

February 23, 2018



**Land Use Permit  
LUP-PSMD  
Sign Installation for the Prohibition of Specific Mobility Devices**

§ [46.2-904](#) of the Code of Virginia authorizes the governing body of any county, city, or town to install signs prohibit the use of roller skates, skateboards, and electric personal delivery devices and/or the riding of bicycles, electric personal assistive mobility devices, motorized skateboards or foot-scooters, motor-driven cycles, or electric power-assisted bicycles on designated sidewalks or crosswalks. A land use permit is required in order to post such signs within VDOT maintained right-of-way.

**Permittee Agreement for Land Use Permit Issuance**

I, an official of the undersigned locality, hereby acknowledge that I am fully cognizant of all of the following requirements associated with the issuance of a Virginia Department of Transportation (VDOT) land use permit authorizing the locality to install within state maintained rights-of-way signage prohibiting the use of specific mobility devices:

**Type or Print Clearly**

Locality Name: \_\_\_\_\_

Locality Federal Tax ID No.: \_\_\_\_\_

Locality Address: \_\_\_\_\_

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

Locality Representative's Name: \_\_\_\_\_

Locality Representative's Signature: \_\_\_\_\_

Locality Representative's Title: \_\_\_\_\_

Telephone Number: ( \_\_\_\_\_ ) \_\_\_\_\_ - \_\_\_\_\_ E-mail Address: \_\_\_\_\_

## **Virginia Department of Transportation (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 placement on state maintained highway right-of-way of signs prohibiting the use of specific mobility devices 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 for a land use permit authorizing the placement of signs by localities prohibiting the use of specific mobility devices on state maintained highways shall be made through the local residency permit office where the activity is to take place.

The permit applicant shall stake-out the requested sign location for field review by the local residency permit office.

The local residency permit office receiving the request shall coordinate review and approval of the request with all appropriate VDOT personnel.

In addition to an executed copy of this document, the permit application shall include documentation indicating that the governing body of the locality has passed an ordinance prohibiting the use of specific mobility devices at the requested location or locations.

Application forms and general information regarding VDOT land use permitting for the placement of signs on state maintained highway right-of-way can be obtained by contacting the local residency permit office or at the following VDOT web site: <http://www.virginiadot.org/business/bu-landUsePermits.asp>

### **Contact Information**

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

### **Permit Fees and Surety Requirement**

The land use permit fee and surety for the placement of signs by localities prohibiting the use specific mobility devices is waived.

### **General Requirements**

- 1) The locality is responsible for the fabrication, installation and maintenance of all signs authorized for placement on state maintained highway right-of-way.
- 2) All signs on state maintained highway right-of-way prohibiting the use of specific mobility devices shall be fabricated in accordance with the current edition of the VDOT Road & Bridge Specifications and the approved design specifications as shown herein.
- 3) The local residency permit office may alter the requested location based on sign spacing requirements as outlined in the Manual on Uniform Traffic Control Devices (MUTCD), engineering judgment, and/or safety concerns to protect the traveling public.
- 4) All signs should be located as close to the right-of-way line as reasonably possible.
- 5) All signs must be located in such a manner that will not interfere with sight distance for driveways and intersections, be a distraction to motorists, or pose a safety hazard to the traveling public.
- 6) Signs shall not be installed in the median area of any state maintained highway, on a bridge, or within 500 feet of any bridge approach.
- 7) The permittee shall contact the local residency permit office prior to initiating excavation activities within 1,000 feet of traffic signals or adjacent to other VDOT utilities.
- 8) The permittee must notify the local residency permit office prior to initiating the installation of authorized signs within state maintained highway right-of-way.
- 9) Upon completion of the installation of signs prohibiting the use of specific mobility devices, the permittee shall provide notification, documented in writing or electronic communication, to the local residency permit office requesting final inspection. This request shall include the permit number, county name, and route number.
- 10) The permittee 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/TE383\\_Request\\_for\\_Marking\\_VDOT\\_Utility\\_Location.pdf](http://www.virginiadot.org/business/resources/IIM/TE383_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.

### **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 local residency permit office, the safety, use or maintenance of the highway so requires.
- 2) 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.
- 3) 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.
- 4) 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.
- 5) All traffic control plans shall be prepared by a person accredited by VDOT in Advanced Work Zone Traffic Control.
- 6) Individuals responsible for implementation of work zone traffic control measures shall provide evidence of their accreditation upon request from VDOT personnel.
- 7) 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.

