



**Land Use Permit  
LUP-EVTCS**

**Permit for Emergency Vehicle Traffic Control Signal (EVTCS)**

**February 12, 2018**

§ [27-15.1](#) and § [32.1-111.14:5](#) of the Code of Virginia provide for operation of Emergency Vehicle Traffic Control Signals (EVTCS) at fire stations and emergency medical service agencies. [24VAC30-151-510](#) of the Virginia Administrative Code stipulates that a Virginia Department of Transportation (VDOT) single-use land use permit may be issued granting authorization to install, operate and maintain EVTCS facilities at a specific location within non-limited access state maintained highway rights-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 the following requirements associated with the issuance of a Virginia Department of Transportation (VDOT) single-use permit authorizing the locality to install, operate and maintain an Emergency Vehicle Traffic Control Signal (EVTCS) within non-limited access state maintained highway rights-of-way:

Type or Print Clearly

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

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

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

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

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

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

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

Emergency Services Representative's Name (if not Locality Rep): \_\_\_\_\_

Emergency Services Representative's Signature: \_\_\_\_\_

EVTCS Location (State Route No.): \_\_\_\_\_ Latitude: \_\_\_\_\_ Longitude: \_\_\_\_\_

Between State Route No.: \_\_\_\_\_ Street Name: \_\_\_\_\_

& State Route No. \_\_\_\_\_ Street Name: \_\_\_\_\_

### **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 for a land use permit authorizing the operation of Emergency Vehicle Traffic Control Signals (EVTCS) on state-maintained highway right-of-way shall be made through the local VDOT Residency permit office where the EVTCS is to be installed.

The EVTCS permit application shall include design plans and specifications signed and sealed by a Virginia-licensed Professional Engineer.

The local VDOT Residency permit office receiving the request shall coordinate review and approval of the request with all appropriate VDOT personnel. VDOT staff will evaluate all EVTCS structural elements, anchors, and foundations to ensure conformance with applicable VDOT standards and specifications.

Application forms and general information regarding VDOT land use permitting for the operation of Emergency Vehicle Traffic Control Signals (EVTCS) on state maintained highway right-of-way can be obtained by contacting the local VDOT Residency permit office or at the VDOT [web site](#).

### **Contact Information**

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

### **Permit Fees & Charges**

The locality shall provide a check or cash in the amount of \$100.00 for processing a land use permit request for the installation and operation of an EVTCS facility within state maintained highway right-of-way.

### **Surety Requirement**

The locality shall provide surety to guarantee the satisfactory performance of the work authorized under the auspices of the land use permit issued for the initial EVTCS installation. The surety amount shall be determined by the district administrator's designee and may be in the form of a check, cash, [LUP-LC](#) irrevocable letter of credit, [LUP-SB](#) surety bond, or [RESOLUTION](#). The surety will be refunded or released upon satisfactory completion of the initial installation and final inspection by VDOT. The proper maintenance and operation of the EVTCS shall be guaranteed by a surety, to remain in place while the EVTCS is on VDOT right-of-way, and may be in the form of a check, cash, [LUP-LC](#) irrevocable letter of credit, continuous bond, or [RESOLUTION](#).

### **Cash Surety Refund**

Applicants owing the Internal Revenue Service or the Commonwealth of Virginia may not receive a refund of the cash guarantee provided for the issuance of a VDOT land use permit unless the amount owed is less than the amount of cash guarantee provided. Applicants providing cash guarantee for the issuance of a VDOT land use permit must provide an executed copy of the Commonwealth of Virginia's Substitute Form [W9-COV](#) to receive a refund of the cash guarantee provided for the issuance of a VDOT land use permit.

