

Department of Planning and Budget 2011 Fiscal Impact Statement

1. Bill Number: SB1048

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

2. Patron: Barker

3. Committee: Transportation

4. Title: HOT lane construction contracts.

5. Summary: The proposed legislation would require that HOT lane construction contracts contain requirements for minimum average speed for vehicles using the facility.

A high occupancy vehicle toll (HOT) lane facility is a transportation concept which converts high occupancy vehicle (HOV) lanes into toll lanes. Vehicles meeting the minimum occupancy requirements may travel the facility for free, while those with fewer occupants may utilize the facility after paying a toll.

VDOT and a private partner, under the provisions of the Public-Private Transportation Act of 1995 (PPTA), have begun construction of a HOT lanes facility on I-495. VDOT is also working to close a contract to construct a HOT lanes facility on I-95/395. A lawsuit is currently pending against the I-95/395 project.

6. Budget Amendment Necessary: None.

7. Fiscal Impact Estimates: Indeterminate. See Item 8.

8. Fiscal Implications: The bill provides that any contract for construction of HOT lanes must specify monetary penalties to be paid by the contractor or operator of the HOT lanes if such average vehicle speeds are not met. It cannot be determined at this time what revenue may be generated by such monetary penalties. The proposed legislation does not specify a use for any such revenues. It is not clear what impact the provisions of the bill may have on the final comprehensive agreement signed with the private partner on the I-95/395 contract.

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

10. Technical Amendment Necessary: None.

11. Other Comments: None.

Date: 1/27/2011 dpb/smc

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