

Department of Planning and Budget 2009 Fiscal Impact Statement

1. Bill Number: HB2232

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|-----------------|---------------|--------------|---------------|------------|---------------|-----------|
| House of Origin | <u> X </u> | Introduced | <u> </u> | Substitute | <u> </u> | Engrossed |
| Second House | <u> </u> | In Committee | <u> </u> | Substitute | <u> </u> | Enrolled |

2. Patron: Marsden

3. Committee: House Transportation

4. Title: Crashes on HOT lanes under construction on the Capital Beltway.

5. Summary: The proposed legislation would require that when there is a vehicle crash on HOT lanes under construction on the Capital Beltway and the vehicles involved in the crash can be moved and there are no apparent bodily injuries, the drivers must move their vehicles to the nearest designated pull-off area. Failure to do so is punishable by a civil penalty of \$100, to be paid into the Highway Maintenance and Operating Fund (HMOF).

The Virginia Department of Transportation (VDOT) is required to post the bill's requirements on signs along the Capital Beltway in Virginia where HOT lanes are under construction. The bill's provisions expire when the HOT lane project on the Capital Beltway in Virginia is completed and VDOT accepts the project.

The intent of HOT lanes is to convert high occupancy vehicle (HOV) lanes into toll lanes. Under the concept, vehicles meeting certain occupancy requirements may enter the lanes for free, while vehicles with fewer passengers pay a toll to use the lanes

The Virginia Department of Transportation has signed an agreement with a private partner under the provisions of the Public-Private Transportation Act of 1995 (PPTA) to create High Occupancy Vehicle Toll (HOT) on I-495 in Northern Virginia. Construction has begun on that facility. A HOT lanes facility has been proposed on I-95/395 in Northern Virginia.

6. Fiscal Impact Estimates: Indeterminate. See Item 8.

7. Budget Amendment Necessary: None.

8. Fiscal Implications: Currently, one HOT lanes facility is under construction in the Commonwealth, with plans to possibly construct another in the near future. The potential revenue to the HMOF cannot be determined at this time.

9. Specific Agency or Political Subdivisions Affected: Localities in Northern Virginia in which HOT lane facilities are constructed.

10. Technical Amendment Necessary: None.

11. Other Comments: None.

Date: 1/23/2009 dpb/smc

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cc: Secretary of Transportation