### **General Requirements**

- 1) Locality acceptance and use of a Virginia Department of Transportation (VDOT) land use permit is prima facie evidence that the locality has read and is fully cognizant of all required permit provisions, applicable traffic control plans and associated construction standards to be employed.
- 2) 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 offices, from responsibility, damage, or liability arising from the exercise of the privileges granted in such permit to the extent allowed by law.
- 3) The locality is responsible for the design, installation, operation, and maintenance of all EVTCS facilities, including support structures and foundations, in accordance with §§ 27-15.1 and 32.1-111.14:5 of the Code of Virginia, the Manual on Uniform Traffic Control Devices (MUTCD), the Virginia Supplement to the MUTCD, and the VDOT approved design plans.
- 4) All EVTCS facilities shall be totally isolated from any VDOT traffic signal equipment with the exception of connection to the traffic signal controller. This isolation includes, but is not limited to, access to the department's electrical service, conduits, signal pole and loop detectors.
- 5) The locality is responsible to provide all necessary repairs of EVTCS facilities after power failures, surges, equipment failures and/or knockdowns. The locality shall provide a valid phone number to local law enforcement and the local VDOT office that accepts calls regarding equipment in need of service, VDOT signal technicians will have first priority in completing their work to restore signal operations at signal cabinets before the locality or their vendor begin work to restore operation of the EVTCS facility.
- 6) The locality shall immediately correct any situation that may arise as a result of these activities that VDOT deems hazardous to the traveling public.
- 7) The locality assumes full responsibility for any and all (downstream flooding, erosion, siltation, etc.) damages that may occur as a result of the work performed under this permit. Furthermore, the VDOT will in no way be responsible for any damage to the facility as a result of future maintenance or construction activities performed by VDOT forces and/or contractors.
- 8) The locality agrees to move, remove, alter, change or control the operation of any EVTCS pursuant to authorization granted by a VDOT land use permit.

- 9) The EVTCS shall not display solid-red indications to stop traffic on the highway except when activated by emergency vehicle(s) that are exiting the fire station or rescue squad station to respond to emergencies which require activation of emergency lights and sirens, in accordance with §§ 27-15.1 and 32.1-111.14:5 of the Code of Virginia. Emergency Vehicles are vehicles authorized to use emergency lights and sirens as per Section 46.2-920 of the Code of Virginia. The locality shall ensure that the EVTCS quickly returns to normal operation once the emergency vehicle(s) have exited the fire station or rescue squad station.
- 10) Upon request from VDOT, the locality shall provide incident logs from fire or rescue squad stations for verification purposes in evaluating proper usage of the EVTCS.
- 11) Design changes, specified material changes and/or field changes from the approved plans shall be submitted to the appropriate local VDOT Residency permit office for review and approval prior to proceeding with the proposed changes. This submittal shall include written justification, supplemental documentation and/or engineering calculations that support the requested changes.
- 12) 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.
- 13) A copy of the VDOT land use permit shall be maintained at the work site and made readily available for inspection when requested by authorized VDOT personnel.
- 14) All requests to perform maintenance on EVTCS facilities located within state maintained right of way require 48 hour prior notification to the local VDOT Residency permit office and the appropriate regional traffic operations center. Notification shall include a description of the proposed work and an estimate of the time required to complete the proposed maintenance activity.
- 15) Any conflicts with existing utility facilities located within state maintained right-of-way must be resolved between the locality and the utility owner(s) involved.
- 16) The locality or their contractor 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.
- 17) Within the limits of a VDOT construction project it is the responsibility of the locality to obtain the contractor's consent in writing prior to permit issuance or proposed maintenance activities. Information regarding current and/or planned VDOT construction and maintenance activities can be obtained at:  
<http://www.virginiaroads.org/>.

## **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 VDOT, 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 at least one (1) person 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 while on-site.
- 3) 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.
- 4) All traffic control plans shall be prepared by a person accredited by VDOT in Advanced Work Zone Traffic Control.
- 5) 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 VDOT Residency permit office will suspend all permitted activities.
- 6) Any VDOT certified flag person found to be performing their duties improperly shall have their certification revoked.
- 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) Traffic shall not be blocked or detoured without permission, documented in writing or electronic communication, being granted by the local VDOT Residency permit office.
- 9) The permittee shall immediately correct any situation that may arise as a result of these activities that the local VDOT Residency permit office deems hazardous to the traveling public.
- 10) 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 VDOT Residency permit office.
- 11) All signs shall be in accordance with the current edition of the Manual of Uniform Traffic Control Devices (MUTCD).

12) If directed by the local VDOT Residency permit office, 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: [nrolaneclousurerequests@vdot.virginia.gov](mailto:nrolaneclousurerequests@vdot.virginia.gov)

**Counties:** Arlington, Fairfax, Loudoun, Prince William, Spotsylvania, and 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 and 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 and 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 and 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 and 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.

