CHAPTER 664

An Act to amend the Code of Virginia by adding a section numbered 55.1-305.1, relating to owner of a servient estate; reasonable rules of use for easement.

[H 733]

Approved April 13, 2026

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 55.1-305.1 as follows:

§ 55.1-305.1. Owner of servient estate; reasonable rules of use for easement.

A. The owner of a servient estate upon which an easement lies may establish reasonable rules of use of such easement, including establishing a reasonable speed limit.

B. A servient estate owner may bring a civil action alleging a violation of subsection A and may recover actual damages or $500, whichever is greater, and reasonable attorney fees and costs and may seek injunctive relief.

C. This section shall not be used to establish rules of use or to otherwise modify an easement held by a public entity. For the purposes of this section, "public entity" means (i) the United States; (ii) an agency of the United States; (iii) the Commonwealth; or (iv) an agency, institution, authority, or political subdivision of the Commonwealth.