

## State Corporation Commission 2006 Fiscal Impact Statement

**1. Bill Number** HB317

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

**2. Patron** Albo

**3. Committee** Courts of Justice

**4. Title** Passenger rail service liability.

**5. Summary/Purpose:**

Passenger rail service liability. Authorizes any agency or political subdivision of the Commonwealth that provides public rail transportation services to contract with a railroad company to allocate financial responsibility for claims related to passenger rail services. The measure limits the aggregate liability of the agency or political subdivision and the railroad company for claims arising from a single accident or incident related to passenger rail services to \$250 million per incident or accident. Provides for an adjustment to the cap for inflation starting in 2011, and removes willful and wanton conduct from the cap. Requires the Division of Risk Management to examine the history of claims made and amounts recovered against authorities and railroads arising from or in connection with the provision of passenger rail services. The review shall be completed by November 30, 2011.

6. No Fiscal Impact on the State Corporation Commission.

7. Budget amendment necessary: No

8. Fiscal implications: None on the State Corporation Commission.

9. Specific agency or political subdivisions affected: 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: None noted at this time.

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 is reviewing this legislation. The Virginia Division of Risk Management may also wish to review the bill since the Division is referenced in the substitute version of the bill.

**Date:** 2/17/06/ MT

cc: Secretary of Transportation