## **Environmental**

- 1) The locality is responsible for pursuing and obtaining any and all environmental permits which may be required in pursuit of the installation, operation and maintenance of all EVTCS facilities prior to initiating any work within state maintained right-of-way. In the event hazardous materials or underground storage tanks are encountered within state maintained right-of-way during authorized activities, the locality shall suspend all work immediately then notify the local VDOT Residency permit office and other responsible parties, i.e., the local fire department, emergency services, Department of Environmental Quality, etc. The locality is responsible for coordination and completion of all required remediation necessary to complete the permitted activities within the state maintained right-of-way.
- 2) In the event cultural resources, archaeological, paleontological, and/or rare minerals are encountered within the right-of-way during authorized activities, the locality shall suspend all work immediately then notify the local VDOT Residency permit office and the proper state authority charged with the responsibility for investigation and evaluation of such finds. The locality will meet all necessary requirements for resolving any conflicts prior to continuing with the proposed activities within the state maintained right-of-way, and shall provide evidence of such compliance to the local VDOT Residency permit office.
- 3) Roadway drainage shall not be blocked or diverted. The shoulders, ditches, roadside, drainage facilities and pavement shall be kept in an operable condition satisfactory to the Department. Necessary precautions shall be taken by the locality to insure against siltation of adjacent properties, streams, etc., in accordance with VDOT's current standards or as prescribed by the Department's Environmental Manual and the local VDOT Residency permit office.

## **Emergency Repair**

In the event of an emergency situation that requires immediate action to protect persons or property, work may proceed within the right-of-way without authorization from the local Residency permit office; however, the locality must notify the appropriate VDOT Emergency Operations Center as soon as reasonably possible but no later than 48 hours after the end of the emergency situation.

## **Inspection & Restoration**

- 1) If during or before installation of EVTCS facilities within state maintained right-of-way it is deemed necessary for the local VDOT Residency permit office to assign an inspector to the project, the locality shall pay the Department an additional inspection fee in an amount that will cover the salary, expense allowance, and mileage allowance for the inspection(s) assigned by the Department for handling work covered by this permit. Said inspection fee shall be paid promptly each month on invoices rendered by the Department.
- 2) The absence of a VDOT inspector does not in any way relieve the locality of their responsibility to perform the work in accordance with the approved plans, provisions of the land use permit, VDOT's Road and Bridge Standards (current edition) and VDOT's Road and Bridge Specifications (current edition).
- 3) The locality shall be responsible for any settlement of all backfill or pavement restoration necessitated by authorized excavation activities for a period of two (2) years after the completion date of permit, and for the continuing maintenance of the facilities placed within the highway right-of-way. A one (1) year restoration warranty period may be considered, provided the locality adheres to the following criteria:
  - The locality retains the services of a professional engineer (or certified technician under the direction of the professional engineer) to observe the placement of all backfill and pavement restoration.

- The professional engineer (or certified technician under the direction of the professional engineer) performs any required inspection and testing in accordance with all applicable sections of VDOT's Road and Bridge Specifications.
  - The professional engineer submits all testing reports for review and approval, and provides written certification that all restoration procedures have been completed in accordance with all applicable sections of VDOT's Road and Bridge Specifications prior to completion of the work authorized by the permit.
- 4) Whenever existing pavement is permitted to be cut, not over one-half of the roadway width shall be disturbed at one time and the first open cut trench section shall be satisfactorily restored to allow for the passage of traffic prior to the second half of the roadway surface can be disturbed.
- 5) All necessary pavement restoration shall be in accordance with the VDOT LUP-OC Pavement Open Cut Special Provisions and the Open cut Pavement Replacement Detail. These documents can be obtained at: <http://www.virginiadot.org/business/bu-landUsePermits.asp>

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

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

The local VDOT Residency permit office may establish alternate time restrictions in normal working hours and days for land use permits authorizing the installation, operation and maintenance of EVTCS facilities located within state maintained right-of-way.

The classifications for all state maintained highways can be found at the following link: [www.Virginiadot.gov/projects/fxn.class/home.asp](http://www.Virginiadot.gov/projects/fxn.class/home.asp)

### **Holiday Restrictions**

Installation or maintenance of EVTCS facilities 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.

### **Permit Revocation**

Should the locality or the emergency services provider fail to operate an EVTCS in accordance with the requirements of the land use permit, or should the locality allow the EVTCS equipment to fall into disrepair to a sufficient degree that the EVTCS presents a hazard to the public, VDOT reserves the right to render inoperable or remove the EVTCS, as deemed appropriate, at the cost of the locality.

### **Permittee Notice**

The preceding provisions are intentionally condensed in format and should not be loosely interpreted by the permittee without consultation with the local VDOT Residency permit office or the central office permit manager and affirmation from the [Land Use Permit Regulations](#).