

VIRGINIA ACTS OF ASSEMBLY -- 2003 SESSION

CHAPTER 286

An Act to amend and reenact § 46.2-2099.41 of the Code of Virginia, relating to excursion trains.

[S 1181]

Approved March 16, 2003

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-2099.41 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-2099.41. Certification requirements.

A. A person may apply to the Department for certification as an operator of an excursion train. The Department shall certify an applicant if the Department determines that the applicant will operate a passenger train that:

1. Is primarily used for tourism or public service;
2. Leads to the promotion of the tourist industry in the Commonwealth; and
3. Is primarily operated within a county having a population between 50,000 and 55,000 people, *or a county having a population between 26,000 and 27,000.*

B. An application for certification shall include:

1. The name and address of each person who owns an interest of at least ~~ten~~ 10 percent of the excursion train operation;
2. An address in this Commonwealth where the excursion train is based;
3. An operations plan including the route to be used and a schedule of operations and stops along the route; and
4. Evidence of insurance that meets the requirements of subsection C of this section.

C. The Department shall not certify to a person under subsection A unless the person files with the Department evidence of insurance providing coverage of liability resulting from injury to persons or damages to property in the amount of at least ~~ten~~ \$10 million ~~dollars~~ for the operation of the train.

D. The Department shall not certify an applicant under subsection A of this section if the applicant or any other person owning interest in the excursion train also owns or operates a regularly scheduled passenger train service with interstate connection.