

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

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

3 [S 1181]

4 Approved

5 **Be it enacted by the General Assembly of Virginia:**6 **1. That § 46.2-2099.41 of the Code of Virginia is amended and reenacted as follows:**

7 § 46.2-2099.41. Certification requirements.

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

11 1. Is primarily used for tourism or public service;

12 2. Leads to the promotion of the tourist industry in the Commonwealth; and

13 3. Is primarily operated within a county having a population between 50,000 and 55,000 people, *or a*
14 *county having a population between 26,000 and 27,000.*

15 B. An application for certification shall include:

16 1. The name and address of each person who owns an interest of at least ~~ten~~ 10 percent of the
17 excursion train operation;

18 2. An address in this Commonwealth where the excursion train is based;

19 3. An operations plan including the route to be used and a schedule of operations and stops along the
20 route; and

21 4. Evidence of insurance that meets the requirements of subsection C of this section.

22 C. The Department shall not certify to a person under subsection A unless the person files with the
23 Department evidence of insurance providing coverage of liability resulting from injury to persons or
24 damages to property in the amount of at least ~~ten~~ \$10 million ~~dollars~~ for the operation of the train.25 D. The Department shall not certify an applicant under subsection A of this section if the applicant
26 or any other person owning interest in the excursion train also owns or operates a regularly scheduled
27 passenger train service with interstate connection.