



**LAND USE PERMIT**  
**LUP-DWSV**  
**District-wide Permit - Surveying Operations**

Section [24 VAC 30-151-30.C.3](#) of the Virginia Department of Transportation (VDOT) Land Use Permit Regulations stipulates that district-wide permits may be issued granting authorization to perform surveying operations on non-limited access state maintained highways.

**Permittee Agreement for Land Use Permit Issuance**

I the undersigned hereby acknowledge that I am fully cognizant of all of the following requirements associated with the issuance of a district-wide Land Use Permit authorizing surveying operations within *non-limited access* state maintained right-of-way:

Type or Print Clearly

Name of Applicant: \_\_\_\_\_

Applicant's Federal Tax ID No. or Driver's License No.: \_\_\_\_\_

Applicant's Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Business Telephone No.: ( \_\_\_\_ ) \_\_\_\_ - \_\_\_\_\_ 24-Hour Telephone No.: ( \_\_\_\_ ) \_\_\_\_ - \_\_\_\_\_

Fax No.: ( \_\_\_\_ ) \_\_\_\_ - \_\_\_\_\_ E-mail Address: \_\_\_\_\_

Location(s): \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_

Applicant's Title: \_\_\_\_\_

**VDOT Land Use Permit Required by Law**

The General Rules and Regulations of the Commonwealth Transportation Board provide that no work of any nature shall be performed on any real property under the ownership, control, or jurisdiction of VDOT until written permission has been obtained from VDOT. Written permission is granted for the above-referenced activity through the issuance of a land use permit.

By issuing a permit, VDOT is giving permission only for whatever rights it has in the right-of-way; the permittee is responsible for obtaining permission from others who may also have an interest in the property.

The permittee will be civilly liable to the Commonwealth for expenses and damages incurred by VDOT as a result of violation of any of the rules and regulations of this chapter. Violators shall be guilty of a misdemeanor and, upon conviction, shall be punished as provided for in [§33.2-210](#) of the Code of Virginia.

### **Application Requirements**

Application shall be made for a district-wide VDOT land use permit for surveying operations within state maintained right-of-way through the central office permit manager at 1401 East Broad Street, Richmond, VA 23236.

General information regarding VDOT land use permitting for surveying operations within state maintained right-of-way can be obtained by contacting the central office permit manager or at the following VDOT web site:

<http://www.virginiadot.org/business/bu-landUsePermits.asp>

### **Contact Information**

Brent Pollard – [brent.pollard@vdot.virginia.gov](mailto:brent.pollard@vdot.virginia.gov) - (804) 225-3523

Ryan McGrath – [ryan.mcgrath@vdot.virginia.gov](mailto:ryan.mcgrath@vdot.virginia.gov) - (804) 640-3222

### **Permit Term and Fees**

“District” is defined as no more than nine (9) contiguous counties or a single VDOT construction district.

District-wide permits are valid for a period of two (2) years. The 2-year fee for a district-wide permit for surveying operations on non-limited access primary and secondary highways is \$200 per single VDOT construction district or no more than nine (9) contiguous counties.

A list of counties with their corresponding VDOT district offices and VDOT contact information may be obtained on the VDOT web site at <http://www.virginiadot.org/about/districts.asp>

### **Surety Requirement**

There is no surety requirement for normal surveying activities performed under a district-wide land use permit.

### **Insurance Requirements**

The permittee or their agent shall secure and maintain insurance to protect against liability for personal injury and property damage that may arise from the activities performed under the authority of a land use permit and from the operation of the permitted activity up to one million dollars (\$ 1,000,000) each occurrence to protect the Board members and the Department's agents or employees; seventy-five thousand dollars (\$75,000) each occurrence to protect the Board, the Department, or the Commonwealth in event of suit. Insurance must be obtained prior to start of the permitted work and shall remain valid through the permit completion date. VDOT staff may require a valid certificate or letter of insurance from the issuing insurance agent or agency prior to issuing the land use permit.

### **General Requirements**

- 1) Permittee acceptance and use of a Virginia Department of Transportation (VDOT) land use permit is prima facie evidence that the permittee has read and is fully cognizant of all required permit provisions, applicable traffic control plans and associated construction standards to be employed. All applicants to whom permits are issued shall at all times indemnify and save harmless the Commonwealth Transportation Board, members of the Board, the Commonwealth, and all Commonwealth employees, agents, and officers, from responsibility, damage, or liability arising from the exercise of the privileges granted in such permit to the extent allowed by law including any sums ordered to be paid or expended by VDOT by any governmental entity as a fine, penalty or damages for any violation of any applicable environmental law, or to remediate any hazardous or other material, including illicit discharge into VDOT maintained storm sewer systems.

