



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF TRANSPORTATION

4975 Alliance Drive  
Fairfax, VA 22030

CHARLES A. KILPATRICK, P.E.  
COMMISSIONER

October 25, 2016

Insurance Institute for Highway Safety  
1005 N. Glebe Road, Suite 800  
Arlington, Virginia 22201  
**Attention:** Michael D. Fagin, General Counsel, Secretary/Treasurer  
and Vice President for Government Relations

Dear Mr. Fagin:

We recently received a concern claiming your organization set up equipment on property controlled by the Virginia Department of Transportation (VDOT). In reviewing our records it does not appear that your organization had a legal permit to do so. Please be advised that VDOT's rules and regulations provide that no work or activities shall be performed on any real property under the ownership, control or jurisdiction of VDOT until written permission has been obtained from VDOT. Real property includes, but is not limited to, the right of way of any highway in the state highways system. Written permission is either granted by permit or a state authorized contract by VDOT.

For your reference, regulations regarding use of VDOT right-of-way can be found in the following sections of the Virginia Administrative Code: 24VAC30-21, General Rules and Regulations of the Commonwealth Transportation Board and 24VAC30-151, VDOT Land Use Permit Regulations.

Sincerely,

A handwritten signature in blue ink that reads "Helen Cuervo".

Helen Cuervo, P.E.  
Northern Virginia District Administrator

cc: Charles A. Kilpatrick, Commissioner