of this Guide, these mileage splits will be officially named "Length Corrections" based on the title of this measurement used in the RIMS system.

Data corrections involve the administrative correction or revision of an existing highway inventory, but that does not involve the addition, deletion, or transfer of centerline mileage. Data corrections do not require formal action on the part of the CTB or the locality. A data correction can never be used as a substitute for what should be an individual, legal highway system change (e.g. addition, abandonment).

It is important to note that data corrections are to be entered in RIMS for non-mileage changes to all existing VDOT roads such as surface width, right-of-way width, surface type, and numbers of lanes.

If VDOT staff has questions if a data correction is the proper action to correct a previous highway system change, please contact the Office of Land Use.

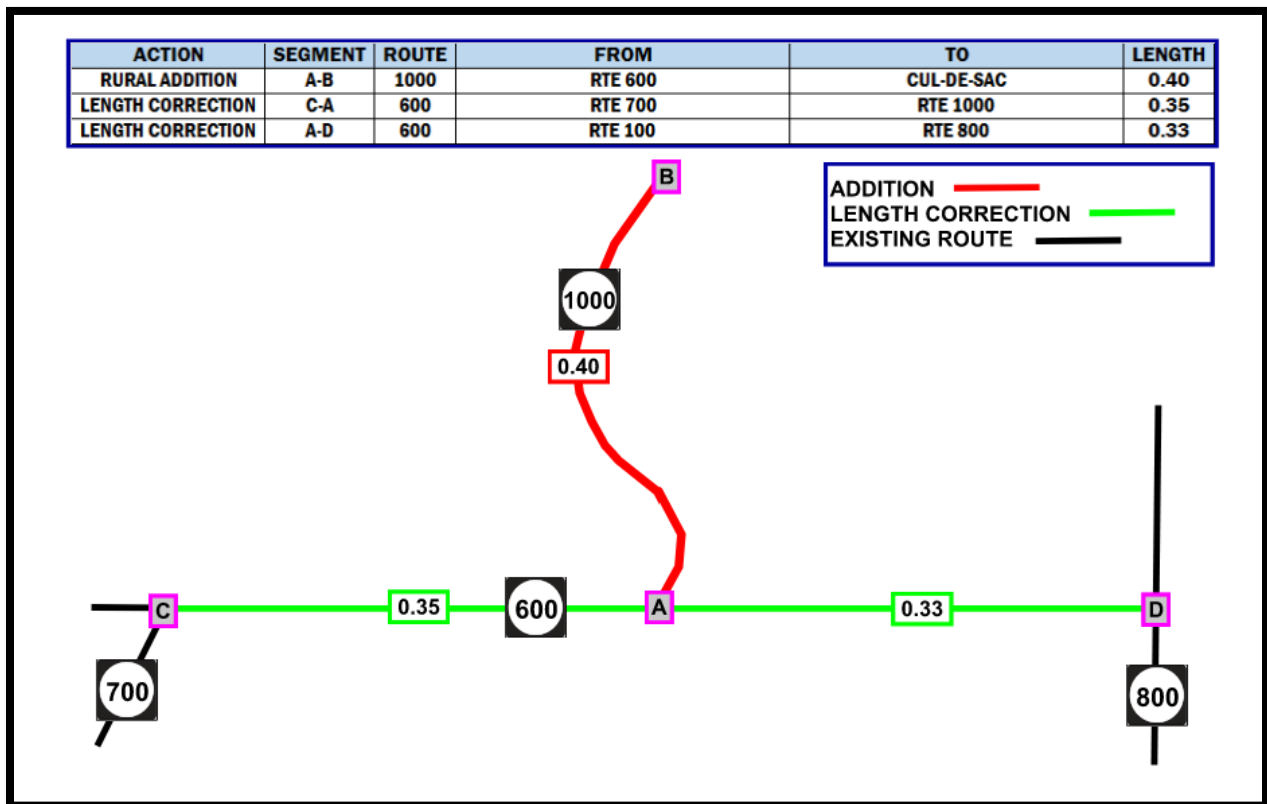
p. Length Corrections in RIMS

“Length Correction” is now the official term that will be used for what Land Use staff has referred to in the past as a “mileage split.”

Length Corrections are necessary to ensure that the location of all new intersections of VDOT roads are accurately incorporated into RIMS and Integrator. For this reason, it is important to include Length Correction measurements for all new intersections with existing VDOT roads.

Example of Length Correction Measurement

In the generic example below, the Length Correction measurement is used to correctly locate the intersection of new Route 1000 and existing Route 600 (Node A) along the Route 600 alignment. The intersection is located 0.35 miles from the intersection of Route 600 and Route 700 (Node C), and 0.33 miles from the intersection of Route 600 and Route 800 (Node D).



q. Highway System Change Sketch Standards and Examples

When the Maintenance Division completes its changes to the RIMS system, examples of RIMS HSC assemblies with instructional notes will be included in this section.

Highway System Sketch Standards

Sections or road(s) affected by the highway system change(s) must be clearly defined on the sketch. Color coding, while informative and encouraged, is not sufficient in itself. Named segments, with end point designations is the required format. Attached drawings are acceptable provided they are sufficiently detailed to find termini locations in the field without the aid of a survey crew. The resolution attachment Form AM-4.3 (generated by RIMS when the highway system change assembly is entered) that is incorporated into the locality resolution provides the written legal description of the highway system changes, and the HSC sketch needs to coincide with the resolution attachment.

