

# 2006 SESSION

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## SENATE BILL NO. 397

Offered January 11, 2006

Prefiled January 11, 2006

A *BILL to require the Virginia Department of Transportation to suspend negotiations with certain private entities under the Public-Private Transportation Act of 1995; emergency.*

Patrons—Hanger, Deeds and Reynolds; Delegates: Johnson and Lohr

Referred to Committee on Transportation

Whereas, the I-81 Public-Private Transportation Act Advisory Panel of the Commonwealth Transportation Board supported the choice of STAR Solutions as contractor contingent upon the consortium's commitment to leverage \$1.6 billion in federal funds for Virginia's I-81; and

Whereas, Congress delivered only a fraction of the federal funding necessary for exclusive truck lanes along Virginia's I-81; and

Whereas, the federal grants for improvement to I-81 do not require, nor can they procure, the massive border-to-border truck lane widening plan espoused by STAR Solutions; and

Whereas, \$41.5 million of the federal moneys earmarked for I-81 in Virginia are not in any way tied to exclusive truck lanes; and

Whereas, pursuant to the Virginia Interstate I-81 Corridor Multi-State Transportation Planning Initiative of 2005 and other initiatives, the Commonwealth has only recently begun substantive communication with other I-81 corridor states to initiate the examination of a regional solution, rather than a state-by-state approach, to the capacity issues in the I-81 corridor, particularly for long distance through freight; and

Whereas, the recent increases in the price of fuel raise significant doubts about the projections of future traffic that assume 2003 fuel prices and form the basis for the scale and financing of the STAR proposal, and have the potential to significantly lower the return on investment for a single-state massive highway widening solution; now, therefore

### **Be it enacted by the General Assembly of Virginia:**

**1.** *Notwithstanding any provision of the Public-Private Transportation Act of 1995 (§ 56-556 et seq.) of the Code of Virginia, the Virginia Department of Transportation shall forthwith suspend any and all negotiations in progress, under the provisions of the Public-Private Transportation Act of 1995, with any private entity, as defined by the Public-Private Transportation Act of 1995, involving or potentially involving improvements to Interstate Route 81 in the Commonwealth. No such negotiations shall resume unless and until the Department is specifically authorized to do so by an act of the General Assembly that also grants explicit approval to a project design concept and identifies project funding sources.*

**2. That an emergency exists and this act is in force from its passage.**

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