

State Corporation Commission 2006 Fiscal Impact Statement

1. Bill Number HB317

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

2. Patron Albo

3. Committee Passed Both Houses

4. Title Passenger rail service liability.

5. Summary/Purpose:

Passenger rail service liability. Authorizes an authority to contract with any railroad to allocate financial responsibility for claims against the railroad or the authority arising from or in connection with any incident or accident of any kind related to the provision of passenger rail services. The measure limits the aggregate liability of the authority and any applicable railroad for all claims of rail passengers arising from a single incident or accident of any kind involving passenger rail services or incidental services related thereto for property damage, personal injury, bodily injury, and death to \$250 million per single incident or accident. Provides for a modification of the limitation on aggregate liability every January, beginning in January of 2011. Requires the Virginia Division of Risk Management to examine the history of claims made and amounts recovered against the Virginia Railway Express arising from or in connection with the provision of passenger rail services. A complete review of the findings by the Division of Risk Management shall be provided to the General Assembly by November 30, 2010.

6. No Fiscal Impact on the State Corporation Commission.

7. Budget amendment necessary: No

8. Fiscal implications: None on the State Corporation Commission. There may be fiscal implications on the Virginia Division of Risk Management within the Virginia Department of Treasury.

9. Specific agency or political subdivisions affected: Virginia Division of Risk Management within the Virginia Department of Treasury and political subdivisions of the Commonwealth included in the definition of "authority" as provided in added § 56-446.1 of the legislation

10. Technical amendment necessary: No.

11. Other comments: This bill was introduced at the request of the Virginia Railway Express. The State Corporation Commission's Division of Utility and Railroad Safety has been advised that the Department of Rail and Public Transportation has reviewed this legislation. The Virginia Division of Risk Management within the Virginia Department of Treasury may also wish to review the bill since the Division is referenced in the bill.

Senate Bill 652 appears to be a duplicate bill.

Date: 3/14/06/ MT/AB

cc: Secretary of Transportation