Changes to the system apply to the full limits of the right-of-way, based upon the centerline length of the roadway measured between readily distinguishable termini identifiable in the field. Examples of acceptable street segment descriptions are: Route 600, 0.50 mile east of Route 600, or cul-de-sac. VDOT's Roadway Inventory Management System (RIMS) uses a link-node system to inventory streets, whereby nodes are the defined termini for a roadway segment, and a link is the segment of road between two nodes.

If color coding is being used for the sketch, the following standard color scheme should be used:

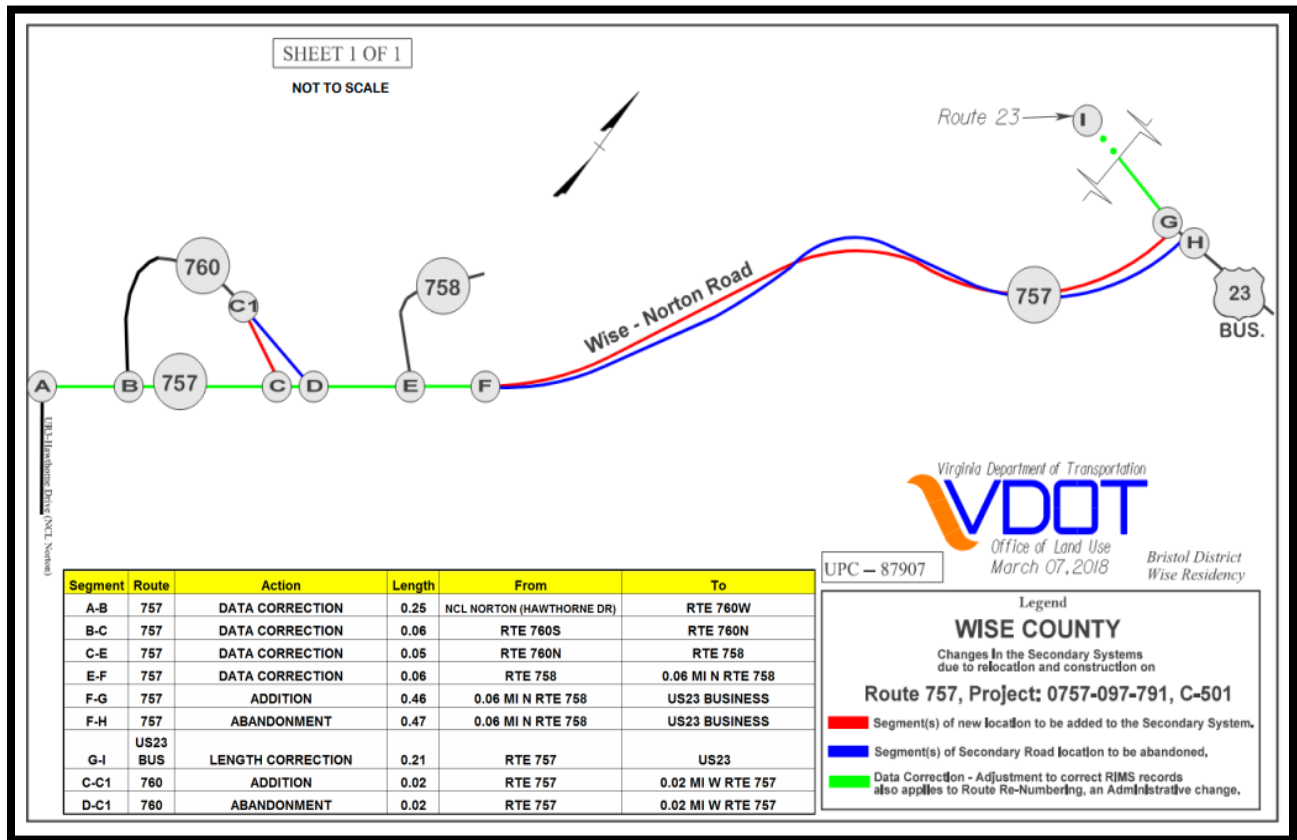
- Blue – Abandonments/Vacations
- Red – Additions
- Yellow – Discontinuances
- Orange – Transfers
- Green – Data Corrections (including re-numbering) and Length Corrections
- Black – Existing routes

Minimum Elements of a Highway System Change Sketch: The following is the minimum information that must be included on any highway system change sketch:

- VDOT district, residency, & county
- Route number(s)
- VDOT project number/UPC or proposed action [e.g. Project 0600-083-101, C501 (UPC 12345), Beverly Hills Subdivision, or Route 600 Abandonment]
- Nodes/segments clearly defined
- Segment lengths listed
- Distance from nearest intersection involving VDOT maintained routes

HSC Sketch Standards and Examples (continued)

