

Department of Planning and Budget 2009 Fiscal Impact Statement

1. Bill Number: SB1332

House of Origin	<u>X</u>	Introduced	<u> </u>	Substitute	<u> </u>	Engrossed
Second House	<u> </u>	In Committee	<u> </u>	Substitute	<u> </u>	Enrolled

2. Patron: Cuccinelli

3. Committee: Transportation

4. Title: **Private entities operating, managing, or supervising any portion of the state highway system**

5. Summary: The proposed legislation would provide that a private entity that operates, manages, or supervises any portion of the state highway system and receives funding from the Commonwealth or any of its political subdivisions shall be considered a public body for purposes of the Virginia Freedom of Information Act as it relates to that portion of the private entity's business operations responsible for operating, managing, or supervising the portion of the state highway system.

6. Fiscal Impact Estimates: Preliminary. See Item 8.

7. Budget Amendment Necessary: None.

8. Fiscal Implications: The proposed legislation would require certain information of private partners operating under the provisions of the Public-Private Transportation Act of 1995 to be made available under requests made pursuant to the Virginia Freedom of Information Act. The bill should not impact state funds. It is not known if the proposed legislation may discourage potential private parties to enter into agreements with the state to manage or operate components of the highway system, due to the potential of being required to disclose proprietary information.

9. Specific Agency or Political Subdivisions Affected: Department of Transportation

10. Technical Amendment Necessary: None.

11. Other Comments: None.

Date: 2/3/2009 dpb/smc

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cc: Secretary of Transportation