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Toll road authority measure advances

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By Chelyen Davis

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RICHMOND--

Legislation to create a transportation authority for a bypass to congested State Route 3 survived a critical hurdle yesterday, passing two Senate committees and the reservations of a local senator.

The bill, from Del. Bobby Orrock, R-Caroline, creates a transportation authority in Fredericksburg and Spotsylvania County.

The authority is the first step in developing a proposed toll road off a yet-to-be-built exit on Interstate 95 south near Central Park, and cross through that area to Gordon Road, bypassing Route 3 congestion.

The Fredericksburg Area Metropolitan Planning Organization is conducting a study of the feasibility of building such a toll road.

That study will still need to get data on final cost estimates and toll feasibility, as well as locations for the potential exit and road. Also, the Federal Highway Administration must approve all changes to the interstate.

But Orrock's bill is necessary for FAMPO to develop a toll authority; because of the Dillon Rule, localities must apply to the state for permission to undertake such activities.

However, Sen. Edd Houck, D-Spotsylvania, had doubts about it.

He worried that the authority was too broad, and wanted it restricted to the Route 3 corridor, an amendment Orrock agreed to.

Houck also pushed for new wording that clarifies that any bonds issued by the authority are not the state's responsibility.

"Don't come back to the commonwealth and ask us to have any responsibility on those bonds," Houck told Orrock. "Just don't put the commonwealth in the mix at all. That's what I'm trying to accomplish."

Orrock agreed to that amendment and others. The bill now says that any move to raise the toll on the

road above \$1 will have to be approved by both Fredericksburg and Spotsylvania's local governments.

Houck suggested that because he has heard stories of other toll roads in the state winding up with higher tolls than expected, just to pay the costs of building and maintaining the roads.

The bill was also amended to require the localities to hold public hearings on the road proposal.

"I've lived and represented that area now for 26 years I don't really believe this whole authority proposition has been thoroughly vetted in the public domain," Houck said. "It is a level of government that we haven't had up in our area before we've got to let the people up in that area have some idea. Not just the stakeholders, the public. After all, that's who we expect is going to pay these tolls and use this road."

Orrock agreed to all those amendments, as well as several from Sen. Ken Cuccinelli that essentially stripped out most references to eminent domain.

"I tried to address every concern that all committee members brought up," he said.

He had plenty of time--the bill was first heard by the Senate Transportation Committee and then sent to the Senate Finance Committee, which heard it an hour later.

Houck sits on both committees, and wanted the bill to go through Finance to address his worries about the bonding responsibilities.

Houck eventually recommended reporting the bill to the full Senate, saying his primary concerns had been answered.

But he was publicly critical of Orrock's votes as a member of the House Finance Committee, which has killed Senate-proposed tax increases for transportation purposes in recent years.

"Your committee needs to change. We need some different actions," Houck told Orrock. "If you're really serious as a member of our delegation, from our area there'll be a different approach taken in the House Finance committee. There is much bigger, bigger problem out there that we need your help to try to resolve."

The full Senate will vote on the bill next week, and then it will go back to the House to approve the amendments.

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