Highway System Change Sketch Examples
VDOT Projects



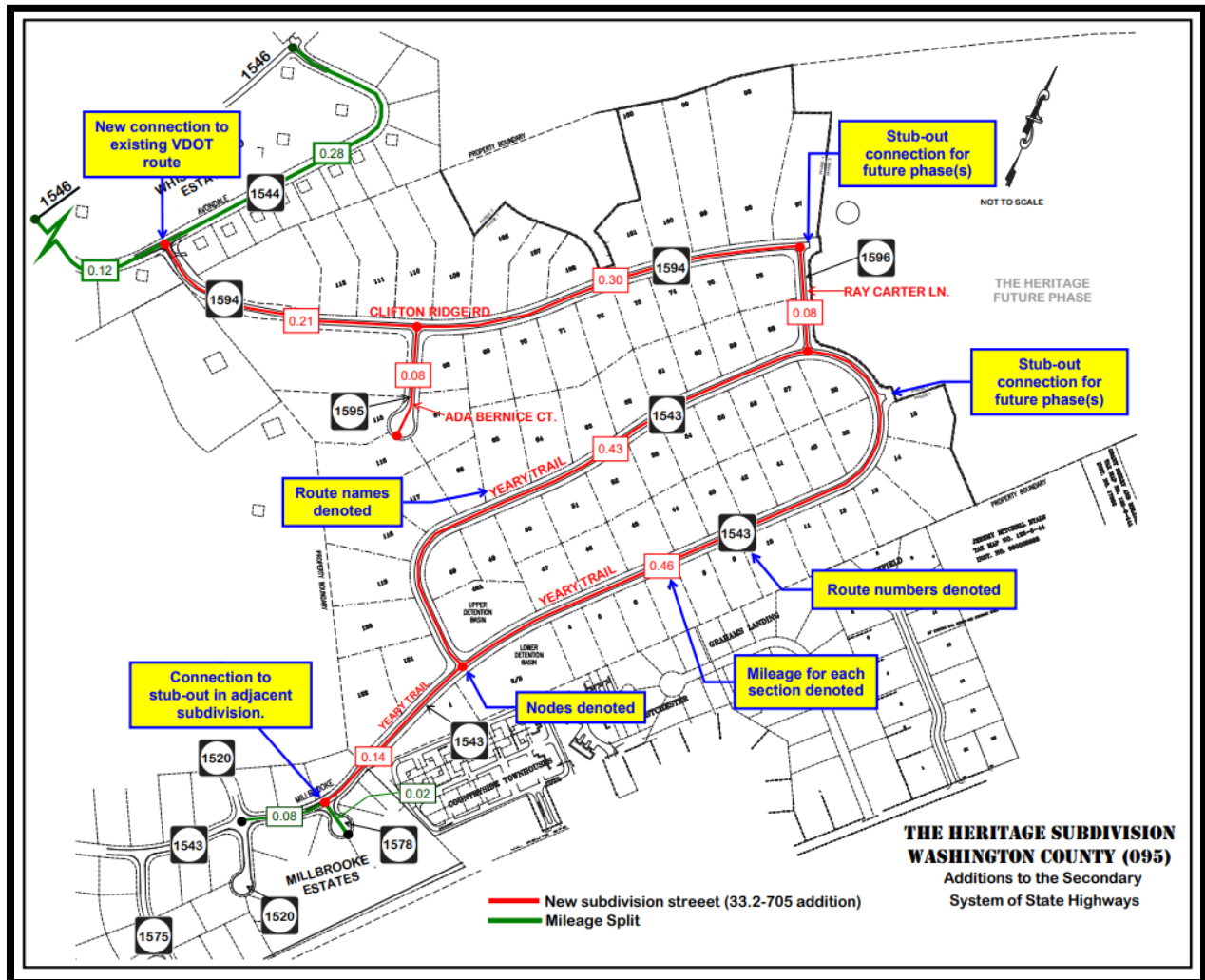
Main Components

- Include legend with VDOT Project identification, locality, color codes for highway changes, and date created
- Table should include route numbers, each highway system change being requested, segment letters, node/segment identifications, and individual segment lengths
- All roads which have proposed highway changes including segment letters and route numbers
- All connecting VDOT maintained roads including segment letters and route numbers for mileage splits/Data Corrections
- VDOT structures and related identification numbers if applicable
- North arrow

HSC Sketch Standards and Examples (continued)

**Highway System Change Sketch Examples
Subdivision Sketches**

The example below contains the required components of a subdivision addition sketch. The software or the format used does not matter as long as the sketch contains the correct information, is neat, and can be easily read.



