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SENATE JOINT RESOLUTION NO. 458**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the Senate Committee on Rules

on February 7, 1999)

(Patron Prior to Substitute—Senator Edwards)

Requesting the Department of Rail and Public Transportation, in cooperation with the Department of Transportation and the Secretary of Commerce and Trade, to study the operation of excursion trains as tourist attractions in Virginia.

WHEREAS, excursion train rides offer a unique opportunity for tourists to ride on an early 20th-century steam-powered train through picturesque and scenic mountains, forests, and farmlands, and rich and attractive historical sites and cities; and

WHEREAS, a strong rail excursion industry that attracts tourists promotes a healthy and robust economy in the communities it serves; and

WHEREAS, the success of the excursion train industry in other states has been attributed to railroad carriers' ability to use low-density or abandoned trackage, state-owned rails, such as the Great Smoky Railway in North Carolina, or regional freight lines, such as the Ohio Central; and

WHEREAS, the excursion train industry in Virginia is hampered by Virginia's railroad business success, since almost all of Virginia's rails are privately owned, carry a fairly heavy traffic flow, or are committed for future development; and

WHEREAS, previous efforts to offer excursion programs in Virginia during the 1970s and 1980s met with several difficulties, including low ridership, under-capitalization, and concerns about carrier liability and interference with freight traffic; and

WHEREAS, among the mid-Atlantic states, Virginia is the only state that does not operate excursion trains for tourists; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Department of Rail and Public Transportation, in cooperation with the Department of Transportation and the Secretary of Commerce and Trade, be requested to study the operation of excursion trains as tourist attractions in Virginia.

In conducting this study, the Department shall examine excursion trains for tourists in other states and examine the issues of liability, insurance and incentives involved in the operation of such trains in Virginia.

The Department of Rail and Public Transportation shall provide staff support for the study. All agencies of the Commonwealth shall provide assistance to the Department of Rail and Public Transportation, upon request.

The Department of Rail and Public Transportation shall complete its work in time to submit its findings and recommendations to the Governor and the 2000 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.