- 2) The permittee shall adhere to the terms and conditions as stipulated in the permit assembly without exception. Any deviation may result in the temporary revocation of the land use permit for a minimum of 30 calendar days.
- 3) The issuance of a district-wide land use permit is in no way to be inferred as a conveyance of any interest in real estate property or facilities owned in whole or part by the Virginia Department of Transportation.
- 4) The permittee should immediately contact the nearest local district permit office with any interpretive questions or if involved in an accident.
- 5) Photo duplication and distribution of a district-wide land use permit, along with any/all special provisions is authorized so that the permittee can provide their respective work crew(s) and other employees with information necessary to perform the authorized activities in a safe and expedient manner.
- 6) A copy of the district-wide land use permit shall be maintained at every work site and made readily available for inspection when requested by authorized VDOT personnel.
- 7) The permittee or their agent must contact the VDOT Customer Service Center at 1-800-367-7623 a minimum of 48 hours prior to initiating any planned excavation within 1,000 feet of a signalized intersection and/or near VDOT ITS infrastructure. Excavation activities may proceed only after the VDOT regional utility location agent has notified the permittee that the utility marking has been completed. Additional information can be found at: [http://www.virginiadot.org/business/resources/IIM/TE-383\\_Request\\_for\\_Marking\\_VDOT\\_Utility\\_Location.pdf](http://www.virginiadot.org/business/resources/IIM/TE-383_Request_for_Marking_VDOT_Utility_Location.pdf)  
 Alternately, within all localities in the Northern Virginia Construction District, including the Counties of Arlington, Fairfax, Loudoun & Prince William, the Cities of Alexandria, Fairfax, Falls Church, Manassas and Manassas Park, and the Towns of Clifton, Dumfries, Hamilton, Haymarket, Herndon, Hillsboro, Leesburg, Lovettsville, Middleburg, Occoquan, Purcellville, Quantico, Round Hill and Vienna, and on Interstate 95 in the counties of Stafford, Spotsylvania and Caroline, the permittee may request VDOT regional utility marking at: <http://www.vdotutilitymarking.virginia.gov>  
 Failure to carry out this requirement may result in permit revocation.
- 8) Within the limits of a VDOT construction project it is the responsibility of the permittee to obtain the contractor's consent in writing prior to encroaching within the right-of-way. Information regarding current and/or planned VDOT construction and maintenance activities can be obtained at: <http://www.virginiaroads.org/>.
- 9) Any and all highway signs, right-of-way markers, etc., disturbed as a result of work performed under the auspices of a land use permit shall be accurately reset by the permittee immediately following the work in the vicinity of the disturbed facility. The services of a certified land surveyor with experience in route surveying may be required.

### **Inspection of the Work**

All activities authorized under the auspices of a district-wide land use permit may be subject to inspection by authorized VDOT personnel.

### **Hours and Days Work Authorized**

Normal hours for work under the authority of a land use permit are from 9:00 a.m. to 3:30 p.m. Monday through Friday for all highways classified as arterial or collector. All highways classified as local roads will have unrestricted work hours and days.

The central office permit manager may establish alternate time restrictions in normal working hours and days for district-wide permits.

The classifications for all state maintained highways can be found at the following link: [http://www.virginia.gov/projects/fxn\\_class/maps.asp](http://www.virginia.gov/projects/fxn_class/maps.asp)

### **Holiday Restrictions**

Permitted non-emergency work will not be allowed on arterial and collector highway classifications from noon on the preceding weekday through the following state observed holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day. If the observed holiday falls on a Monday, the permit will not be valid from noon on the preceding Friday through noon on Tuesday.

### **Traffic Control & Safety**

- 1) The permittee shall at all times give strict attention to the safety and rights of the traveling public, their employees, and contractors. Any permit may be revoked or suspended when in the opinion of the district administrator's designee, the safety, use or maintenance of the highway so requires.
- 2) The permittee shall install traffic control devices in accordance with Typical Traffic Control (TTC) layout [TTC-49.0](#) as outlined in the Virginia Work Area Protection Manual at the following link [http://www.virginia.gov/business/resources/wztc/Virginia\\_WAPM\\_2011\\_web.pdf](http://www.virginia.gov/business/resources/wztc/Virginia_WAPM_2011_web.pdf)
- 3) In accordance with the Virginia Department of Transportation (VDOT) [Road and Bridge Specification, Special Provision 105.14](#), all activities performed under the auspices of a VDOT Land Use Permit involving the installation, maintenance and removal of work zone traffic control devices must have an individual on-site who, at a minimum, is accredited by VDOT in [Basic Work Zone Traffic Control](#). The accredited person must have their VDOT Work Zone Traffic Control accreditation card in their possession.
- 4) The individual accredited in Basic Work Zone Traffic Control is responsible for the placement, maintenance and removal of work zone traffic control devices within the project limits in compliance with the permit requirements and conditions, the approved plans and specifications, the Virginia Work Area Protection Manual, and the Manual of Uniform Traffic Control Devices.
- 5) A person accredited by VDOT in [Intermediate Work Zone Traffic Control](#) must be on-site to provide supervision for adjustment to the approved layout or implementation of any standard Typical Traffic Control (TTC) layouts outlined in the [Virginia Work Area Protection Manual](#).
- 6) All traffic control plans shall be prepared by a person accredited by VDOT in [Advanced Work Zone Traffic Control](#).
- 7) Individuals responsible for implementation of work zone traffic control measures shall provide evidence of their accreditation upon request from VDOT personnel.
- 8) The permittee shall be exempt from the requirements of Virginia Department of Transportation (VDOT) [Road and Bridge Specification, Special Provision 105.14](#) if the authorized activity does not involve the installation, maintenance and removal of work zone traffic control devices and is not within the roadway (as defined in 24VAC30-151) of a state maintained highway.
- 9) All activities that require the disruption (stoppage) of traffic shall utilize VDOT certified flaggers. Flag persons shall be provided in sufficient number and locations as necessary for control and protection of vehicular and pedestrian traffic in accordance with the [Virginia Work Area Protection Manual](#). All flaggers must have their certification card in their possession when performing flagging operations within state maintained right-of-way. Any flag person found not in possession of his/her certification card shall be removed from the flagging site and the district administrator's designee will suspend all permitted activities.