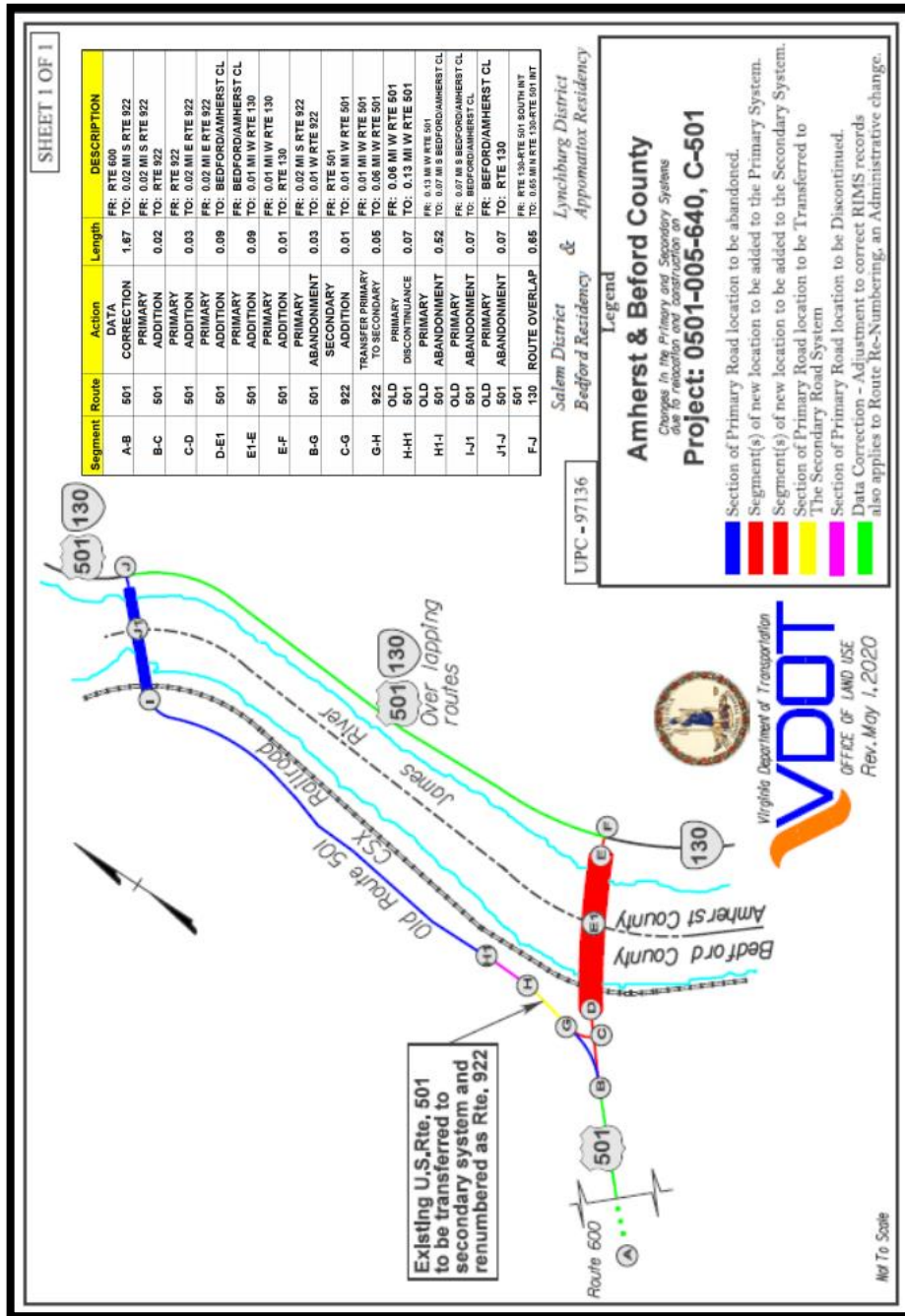
Main Components

- Name of development and locality
- All new roads proposed to be added to VDOT system including route numbers, road names, and length of each segment
- All connecting roads currently in the VDOT system and route numbers
- SSAR defined stub out street locations identified
- Length corrections (i.e. mileage splits) identified and related distances
- North arrow

HSC Sketch Standards and Examples (continued)

Example of Sketch Involving Multiple Localities

The sketch below shows a VDOT Project that involves two localities, a water crossing, multiple types of highway changes, the abandonment and addition of bridges, and length corrections corresponding to both localities.