- 8) Non-compliance with the requirements outlined in VDOT Road and Bridge Specification, Special Provision 105.14 may result in a stop work order and / or permit revocation.
- 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 local residency permit office will suspend all permitted activities.
- 10) Any VDOT certified flag person found to be performing their duties improperly shall have their certification revoked.
- 11) The permittee shall immediately correct any situation that may arise as a result of these activities that the local residency permit office deems hazardous to the traveling public.
- 12) 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 local residency permit office.
- 13) All signs shall be in accordance with the current edition of the Manual of Uniform Traffic Control Devices (MUTCD).
- 14) Traffic shall not be blocked or detoured without permission, documented in writing or electronic communication, being granted by the local residency permit office.
- 15) If directed by the district, requests for the implementation of temporary lane closures must be entered into the VDOT Lane Closure Advisory Management System (LCAMS) and VaTraffic a minimum of one (1) week prior to the planned execution of lane closure activities on state maintained highways. The permittee or their contractor(s) may enter their requests directly or provide written requests to the VDOT Regional Operations Center as follows:
  - Lane closure requests in all the counties listed below are within the Northern Region and shall be sent to: [nrolaneclosurerequests@vdot.virginia.gov](mailto:nrolaneclosurerequests@vdot.virginia.gov)

Counties: Arlington, Fairfax, Loudoun, Prince William, Spotsylvania, Stafford

- Lane closure requests in all the counties listed below are within the Northwest Region and shall be sent to: [StauntonTrafficManagementCenter@vdot.virginia.gov](mailto:StauntonTrafficManagementCenter@vdot.virginia.gov)

Counties: Albemarle, Alleghany, Augusta, Bath, Clarke, Culpeper, Fauquier, Fluvanna, Frederick, Greene, Highland, Louisa, Madison, Orange Page, Rappahannock, Rockbridge, Rockingham, Shenandoah, Warren

- Lane closure requests in all the counties listed below are within the Southwest Region and shall be sent to: [SalemSmartTrafficCenter@VDOT.Virginia.gov](mailto:SalemSmartTrafficCenter@VDOT.Virginia.gov)

Counties: Amherst, Appomattox, Bedford, Bland, Botetourt, Buchanan, Buckingham, Campbell, Carroll, Charlotte, Craig, Cumberland, Dickenson, Floyd, Franklin, Giles, Grayson, Halifax, Henry, Lee, Montgomery, Nelson, Patrick, Pittsylvania Prince Edward, Pulaski, Roanoke, Russell, Scott, Smyth, Tazewell, Washington, Wise, Wythe

- Lane closure requests in all the counties listed below are within the Eastern Region and shall be sent to: [HamptonRoadsTOCControllers@VDOT.Virginia.gov](mailto:HamptonRoadsTOCControllers@VDOT.Virginia.gov)

Counties: Accomack, Greensville, Isle of Wight, James City, Northampton, Southampton, Surry, Sussex, York

- Lane closure requests in all the counties listed below are within the Central Region and shall be sent to: [RichmondDist.SmartTraffic@vdot.virginia.gov](mailto:RichmondDist.SmartTraffic@vdot.virginia.gov)

Counties: Amelia, Brunswick, Caroline, Charles City, Chesterfield, Dinwiddie, Essex, Gloucester, Goochland, Hanover, Henrico, King and Queen, King George, King William, Lancaster, Lunenburg, Mathews, Mecklenburg, Middlesex, New Kent, Northumberland, Nottoway, Powhatan, Prince George, Richmond, Westmoreland

Written requests for implementation of temporary lane closures must be submitted to the appropriate VDOT Regional Operations Center by close of business on the preceding Wednesday for the upcoming week's planned lane closures. All requests being directly input into LCAMS and VaTraffic must be entered no later than 2:00 pm on the preceding Thursday for the upcoming week's lane closure activities. Any conflicts with other roadway work must be resolved by close of business on Thursday the week prior to the scheduled lane closure activities with documented resolution sent to the VDOT point of contact provided by the regional traffic operation center LCAMS Administrator. Any requests received after these time limitations will not be approved and the proposed work within VDOT right of way requiring lane closures must be rescheduled.

Lane closure requestors wanting direct access to LCAMS and VaTraffic must complete [ITD-35E](#) & [ITD-36E](#) forms and return to Ms. Carlene McWhirt at [Carlene.McWhirt@VDOT.Virginia.gov](mailto:Carlene.McWhirt@VDOT.Virginia.gov). Online training is available for LCAMS and VaTraffic and VDOT can accommodate any additional training needs. Please contact Ms. McWhirt at (571) 350-2078 to schedule training.

### **Permit Revocation**

At the discretion of the local residency permit office, the land use permit authorizing the installation within state maintained right-of-way of signs prohibiting the use of specific mobility devices may be revoked and all signs removed from within the right-of-way at the permittees expense should the signs not be properly maintained, become detrimental to existing state maintained facilities or deemed hazardous for vehicular and or pedestrian traffic. 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 local residency permit office or the central office permit manager and affirmation from the [Land Use Permit Regulations](#).





































