



**LAND USE PERMIT  
LUP-RM  
Roadside Memorial Installation**

Section [24VAC30-151-550](#) of the Virginia Department of Transportation (VDOT) Land Use Permit Regulations authorizes the placement of roadside memorials at the site of fatal crashes or other fatal incidents on state maintained highways under the auspices of a VDOT Land Use Permit.

**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 VDOT Land Use Permit authorizing the placement of roadside memorials within 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 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 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 of roadside memorials on state maintained highways 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 roadside memorials on state maintained highways shall be made through the local district permit office where the fatal crash or other fatal incident occurred.

The district administrator's designee receiving the request shall coordinate review and approval of the request with all appropriate VDOT personnel.

**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 land use permit application fee for the installation of roadside memorials within state maintained right-of-way shall be waived.

The permit applicant will be required to pay VDOT for the installation, maintenance and removal the roadside memorial. The amount of these fees will be determined by the district administrator's designee prior to permit issuance. Said fees shall be charged to an accounts receivable established by VDOT and the permittee will be invoiced within thirty (30) days of installation of the roadside memorial.

### **Surety Requirement**

The requirement to provide a surety for the placement of a roadside memorial on state maintained highways is waived.

### **Insurance Requirements**

It is recommended that the permittee secure and maintain sufficient insurance to protect against liability for personal injury and property damage that may arise from the installation of a roadside memorial within state maintained highway right-of-way.

### **General Requirements**

- 1) Any human fatality that occurs on the state highway system is eligible for a memorial. Only family members of the victim may obtain a VDOT Land Use Permit for the placement of a roadside memorial on state maintained highways.
- 2) Only one memorial per fatality will be permitted. VDOT reserves the right to install a group memorial in lieu of individual memorials to commemorate a major incident where multiple fatalities have occurred.
- 3) The applicant must provide a copy of the accident report or other form of information to the district administrator's designee so that the victim's name, date of fatality, and location of the accident can be verified. The district administrator's designee may also require that the applicant supply a copy of the death certificate.
- 4) The applicant will confirm on the application that approval has been obtained from an immediate family of the victim and the adjacent property owner (or owners) to locate the memorial in the designated location. If any member of the immediate family or adjacent property owner objects in writing to the memorial, the application will be denied or the memorial will be removed if it has already been installed.
- 5) The applicant may request an appeal from the district administrator regarding the district administrator's designee's decision to amend or deny the request.
- 6) The memorial shall be located as close as possible to the crash site, but location of the memorial may vary depending on the site and safety conditions.
- 7) If VDOT's right-of-way is insufficient for a memorial to be installed at the crash site, the district administrator's designee will locate a suitable location as close as possible to the incident site to install the memorial where sufficient right-of-way exists.
- 8) VDOT reserves the right to temporarily remove or relocate a memorial at any time for highway maintenance or construction operations or activities.
- 9) Roadside memorials shall remain in place for two years from the date of installation, at which time the permit shall expire. The district administrator's designee may, upon receipt of a written request, grant a one year extension of the permit. Written requests for additional permit extensions must be submitted for each subsequent year.
- 10) The memorial will be removed by VDOT if the permittee fails to provide a written request for a permit extension prior to the initial permit expiration date and/or the expiration date(s) of subsequent extensions.
- 11) The permittee or the family of the victim may request that the memorial be removed at any time after installation.

- 12) The applicant, family, or friends of the victim shall not park, stand, or loiter at the memorial site. It is illegal to park along the interstate system. Due to safety concerns for the traveling public, and friends and family of the deceased, parking, stopping, and standing along any highway is discouraged.
- 13) 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.

### **Traffic Control and 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) 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 district administrator's designee will suspend all permitted activities. Any VDOT certified flag person found to be performing their duties improperly shall have their certification revoked.
- 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

### **VIRGINIA WORK ZONE TRAFFIC CONTROL TRAINING OPTIONS**

The following three options are available to receive Work Zone Traffic Control (WZTC) training based on an individual's job duties and responsibilities as required by the FHWA Final Rule on Work Zone Safety and Mobility and the Virginia Department of Transportation:

**OPTION 1** – Have someone trained to become a qualified instructor in your company who can then instruct others, utilizing training material provided by VDOT. The following qualifications must be met in order to teach the VDOT Basic, Intermediate, or Advanced WZTC training courses:

- **Basic** – Be flagger certified either by VDOT or by the American Traffic Safety Services Association (ATSSA); possess two years of practical experience in Highway Design, Construction, Maintenance, or Traffic Operations; possess two years of documented experience in conducting training courses; and successfully complete the VDOT WZTC Intermediate or Advanced course or complete the ATSSA Virginia Intermediate/Traffic Control Supervisor (TCS) course.
- **Intermediate** - Be flagger certified either by VDOT or by ATSSA; possess two years of practical experience in Highway Design, Construction, Maintenance, or Traffic Operations; possess two years of documented experience in conducting training courses; complete and possess the ATSSA Virginia Intermediate/TCS certification.
- **Advanced** - Be flagger certified either by VDOT or by ATSSA; possess two years of practical experience in Highway Design, Construction, Maintenance, or Traffic Operations; possess two years of documented experience in conducting training courses; complete and possess the ATSSA Virginia Advanced Traffic Control Design Specialist (TCDS) certification or ATSSA Virginia Intermediate TCS certification.