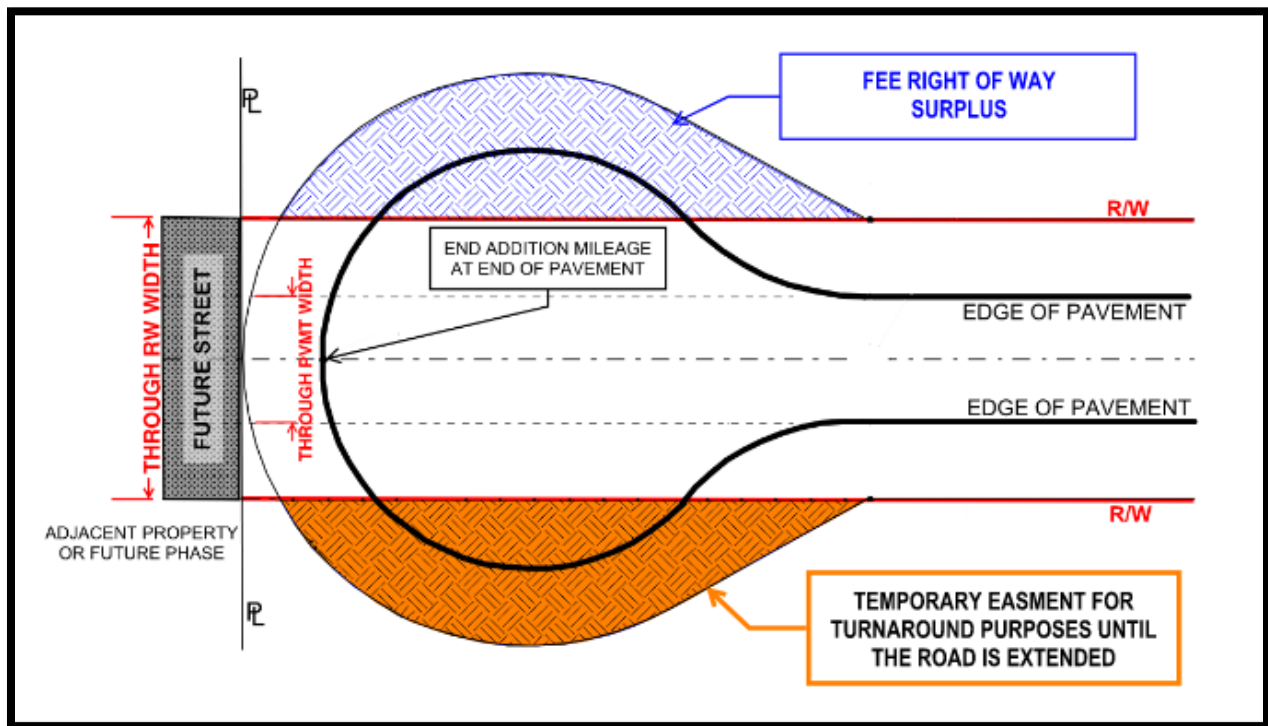


HSC Sketch Standards and Examples (continued)

Provisions Regarding Right-of-Way for Turnarounds

It is important for VDOT staff to recognize the nature of the right-of-way secured for turnarounds on new additions. It is especially important in situations where turnarounds are temporary, and there is reasonable expectation for extension of the road(s). In such cases, preservation of the through or normal right of way width is necessary for extension of the road while at the same time releasing the surplus portions of the turnaround right of way for conveyance to the abutting landowner(s) once the road is extended. Determining whether the right of way for turnarounds is established as fee right of way or a temporary easement is essential in this process.

Turnaround Example Sketch



HSC Sketch Standards and Examples (continued)

Fee Right of Way for Turnarounds

If the hatched area(s) as shown on the example sketch is dedicated to the locality as fee right of way, the right of way may be altered or vacated by the locality pursuant to §15.2-2006 once the street has been extended. The locality should consult with the VDOT Residency prior to initiating any such alteration or vacation to ensure that the area(s) are no longer needed for maintenance of the roadway or related drainage structures. Subsequent to the alteration or vacation of the hatched areas, the locality may convey them to the abutting landowner(s) pursuant to §15.2-2008. However, these code sections may not be the only applicable statutes that the locality may use for disposal of surplus right of way, and provisions of local subdivision ordinances may also affect the locality's processes. Localities should consult with their local counsel in this regard.

If the hatched areas are fee right of way owned by the Commonwealth, they may be declared as surplus right of way when the street is extended and subsequently conveyed to the adjoining landowner(s) upon request in accordance with the VDOT Right of Way Division procedures for surplus right of way conveyance.

Temporary Easements for Turnarounds

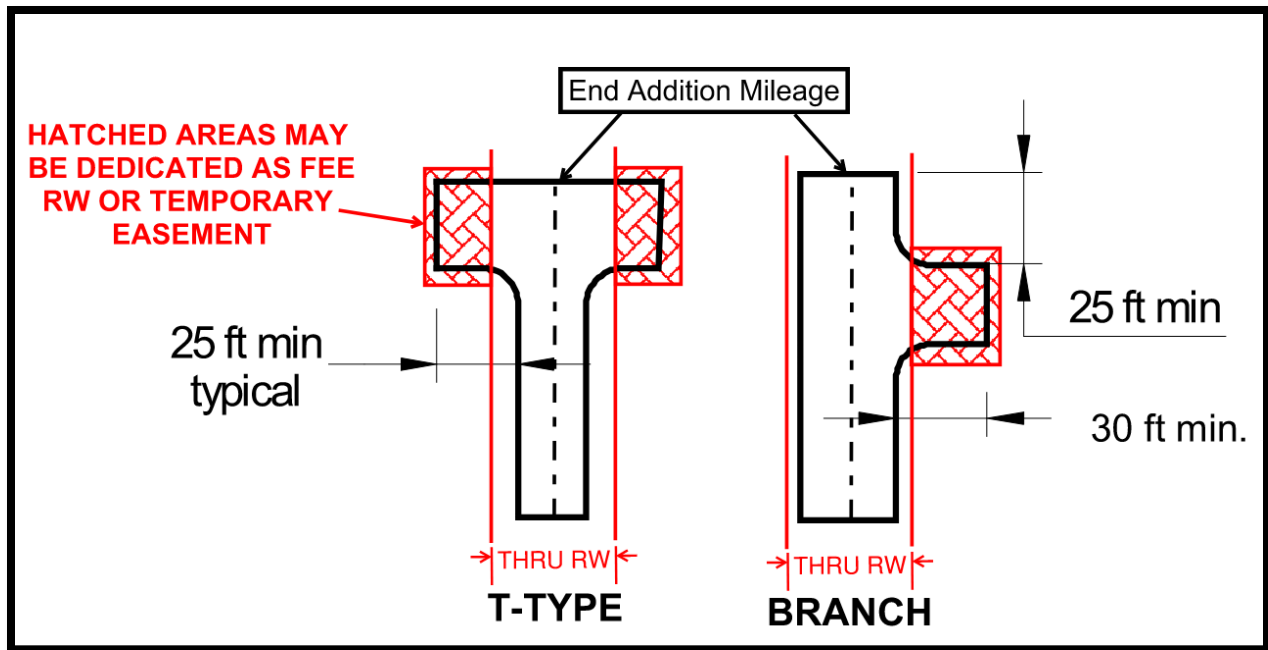
If the hatched areas as shown on the example sketch are dedicated as a temporary easement, the easement is automatically extinguished upon extension of the street, and no further action is required on the part of the locality or the CTB. **In cases where it can reasonably be expected that the street will be extended, it is recommended to have the hatched areas dedicated as a “temporary easement for turnaround purposes until the road is extended” to avoid the necessity of further action on the part of the locality or the CTB to release the hatched areas for conveyance to adjacent property owners.**

