

## **Department of Planning and Budget 2008 Fiscal Impact Statement**

**1. Bill Number:** HB454

House of Origin    ☐ Introduced    ☐ Substitute    ☐ Engrossed  
Second House    ☐ In Committee    ☐ Substitute    ☒ Enrolled

**2. Patron:** Rust

**3. Committee:** Passed Both Houses

**4. Title:** HOT Lanes.

**5. Summary:** This bill revises procedures for enforcement of High-Occupancy Toll (HOT) lanes violations.

**6. Fiscal impact estimates are final.**

**7. Budget amendment necessary:** No.

**8. Fiscal implications:** Virginia recently executed a comprehensive agreement, pursuant to the Public-Private Transportation Act (PPTA) of 1995, with Fluor/Transurban for the development of a High Occupancy Toll (HOT) lane facility along 14 miles of the I-495 Capital Beltway. HOT lanes combine High Occupancy Vehicles (HOV) and pricing strategies by allowing single occupancy vehicles to gain access to HOV lanes by paying a toll. The lanes are “managed” through pricing to maintain free flow conditions even during the height of rush hours. As part of the agreement, Virginia will potentially share in excess revenue receipts of the HOT lanes facility above certain targeted rates of return on total investment.

This bill provides a mechanism for collecting fees from violators and/or unauthorized users to cover the administrative costs incurred by the Department of Motor Vehicles or the HOT lanes operator. The HOT lanes operator is required to install and operate a photo-enforcement system at toll locations. Through a contract negotiated with the HOT lanes operator, DMV expects to recover its development and administration costs for HOT lanes enforcement, as it does in the current photo toll enforcement. Except that portion recovered by DMV as part of its contract, all administrative fees and civil penalties are directed to the operator, fines are directed to the Literary Fund.

Having a viable enforcement system is intended to promote a decrease in HOT lane violations and unauthorized usage and concurrent increases in HOT lanes toll collection revenue.

**9. Specific agency or political subdivisions affected:** Department of Motor Vehicles, Virginia Department of Transportation, Virginia High Occupancy Toll lane operators.

**10. Technical amendment necessary:** No.

**11. Other comments:** None.

**Date:** 2/20/2008/jlv

**Document:** G:\08-10\FIS\HB454ER.Doc Janet Vogelgesang

cc: Secretary of Transportation