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## HOUSE BILL NO. 1489

## AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Transportation  
on February 1, 2018)

(Patron Prior to Substitute—Delegate LaRock)

*A BILL to amend and reenact § 33.2-309 of the Code of Virginia, relating to tolling; Northern Virginia.*

**Be it enacted by the General Assembly of Virginia:**

**1. That § 33.2-309 of the Code of Virginia is amended and reenacted as follows:**

**§ 33.2-309. Tolls for use of Interstate System components.**

A. Subject to the limitations provided in § 33.2-119 and in accordance with all applicable federal and state statutes and requirements, the Board may impose and collect tolls from all classes of vehicles in amounts established by the Board for the use of any component of the Interstate System within the Commonwealth.

B. The toll facilities authorized by this section shall be subject to the provisions of federal law for the purpose of tolling motor vehicles to finance interstate construction and reconstruction, promote efficiency in the use of highways, reduce traffic congestion, and improve air quality and for such other purposes as may be permitted by federal law.

C. In order to mitigate traffic congestion in the vicinity of the toll facilities, no toll facility shall be operated without high-speed automated toll collection technology designed to allow motorists to travel through the toll facilities without stopping to make payments. Nothing in this subsection shall be construed to prohibit a toll facility from retaining means of nonautomated toll collection in some lanes of the facility. The Board shall also consider traffic congestion and mitigation thereof and the impact on local traffic movement as factors in determining the location of the toll facilities authorized pursuant to this section.

D. The revenues collected from each toll facility established pursuant to this section shall be deposited into segregated subaccounts in the Transportation Trust Fund and may be allocated by the Board as the Board deems appropriate to:

1. Pay or finance all or part of the costs of programs or projects, including the costs of planning, operation, maintenance, and improvements incurred in connection with the toll facility, provided that such allocations shall be limited to programs and projects that are reasonably related to or benefit the users of the toll facility. The priorities of metropolitan planning organizations, planning district commissions, local governments, and transportation corridors shall be considered by the Board in making project allocations from such revenues deposited into the Transportation Trust Fund.

2. Repay funds from the Toll Facilities Revolving Account or the Transportation Partnership Opportunity Fund.

3. Pay the Board's reasonable costs and expenses incurred in the administration and management of the toll facility.

*E. The Department shall refund to the holder of an electronic toll collection device any sum of tolls collected from such holder of such electronic toll collection device for travel on Interstate 66 east of mile marker 67 that totals over \$200 per calendar month per electronic toll collection device.*

**2. That the Department of Transportation shall implement a program through E-ZPass that provides for a refund on tolling on Interstate 66 east of mile marker 67 such that a holder of an electronic toll collection device associated with an E-ZPass account is refunded for any sum of tolls collected or imposed for travel on Interstate 66 east of mile marker 67 totaling more than \$200 per calendar month per electronic toll collection device.**

**3. That the provisions of this act providing for a refund of aggregate tolls on Interstate 66 east of mile marker 67 shall expire upon the completion of the widening of the four-mile segment of eastbound Interstate 66 from the Dulles Connector Road to Fairfax Drive.**

**4. That the Department of Transportation (the Department) shall activate tolling on Interstate 66 east of mile marker 67 of reverse commuters beginning October 1, 2018. Any toll revenue received from such reverse commuter tolling by the Department shall be deposited in the Commuter Choice Program administered by the Northern Virginia Transportation Commission.**