Alternative Turnaround Types

“Branch” and “T-Type” turnarounds may be considered for short streets less than 0.25 miles in length (including stub outs). Other proposals must be judged on their merits, such as “Y-Type” turnarounds or other non-standard configurations. However, when proposed, the ability of single unit truck design vehicles to reverse direction, without leaving the pavement area, on these alternative types of turnarounds should be proven. Mileage should be measured along centerline to the point where the road extension will begin or to the point of the centerline terminus, whichever is applicable.

HSC Sketch Standards and Examples (continued)

Alternative Turnaround Examples



For additional guidance on turnaround types and the right of way requirements for turnarounds see Appendix B(1)-SSAR Design Guide of the VDOT Road Design Manual.

SSAR Stub Out Streets

If the SSAR “multiple connections” standard is provided through construction of stub out street(s) to adjacent properties, the stub out(s) can be accepted prior to the extension of the route provided that the stub out(s) has been constructed to applicable standards and the appropriate signage has been installed indicating that the street is to be extended in the future. A temporary turnaround is to be provided for stub out streets longer than 150 feet that are proposed for acceptance. Additional ROW needed for the turnaround outside of the through right of way width should be contained in a temporary easement.

r. Submitting Highway System Change Assemblies

During 2020 the Office of Land Use established the HSC Portal on the [DOTi site](#) so that assemblies could be submitted electronically. The Portal allows Office of Land Use staff to receive assemblies immediately, drastically reducing approval times and the cost of mailing, and avoids assemblies being lost in transit.

There are only two original documents needed by the Office of Land Use. These include:

- Letters of Credit
- HSC agreements which require an original signature and need to be notarized

Please mail the above original documents to the VDOT Office of Land Use, ATTN: Highway Systems Program Manager, 1401 East Broad Street, Richmond, VA 23219. Copies of these two types of documents must be included when the complete HSC assembly is sent to the Office of Land Use.

s. Appeals of Abandonments and Discontinuances After Approvals

Although rarely pursued, any landowner, locality, or the Commissioner of Transportation may appeal an order of abandonment or discontinuance to the Circuit Court of an affected locality.

The appeals process for Primary abandonments and discontinuances is stipulated in §33.2-905 of the Code of Virginia. The appeals process for Secondary abandonments is stipulated in §33.2-910 of the Code of Virginia.

t. Highway Research Requests

The HSC/SSAR Section of the Office of Land Use receives a large number of research requests related to the state's highway systems and related changes. The Office of Land Use conducts research related to changes to the centerline mileage of roads within VDOT's Highway Systems.

Our goals for these requests are to obtain the exact information that is needed, complete the request as soon as possible, and return thorough information to the requestor.

Highway research requests should be submitted to the Office of Land Use using email.

In order to accomplish the above goals, it is more efficient if the requestor sends the Section the responses to the questions below. The Office of Land Use may have additional questions related to the request, but generally the research can begin with the information below:

Standard Highway Research Requests Questions

1. Locality involved
2. Road description – Route number, name, etc.
3. What information do you want or question do you have pertaining to this road(s)?
4. If the change involves a Land Development project, what was the subdivision or project name?
5. If it involves a VDOT project, what was the relevant VDOT project number?
6. If your issue does not involve the entire road/route, for what segment or portion of road do you want information (give very specific location, usually related to roads within the VDOT system)?
7. When did possible highway change(s) take place (year & month is great if you know this)?

u. Transfer of Roads Between the VDOT and Urban Systems

The two most common transfers between the VDOT system and the Urban system take place when:

- A VDOT Primary road is transferred to the Urban system
- A VDOT Secondary road transfer is related to an annexation or agreement with the Urban system municipality (this can involve the road being added or deleted from the VDOT system)

Transfers: Primary to Urban System

When an Urban municipality requests that a VDOT Primary road be transferred to the Urban Maintenance Inventory, [§33.2-315.A](#) is used to complete this transfer (see Section 5 of this Guide related to Primary highway system changes for more details about this type of transfer).