To become an approved instructor, an application must be completed listing the above qualifications and sent to the chairman of VDOT's WZST committee at the following location:

[https://www.virginiadot.org/business/resources/traffic\\_engineering/memos2/TE-345\\_Work\\_ZoneTrafficControl\\_Training\\_Procedures.pdf](https://www.virginiadot.org/business/resources/traffic_engineering/memos2/TE-345_Work_ZoneTrafficControl_Training_Procedures.pdf)

Basic WZTC courses by the Virginia Rural Water Association can be found at the following location:  
<http://www.vrwa.org/> (See Training Schedule)

Training by the Virginia Transportation Construction Alliance (VTCA) can be found at the following location: <http://vtca.org/>

Visit the following site for additional information regarding Virginia's Work Zone Traffic Control training program:  
<http://www.virginia.gov/business/trafficeng-WZS.asp>

### **Physical Requirements**

- 1) The applicant is responsible for the fabrication of the memorial sign. The memorial sign shall be designed in accordance with all applicable sections of the Code of Virginia, the Rules and Regulations controlling Outdoor Advertising and Directional and other Signs and Notices, and the Vegetation Control Regulations for state maintained highway rights-of-way and the approved design specifications contained herein.
- 2) The use of symbols, photographs, drawings, logos, advertising, or similar forms of medium is prohibited on or near the memorial.
- 3) Memorials must be located outside of the mowing limits and roadside ditch line, and as close to the right-of-way line as reasonably possible.
- 4) Memorials must be located in such a manner as to avoid distractions to motorists or pose safety hazards to the traveling public.
- 5) Memorials will not be installed in the median of any highway, on a bridge, or within 500 feet of any bridge approach.

### **Removal**

- 1) Roadside memorials will be removed by VDOT personnel at the end of the initial two-year permit term or any authorized extension thereof.
- 2) Upon removal, the memorial nameplate will be returned to the applicant or a designated family member, if specified on the permit application.
- 3) If the applicant does not wish to retain the nameplate, the nameplate will be reused, recycled, or disposed of at VDOT's discretion.

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

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.

### **Permit Revocation**

At the discretion of the district administrator's designee, the land use permit may be revoked and the memorial removed from the right-of-way for non-compliance with all requirements contained herein and/or specific conditions of the permit.

### **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 or the district administrator's designee and affirmation from the [Land Use Permit Regulations](#).



Land Use Permit Application (LUP-A)

APPLICATION is hereby made for permit as shown on the accompanying plan or sketch and as described below. Said activity(s) will be done under and in accordance with the rules and regulations of the Commonwealth Transportation Board of Virginia, in so far as said rules are applicable thereto and any agreement between the parties herein before referred to. Where applicable agreements may be attached and made a part of the permit assembly including any cost responsibilities covering work under permit. Applicant agrees to maintain work in a manner as approved upon its completion. Applicant also hereby agrees and is bound and held responsible to the owner for any and all damages to any other installations already in place as a result of work covered by resulting permit. 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. In consideration of the issuance of a permit the applicant agrees to waive for itself, successors in interest or assigns any entitlements it may otherwise have or have hereafter under the Uniform Relocation and Assistant Act of 1972 as amended in event the Department or its successor, chooses to exercise its acknowledged right to demand or cause the removal of any or all fixtures, personality of whatever kind or description that may hereafter be located, should this application be approved.

**Applicant information:**

Driver's License or Tax ID No. \_\_\_\_\_ Contact Name \_\_\_\_\_  
Owner Name \_\_\_\_\_ E-mail Address \_\_\_\_\_  
Address \_\_\_\_\_ Telephone Number \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_ Emergency Telephone Number \_\_\_\_\_  
Fax Number \_\_\_\_\_

**Agent information:**

Driver's License or Tax ID No. \_\_\_\_\_ Contact Name \_\_\_\_\_  
Owner Name \_\_\_\_\_ E-mail Address \_\_\_\_\_  
Address \_\_\_\_\_ Telephone Number \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_ Emergency Telephone Number \_\_\_\_\_  
Fax Number \_\_\_\_\_

Permit Term Requested \_\_\_\_\_ Fees Enclosed \$ \_\_\_\_\_ Check Number \_\_\_\_\_ Money Order \_\_\_\_\_  
Estimated cost of work to be performed on VDOT Right of Way \$ \_\_\_\_\_

**Surety Information:**

Surety Posted by: Owner Agent County Resolution Waived  
Bonding Company Name \_\_\_\_\_ Bond # \_\_\_\_\_  
Irrevocable Letter of Credit - Bank Name \_\_\_\_\_ Irrevocable Letter of Credit # \_\_\_\_\_  
Surety paid by Check - Check Number \_\_\_\_\_  
Amount of Surety \$ \_\_\_\_\_ Obligation Amount \$ \_\_\_\_\_  
Request permission to perform the following activity(s): \_\_\_\_\_

If cash/check surety is posted, please complete Commonwealth of Virginia's Substitute Form W-9.

