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HOUSE BILL NO. 1438

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Appropriations
on February 7, 2020)

(Patron Prior to Substitute—Delegate Jones)

A BILL to authorize the Hampton Roads Transportation Accountability Commission to impose and collect tolls in high-occupancy toll lanes on certain portions of Interstate 64.

Be it enacted by the General Assembly of Virginia:

1. § 1. That without limiting the powers of the Hampton Roads Transportation Accountability Commission (the Commission), established under Chapter 26 (§ 33.2-2600 et seq.) of Title 33.2 of the Code of Virginia, the Commission shall, subject to the conditions provided in this act, have the authority to impose and collect tolls on high-occupancy toll lanes on Interstate 64 in the facility. For the purposes of this act, "the facility" means the vicinity of the interchange of Interstate 64 and Jefferson Avenue to the interchange of Interstate 64, Interstate 264, and Interstate 664. The tolls shall be collected by an electronic toll system that, to the extent possible, shall not impede the traffic flow of the facility. The tolls authorized by this section may only be imposed on a portion of the facility that has been designated as high-occupancy toll lanes by the Commonwealth Transportation Board pursuant to § 33.2-502 of the Code of Virginia, and the amount of the tolls shall be varied by congestion level. All such tolls may be used for programs and projects that are reasonably related to or that benefit users of the facility and, without limiting the foregoing, may be used to pay the debt service on and related reserves and financing costs for, and pledged to support, bonds and other evidences of indebtedness the proceeds of which are or were used for construction or improvement of the facility.

§ 2. That, prior to the imposition of tolls pursuant to this act, the Commission shall enter into an agreement with the Commonwealth Transportation Board and the Department of Transportation that (i) sets the standards for the operations of the facility, including the collection of tolls; (ii) addresses the use and application of toll revenues and toll-backed debt proceeds and the reimbursement of any funds expended by the Commonwealth Transportation Board or the Department of Transportation to convert any portion of the facility from high-occupancy vehicle lanes to high-occupancy toll lanes, as these terms are defined in § 33.2-500 of the Code of Virginia; and (iii) contains such other provisions deemed appropriate and necessary to ensure the safe and efficient operations of the general purpose and high-occupancy toll lanes on any portion of the facility where the Commission intends to exercise the authority provided in § 1 of this act.