The local action required for a §33.2-315.A transfer is a resolution from the Urban municipality. The VDOT Residency shall provide notice of the pending transfer to the county. The VDOT notice of the pending transfer should request a letter or resolution of support from the county acknowledging transfer of the road to the municipality's jurisdiction. This type of transfer must be approved by the CTB.

Upon receipt of the municipality's resolution and the county's letter or resolution of support, VDOT Residency staff will prepare a RIMS highway system change assembly for the transfer and submit it to the Office of Land Use. The Office of Land Use will then prepare the CTB agenda brief and submit the transfer to the CTB for approval.

Transfers: Urban System to Secondary System

When a road in a town or city needs to be transferred to the VDOT Secondary system, the road must be deleted from the Urban system so that the municipality no longer receives Urban Maintenance Payments for the road. The municipality must submit a resolution and Form U-1 to the VDOT Residency identifying the road to be deleted from the municipality's Urban Maintenance Inventory. The VDOT Residency will then review and submit the municipality's resolution and Form U-1 to the Local Assistance Division for processing. See the Urban Construction and Maintenance Manual for specific guidance on additions and deletions to the Urban System.

Transfer of Roads Between the VDOT & Urban Systems (continued)

Concurrently, the county Board of Supervisors will approve a resolution requesting the road be added to the Secondary System pursuant to §33.2-705 and submit it to the VDOT Residency. The Residency will then prepare and submit a RIMS highway system change assembly for the Secondary system addition to the Office of Land Use, which includes copies of the municipality's resolution and Form U-1 for the deletion as well as all of the required components for a Secondary system addition.

For this type of addition, the county usually requests a waiver of surety and/or fees. The county may also use a guarantee of surety within the resolution (see Office of Land Use site for this resolution template).

The Office of Land Use will contact the Local Assistance Division when this addition assembly is received in order to coordinate the proper highway changes for this transfer.

There are generally two situations when Secondary roads are removed from the VDOT system and added to an Urban municipality's system. These take place when:

- A town transitions from the VDOT system to the Urban system and assumes maintenance of the roads within its jurisdiction.
- A town or city annexes a portion of the adjacent county which includes roads maintained by VDOT

When these events occur, the Code section used depends on whether the locality is a town or a city. The following are the local government actions and Code sections involved with this type of VDOT Secondary to Urban system transfers:

- Towns – Approval of a §33.2-700 resolution supporting the transfer of specified Secondary roads to the town's local system
- Cities – Approval of a resolution citing §33.2-320 to transfer the Secondary roads
- Counties – Letter of Support or resolution of support recognizing the transfer of the Secondary roads to the Urban system

U. Glossary

The following terms and words, when used in this Guide, shall have the following meaning, unless the context clearly indicates otherwise.

1. **AASHTO:** American Association of State Highway and Transportation Officials. A regulatory agency responsible for setting technical standards for all phases of highway system development. AASHTO represents all fifty states, Washington D.C. and Puerto Rico and serves as a liaison between the state departments of transportation and the federal government. AASHTO's primary goal is to foster the development, operation, and maintenance of an integrated national transportation system. The AASHTO Standing Committee on Highways is vested with the full authority to oversee the numbering and marking thereof of the Interstate and U.S. Highway systems.
2. **Addition:** A street proposed for incorporation or the act of incorporating a street as part of the Primary or Secondary System of State Highways. Virginia Code sections for additions vary depending on the type of addition.
3. **Abandonment:** The legal action reserved for a county's Board of Supervisors to remove a Secondary road from the public domain, pursuant to §33.2-909 or §33.2-912; or the legal action reserved for the Commonwealth Transportation Board to remove a Primary road from the public domain, pursuant to §33.2-902 or §33.2-906.
4. **BOS:** Board of Supervisors, the governing body of any county or the Suffolk City Council for actions in the former Nansemond County portion of the City of Suffolk.
5. **Commissioner:** The VDOT Commissioner of Transportation, the chief executive officer of the Virginia Department of Transportation.
6. **Commissioner's Staff:** As referenced in this Guide, this term refers to the Commissioner's direct reports who are responsible for the review and approval of designated highway system changes.
7. **Cost Estimate:** VDOT's estimated cost to improve a road to the prescribed minimum standards, exclusive of ineligible project costs.
8. **CTB:** Commonwealth Transportation Board. The governing body of the Virginia Department of Transportation.
9. **Data Correction:** A particular type of proposed inventory (PI) that recognizes certain changes to the roadway typical section, such as widening, addition of turn lanes, etc.
10. **Dam:** A man made structure that is intended to impound water and is subject to differential hydraulic pressure.