- 10) Any VDOT certified flag person found to be performing their duties improperly shall have their certification revoked.
- 11) All signs shall be in accordance with the current edition of the Manual of Uniform Traffic Control Devices (MUTCD).
- 12) The permittee shall immediately correct any situation that may arise as a result of these activities that the district administrator's designee deems hazardous to the traveling public.
- 13) During authorized activities, the permittee shall furnish all necessary signs, flag persons and other devices to provide for the protection of traffic and workers in accordance with the Virginia Work Area Protection Manual or as directed by the district administrator's designee.
- 14) Traffic shall not be blocked or detoured without permission, documented in writing or electronic communication, being granted by the district administrator's designee.
- 15) All lane or shoulder closures on highways in the Northern Virginia construction district classified as arterial or collector routes must be authorized, documented in writing or by electronic communication by the VDOT Transportation Operations Center (NRO/TOC).
- 16) The permittee shall notify the following appropriate VDOT Transportation Operations Center (TOC) 30 minutes prior to the installation of a lane closure or shoulder closure on non-limited access primary routes and within 30 minutes of removing the lane or shoulder closure:
  - Eastern Region (757) 424-9920: All localities within the Hampton Roads construction district excluding Greenville County and Sussex County
  - Northern Virginia (703) 877-3401: All localities within the NOVA construction district including Spotsylvania County and Stafford County
  - Central Region (804) 796-4520: All localities within the Richmond construction district including Greenville County and Sussex County. All localities within the Fredericksburg district excluding Spotsylvania County and Stafford County
  - SW Region (540) 375-0170: All localities within the Salem, Bristol, and Lynchburg construction districts
  - NW Region (540) 332-9500: All localities within the Staunton and Culpeper construction districts

**Activities Not Authorized by a District-wide Land Use Permit**

A separate single use permit will be required when the following activities associated with performing surveying operations are proposed:

- Trimming or removal of any trees located within the right-of-way.
- The placement of pins, stakes, or other survey markers that may interfere with mowing operations or other maintenance activities are to be placed within the right-of-way.
- The cutting of highway pavement or shoulders to locate underground utilities.
- Performing surveying activities within limited access right-of-way. Consideration for the issuance of such permits will be granted only when the necessary data cannot be obtained from highway plans, monuments, triangulation, or any combination of these, and the applicant provides justification for entry onto the limited access right-of-way.
- Stopping or impeding highway travel in excess of 15 minutes or varying the implementation of standard traffic control, or any combination of these, as outlined in the Virginia Work Area Protection Manual.

### **Permit Revocation**

A district-wide permit authorizing surveying operations on state maintained highways may be revoked for a minimum of 30 calendar days upon written finding that the permittee violated the terms of the permit or any of the requirements of this chapter, including but not limited to any, all, or a combination of the following:

- The permittee fails to implement all necessary traffic control in accordance with the Virginia Work Area Protection Manual.
- The permittee fails to utilize VDOT certified flag persons for traffic control.
- The permittee parks vehicles within the right-of-way that constitutes a traffic hazard.
- The permittee performs tree trimming or removal activities without consent from the district roadside manager.
- The permittee perform activities under the jurisdiction of a district-wide permit that requires the issuance of a single use permit.

The permittee must obtain single-site single use permits from the local district permit office where the activity is to occur to continue performing surveying operations within state maintained rights of way during this revocation period. In addition VDOT may apply additional penalties in accordance with §33.2-1221.

### **Permittee Notice**

The preceding provisions are intentionally condensed in format and should not be loosely interpreted by the permittee without consultation with the central office permit manager and affirmation from the Land Use Permit Regulations.