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SENATE BILL NO. 365

Offered January 13, 2010

Prefiled January 12, 2010

A BILL to amend the Code of Virginia by adding a section numbered 33.1-56.2:1, relating to mandatory provisions for high-occupancy toll lane construction contracts.

Patrons—Barker; Delegate: Anderson

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 33.1-56.2:1 as follows:

§ 33.1-56.2:1. HOT lane construction contracts.

A. Any contract for the construction of any additional lanes that include HOT lanes and/or the conversion of any existing lanes to HOT lanes on any portion of Interstate Route 395 and/or any portion of Interstate Route 95 between the Interstate Route 95/395/495 interchange and Virginia Route 234 in Prince William County shall specify that average vehicle speeds shall be at least as great as the posted speed limits for such portions of Interstate Route 95 and/or Interstate Route 395 at least 90 percent of the time over a 180-consecutive-day period during morning and evening weekday peak-hour periods.

B. Notwithstanding the foregoing, in the event of an emergency or if the facility is converted for use as an emergency route, or in the event of new or ongoing construction or maintenance on this facility, the minimum average operating speed specified in this section shall not apply.

C. Any contract for construction of HOT lanes as provided in subsections A and B shall specify monetary penalties to be paid by the contractor or operator of the HOT lanes if and when these average vehicle speeds are not met, unless due to circumstances beyond the control of the operator.

INTRODUCED

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