

## Study Resolution

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### **Tolling & Traffic Congestion Reduction**

Authorized by the Commission on November 13, 2023

WHEREAS, the Commonwealth Transportation Board has set objectives to reduce (i) how much travel occurs in severe congestion, and (ii) peak-period travel times and daily trip lengths in metropolitan areas; and

WHEREAS, the Commonwealth has major congestion relief projects completed, underway, and planned in Northern Virginia and on the I-95 and I-81 corridors; and

WHEREAS, the state executes congestion relief projects using a mix of state-owned and operated toll roads and those operated and owned through a public-private partnership (P3), including in Northern Virginia which has 7 major toll roads; and

WHEREAS, P3 contracts are very long-term, complex arrangements that include “compensation events” for which the state has agreed to compensate concessionaires for damages for: state-caused delays; changes to state law or policy, including those that affect (i) the construction of the project or (ii) tolling (when the project is supported by toll revenue); and injunctions stemming from National Environmental Policy Act violations; now, therefore, be it

RESOLVED by the Joint Legislative Audit and Review Commission that staff be directed to review the state’s efforts to reduce traffic congestion (i) in Northern Virginia and on Interstate 95 through the use of tolling and public-private partnerships (P3’s), and (ii) on Interstate 81. In conducting its study staff shall (i) evaluate the transparency and understandability of toll obligations when driving through the various tolled roads in Northern Virginia; (ii) determine to what extent existing P3’s affect the state’s ability to address congestion in Northern Virginia; (iii) identify lessons from prior public-private partnerships across the state that may help ensure future P3’s are sufficiently cost-effective and advantageous to the Commonwealth over the long-term; (iv) evaluate the availability and sustainability of funding for planned congestion-related improvements on the I-81 corridor; and (v) identify what, if any, opportunities exist for the state to raise additional revenue for planned congestion-related improvements on the I-81 corridor. JLARC may make recommendations as necessary and may review other issues as warranted.

All agencies of the Commonwealth, including the Department of Transportation, Office of the Secretary of Transportation, Commonwealth Transportation Board, Department of Motor Vehicles, Department of Planning and Budget, and Metropolitan Planning Organizations shall provide assistance, information, and data to JLARC for this study, upon request. JLARC staff shall have access to all information in the possession of agencies pursuant to § 30-59 and § 30-69 of the Code of Virginia. No provision of the Code of Virginia shall be interpreted as limiting or restricting the access of JLARC staff to information pursuant to its statutory authority.