

## **Department of Planning and Budget**

### **2017 Fiscal Impact Statement**

**1. Bill Number:** HB2244

<b>House of Origin</b>	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Enrolled

**2. Patron:** Jones

**3. Committee:** Passed both houses

**4. Title:** Public-Private Transportation Act (PPTA) of 1995.

**5. Summary:** Changes the Transportation Public-Private Partnership Advisory Committee to the Transportation Public-Private Partnership Steering Committee and provides that the Deputy Secretary of Transportation on the Committee serves as the chairman of the Committee. The bill provides that the responsible public entity may grant approval for the development and/or operation of a transportation facility by a private entity if that entity can develop and/or operate the transportation facility for less cost than the Department of Transportation (VDOT) or the Department of Rail and Public Transportation (DRPT). The bill requires the chief executive officer of the responsible public entity to certify in writing to the Governor and the General Assembly that there has been no material change since the finding of public interest that the public contribution requested by the private entity does not exceed the maximum public contribution. The bill clarifies that the finding of public interest by the Steering Committee shall be made after receipt of responses to the request for qualifications and prior to the issuance of the first draft request for proposals. The bill requires the responsible public entity, when such entity is VDOT or DRPT, to ensure competition through the procurement process and develop a public sector analysis of the cost for the responsible entity to develop and/or operate the transportation facility. The bill requires VDOT or DRPT and the Steering Committee to review the public sector analysis prior to the initiation of any procurement. The bill adds to the information required to be included in the finding of public interest a description of the benefits expected to be realized by the responsible public entity and a public sector analysis demonstrating that the private sector can deliver the project for less cost than the responsible public entity.

**6. Budget Amendment Necessary:** No

**7. Fiscal Impact Estimates:** Final. See Item 8.

**8. Fiscal Implications:** It is anticipated that the provisions of this legislation will help ensure that the Commonwealth receives the greatest financial benefit from any future PPTA deals.

**9. Specific Agency or Political Subdivisions Affected:** VDOT, DRPT, Transportation Public-Private Partnership Advisory Committee, Secretary of Transportation, Secretary of Finance, any public entities pursuing PPTA deals.

**10. Technical Amendment Necessary:** No

**11. Other Comments:** SB 1322 is the companion to this bill.