\_\_\_\_\_ as per attached plans.

**Location:** County \_\_\_\_\_ Town \_\_\_\_\_ City of \_\_\_\_\_ Route No. \_\_\_\_\_ Street Name \_\_\_\_\_  
Between Route No. \_\_\_\_\_ Street Name \_\_\_\_\_ and Route No. \_\_\_\_\_ Street Name \_\_\_\_\_  
Latitude \_\_\_\_\_ Longitude \_\_\_\_\_ Tax Map Number \_\_\_\_\_ Applicant Job No. \_\_\_\_\_

Applicant shall provide proof of registration as an operator with the appropriate notification center in accordance as defined in §2.2-1151.1 of the Code of Virginia & must provide a notarized affidavit, stating that the utility owner has notified the commercial and residential developer, owner of commercial or multifamily real estate, or local government entities with a property interest in any parcel of land located adjacent to the property over which the land use is being requested, that application for the permit has been made.

IF APPLICABLE, I AGREE TO PAY THE FULL SALARY AND EXPENSES OF A STATE ASSIGNED INSPECTOR IN CONJUNCTION WITH ACTIVITIES AUTHORIZED UNDER THE AUSPICES OF A VDOT LAND USE PERMIT.

By signing below, I acknowledge that I am fully cognizant of all the LUP-SPG requirements associated with the issuance of a VDOT Land Use Permit.

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.

Signature of Applicant: \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

Signature of Agent: \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

Prepayment required with remittance payable to Treasurer of Virginia.  
All applicable items on this form must be completed to avoid delay in processing the issuance of a VDOT Land Use Permit.

**VDOT USE ONLY**

Receipt is hereby acknowledged for: CHECK No.: \_\_\_\_\_ MONEY ORDER No.: \_\_\_\_\_

In the Amount of \$ \_\_\_\_\_ for PERMIT FEE \$ \_\_\_\_\_ CASH SURETY \$ \_\_\_\_\_

Authorized VDOT Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\*Agent means: Applicant's contractor or a person or business authorized to act on another's behalf.

## Roadside Memorial Sign Specifications



<b>SHAPE</b>	<u>Top Panel</u> Square <u>Bottom Panel</u> Horizontal Rectangle
<b>COLOR</b>	Message and Border: Black (Non-reflectORIZED) Field: Gray (Non-reflectORIZED)
<b>SIZE</b>	<u>Top Panel</u> 24"x24" Min – 30"x30" Max Circle Diameter: 22" Max <u>Bottom Panel</u> Width: 24" Min – 30" Max Height: 6" Min – 9" Max
<b>MESSAGE</b>	<u>Top Panel</u> Line 1: Capital Letters - 3" D Line 2: Capital Letters - 3" D Line 3: Capital Letters - 2" D Line 4: Capital Letters – 2" D <u>Bottom Panel</u> See Notes Below
<b>BORDER WIDTH</b>	<u>Top Panel</u> 1" <u>Bottom Panel</u> 3/8"
<b>CORNER RADIUS</b>	<u>Top Panel</u> 1-1/2" <u>Bottom Panel</u> 1-1/2"

**NOTES:** Top Panel - Vertical spacing between the top of the panel and Line 1 is 4 $\frac{1}{8}$ ". Vertical spacing between Lines 1 and 2 is 2.25". Vertical spacing between Lines 2 and 3 is 2". Vertical spacing between Lines 3 and 4 is 1 $\frac{1}{2}$ ".

Bottom Panel - Vertical spacing between the top of the panel and Line 1 is 2". The use of initials and/or avoidance of hyphenated names may be needed for the deceased's name to fit the bottom panel. If necessary, the bottom panel may be increased to 9" in height and a second line used to accommodate those names that will not fit onto one line. When a 9" panel is used, vertical spacing between the top of the panel and Line 1 is 2" and vertical spacing between Lines 1 and 2 is 1". When the applicant requests that the deceased's name not be indicated, the message "A LOVED ONE" should be used on the bottom panel.

Mounting height of the memorial markers shall be 3' from the top of pavement at the pavement edge to the top of the top panel except in areas behind guardrail and barrier where the mounting height shall be increased as necessary for the markers to be visible.