

**Department of Planning and Budget
2010 Fiscal Impact Statement**

1. Bill Number: HB1295

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

2. Patron: Rust

3. Committee: Passed both houses

4. Title: Dulles Access Highway.

5. Summary: The proposed legislation would authorize the use of a photo-monitoring system or automatic identification system on the Dulles Access Highway to identify vehicles using the highway in violation of the usage regulations of the Metropolitan Washington Airports Authority (MWAA). The bill provides for the levy of civil penalties against violators. MWAA is authorized to charge an administrative fee in addition to the penalty. All penalties paid to MWAA are to only be used for the improvement of the Dulles Corridor, including the Dulles Toll Road. If the penalties are not paid, MWAA is authorized to pursue the matter in the appropriate district court. The Commissioner of the Department of Motor Vehicles is to stop the reissuance of vehicle registrations if the court notifies the Commissioner that fines have not been paid.

The bill directs MWAA to use all collected photographs and other data only for the purposes of identifying violators and in related court proceedings. Violations of the authorized use shall constitute a Class 1 misdemeanor.

The Dulles Access Road is toll-free four-lane freeway located between the lanes of the Dulles Toll Road. The access road was built as part of the Dulles International Airport and MWAA restricts the use of the road to those with airport business.

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

7. Budget Amendment Necessary: None.

8. Fiscal Implications: The proposed legislation would authorize the Metropolitan Washington Airports Authority to use electronic systems to identify violators using the Dulles Access Road and issue civil penalties. The bill directs that all penalties be paid to MWAA and used for improvements to the Dulles Corridor.

Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail. There is not enough information available to reliably estimate how many additional inmates in jail could result from this proposal. Any increase in jail population will increase costs to the state. The Commonwealth presently pays the localities \$8.00 a day for each misdemeanant or otherwise local responsible prisoner held in a jail. It also funds most of the jails' operating costs, e.g. correctional officers. The state's share of these costs on a per

prisoner, per day basis varies from locality to locality. However, according to the Compensation Board's most recent Jail Cost Report (November 2009), the estimated total state support for local jails averaged \$32.66 per inmate, per day in FY 2008.

9. Specific Agency or Political Subdivisions Affected: Metropolitan Washington Airports Authority, Department of Transportation

10. Technical Amendment Necessary: None.

11. Other Comments: Identical to SB 667 as enrolled.

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