Glossary (continued)

11. **Department:** Virginia Department of Transportation (VDOT)
12. **Detention Pond:** In storm water management, a facility intended for collection and controlled release of stormwater.
13. **Developer:** The person or entity responsible for the design and construction of public streets. For Rural Additions, a developer is the original owner(s) or successor owner(s) of a street proposed for state maintenance that retain speculative interest in property abutting a proposed addition. (See Speculative Interest.)
14. **Discontinuance:** The legal action reserved for the Commonwealth Transportation Board to terminate the Department's maintenance responsibility of a road, pursuant to §33.2-901 or §33.2-908.
15. **Established:** The date for which the right of way for a proposed addition was opened to public use as evidenced by deed, plat dedication, or other means; or the date the street was otherwise opened to public use by motor vehicles.
16. **Extrinsic Structure:** Any structure deemed by the Department to be a nonessential element of a street's transportation function.
17. **FHWA:** Federal Highway Administration. The U.S. Government agency responsible for the oversight and administration of the Interstate System, the U.S. Numbered Highways System, and the National Highway System.
18. **HSC:** Highway System Change. Any change record for an individual segment of roadway, excluding length corrections.
19. **ICR:** Inventory Change Record. Tracking number assigned by RIMS to each highway system change assembly.
20. **LAP:** Locally Administered Project
21. **Length Correction:** A particular type of PI that is used to validate or correct split mileage values between intersecting routes or nodes.
22. **LGB:** Local Governing Body. The governing body of a county, city, or town.
23. **Locality:** A county, city, or town.

Glossary (continued)

24. **Maintenance:** (i) ordinary maintenance; (ii) maintenance replacement; (iii) operations that include traffic signal synchronization, incident management, and other intelligent transportation system functions; and (iv) any other categories of maintenance that may be designated by the Commissioner of Highways.
25. **Mileage Limitation:** Statutory limits on the amount of mileage that a particular highway system change may apply to in any given fiscal or calendar year. Rural additions pursuant to §33.2-335 have a mileage limitation of 1.25 % of the total Secondary system mileage for a county at the beginning of the current fiscal year. Transfers pursuant to §33.2-314.A have a statewide mileage limitation of 50 miles per fiscal year. Transfers pursuant to §33.2-315.A have a statewide mileage limitation of 150 miles per fiscal year. Additions pursuant to §33.2-339 have a mileage limitation of 0.25 miles in any year.
26. **Minimum Standards:** For Rural Additions, the Minimum Standards for New Rural Additions established in the CTB Rural Addition Guidance and the Guide to Highway System Changes. For new subdivision streets, the standards defined in the SSR or SSAR, whichever is applicable. For other Secondary roads, the standards defined in the VDOT Road Design Manual.
27. **Municipality:** An incorporated city or town.
28. **NOIA:** Notice of Intent to Abandon
29. **OLU:** Office of Land Use, an office of the Virginia Department of Transportation.
30. **PI:** Proposed inventory. RIMS terminology for a highway system change.
31. **Plat or Subdivision Plat:** The schematic representation of land divided or to be divided indicating property lines, street right of ways, utility and drainage easements, and other pertinent information.
32. **Pro rata Participation:** The portion of the estimated cost to improve a rural addition that is borne by speculative interest, as prescribed in §33.2-335(D)
33. **Public Service Requirement:** The requisite number of dwellings, businesses, or other public convenience needed to qualify a road for inclusion into the Primary or Secondary system of state highways.
34. **RA/RE, Resident Administrator/Engineer:** An employee of the department assigned to supervise departmental operations within a specific geographical area of the state consisting of one to four counties.

Glossary (continued)

35. **Retention Pond:** In storm water management, a facility intended to impound and retain stormwater. It may also serve as a detention pond.
36. **Right-of-Way (ROW):** The land, property, or interest therein acquired for or devoted to a street.
37. **RIMS, Roadway Inventory Management System:** System used by VDOT to catalog its roadway inventory and process highway system changes.
38. **Road:** See Street
39. **Rural Addition Fund:** Those funds available for improving streets to prescribed minimum standards for acceptance as a part of the Secondary System of State Highways, pursuant to §33.2-335.
40. **Speculative Interest:** Any interest of a developer(s) as defined in §33.2-335(D).
41. **SSAR, Secondary Street Acceptance Requirements:** A regulation of the Commonwealth of Virginia for the design, development, and addition of Secondary streets.
42. **SSR, Subdivision Street Requirements:** A regulation of the Commonwealth of Virginia for the design, development, and addition of subdivision streets.
43. **Street:** The entire width between the boundary lines of every way or place open to the use of the public for purposes of vehicular travel in the Commonwealth.
44. **Transfer:** The moving of roads between the Primary, Secondary, and/or Urban systems of highways.
45. **UPC (Universal Project Code):** Tracking number assigned to every project with VDOT oversight and/or funding. The UPC is used to track fiscal expenditures for all phases of a project, whereas an ICR is only assigned to track highway system changes.
46. **Urban Maintenance Inventory (UMI):** Streets within incorporated cities and towns that maintain their own streets for which the municipality receives Urban Maintenance payments from VDOT pursuant to §33.2-319 of the Code of Virginia.

Glossary (continued)

47. **Vacation:** A process reserved for the governing body of a county or municipality under which it may extinguish "any interest in streets, alleys, easements for public rights of passage, easements for drainage, and easements for a public utility granted" to it "as a condition of the approval of a site plan." (See § § 15.1-480.1 through 15.1-485, Code of Virginia and the section in this guide "Adjustments in the Secondary System.") The Attorney General's Office has held that a vacation does not apply to roads maintained as a part of the Secondary system of state highways.

48. **VDOT:** Virginia Department of Transportation

49. **VDWR:** Virginia Department of Wildlife Resources (formerly the Virginia Department of Game and Inland Fisheries)