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HOUSE JOINT RESOLUTION NO. 58

Offered January 8, 2020

Prefiled January 6, 2020

Recognizing that public-private transportation partnership agreements that contain provisions prohibiting or frustrating the construction of non-tolled transportation facilities as alternatives to tolled facilities through economic disincentives are against public policy.

Patrons—Heretick, Scott, Cole, M.L. and Helmer; Senator: Morrissey

Referred to Committee on Rules

WHEREAS, under the Public-Private Transportation Act of 1995 (PPTA) (§ 33.2-1800 et seq. of the Code of Virginia), public and private entities may collaborate to develop and operate qualifying transportation facilities; and

WHEREAS, while the PPTA enables Virginia to deliver major transportation improvements now instead of years or even decades in the future, the general public is still relatively unaware of the potential consequences of this process; and

WHEREAS, contracts entered into under the PPTA can create obligations and limitations on the Commonwealth for years to come and cannot account for public needs or priorities that may develop; and

WHEREAS, efforts to limit or remove tolling on Interstate 66 inside the Beltway have been hindered by the Department of Transportation contract with I-66 Express Mobility Partners for tolling outside the Beltway that provides for a compensation event if tolling inside the Beltway is altered; and

WHEREAS, efforts to limit or remove tolling on the Interstate 264 Downtown Tunnel and U.S. Route 58 Midtown Tunnel between Portsmouth and Norfolk have been hindered by the Department of Transportation contract with Elizabeth River Crossings, LLC that holds the Commonwealth liable for certain lost toll revenues caused by alternative crossings of surrounding waterway; and

WHEREAS, efforts to widen Interstate 95 immediately south of the Occoquan River crossing have been hindered by the Department of Transportation contract with Transurban that holds the Commonwealth liable for any lost toll revenues caused by a widening of Interstate 95; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly recognize that public-private transportation partnership agreements that contain provisions prohibiting or frustrating the construction of non-tolled transportation facilities as alternatives to tolled facilities through economic disincentives are against public policy; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates transmit a copy of this resolution to the Secretary of Transportation in order that the Secretary of Transportation may be apprised of the sense of the General Assembly of Virginia in this matter.

INTRODUCED

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