

State Public Private Partnership Authorizing Legislation and Transportation Project Examples

State	Authorizing Legislation	Range of Private Sector Involvement	Transportation Project Examples*
AL	Ala. Code § 23-1-81	Authorizes county commissions and the Alabama Department of Transportation to issue licenses to private individuals or entities to establish and operate toll bridges and toll roads.	Foley Bridge Project 13.5 mile four-lane highway and bridge linking the City of Foley to Orange Beach. Project was completed in the summer of 2002.
AZ	Ariz. Rev. Stat. §§ 28-7701 – 28-7758	Transportation legislation passed in 1990 authorizes both solicited and unsolicited proposals.	----
AR	Ark. Code Ann. §§ 27-86-201 - 27-86-211	Authorizes private road and bridge franchises.	----
CA	Three administration-supported bills currently under consideration in the State Assembly	Previous legislation (AB 680) allowed for development of state highway systems under authority granted to Caltrans.	SR 125 Toll Road Project 11 mile toll way connecting San Diego port to regional freeway system. Utilizes build-transfer-lease structure.
CO	Colo. Rev. Stat. §§ 43-3-202.5, 43-3-307-322	Allows for solicited and unsolicited proposals on turnpike projects. Colorado Senate has postponed consideration of new legislation permitting the Colorado Tolling Enterprise to set uniform tolling rates.	E-470 Toll Road Project 47 mile “orbital toll road” around the eastern edge of Denver. Final phase of construction completed in 2003.
DE	Del. Code Ann. tit. 2, §§ 2001- 2012	Allows for solicited and unsolicited proposals on transportation projects. Not limited to pilot projects.	----
FL	Fla. Stat. Ann. § 334.30	Amended in 2004 to permit PPP agreements for projects included in the state’s 5-year work program without further project-specific legislative approval.	Significant transportation projects including Southern Connection portion of Florida Greenway, Sunshine Skyway, Pinellas Bayway, and the Western Beltway in Orlando.
GA	Ga. Code Ann. §§ 32-2-78 32-2-79	Legislation encourages development of PPP projects.	Georgia Rte 316 Toll Road Project Atlanta-Athens Tollway that will make extensive use of electronic tolls.

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IL	20 Ill. Comp. Stat. 2705/2705-450	Allows for high speed rail and magnetic levitation projects. Municipalities may also promote PPPs within their jurisdiction.	Chicago Skyway \$1.83 billion lease and operation of Chicago Skyway by City of Chicago pursuant to municipal ordinance.
LA	La. Rev. Stat. Ann. §§ 48:2020, 2072	Allows all levels of state government to engage in PPPs.	Statewide project to widen nearly 560 miles of road to boost economic development in Louisiana. Private entities would operate as an extension of the LA DOTD and be responsible for financial administration, project management, design consulting, and construction oversight.
MD	Md. Code Ann., Transp. § 8-204	According to 1996 Attorney General opinion, general authorizing statute permits Maryland Transportation Authority to construct toll roads under a PPP framework.	Several projects being considered for PPP potential, including: I-495/95 Capital Beltway in Maryland; I-270 Frederick to Capital Beltway; I-695 Baltimore Beltway; Inter County Connector; US-50 Annapolis to DC line; I-95 Capital Beltway to Baltimore Beltway; I-81 WV to PA; MD-5 DC line to US-301 at Brandywine; MD-4 Upper Marlboro to DC; and MD-210 Indian Head to DC.
MA	Project Specific Legislation	Authorized Route 3 North Project	Route 3 North Project Project involves significant improvements to heavily utilized corridor circling Boston and to the New Hampshire border.
MN	MN Statute Ann. §§ 160.84 - 160.93	Permits private development of toll facilities	Hiawatha Light Rail Rail link between downtown Minneapolis, Minneapolis-St. Paul International Airport and the Mall of America. The 12 mile, 17 station route was constructed with two separate design-build projects.
MO	Mo. Rev. Stat. §§ 238.300 - 360	Creates a non-profit Transportation Corp. to explore PPP opportunities	Lake of the Ozarks Bridge
NJ	N.J. Stat. Ann. § 27:25-5	Allows for Design-Build-Operate-Maintain contracts.	Hudson-Bergen Light Rail Light rail project scheduled for completion in the fall of 2005. Initial 9.5 mile route with stations, park-and-rides, and transfers completed in 2002.

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NV	Nev. Rev. Stat. 338	Permits PPP undertakings for certain transportation projects.	Las Vegas Monorail Publicly financed project to expand and upgrade the existing monorail system servicing the center of the resort corridor.
NY	No specific legislation but PPP proposals under discussion	----	----
NC	N.C. Gen. Stat. §§ 136-89.180 - 89.194	Creates North Carolina Turnpike Authority which is authorized to enter into PPPs.	HOT lane proposals have been made, such as I-40.
OR	Or. Rev. Stat. §§ 383.001, 383.017	Allows for tollway projects.	\$1.3 billion Oregon Transportation Investment Act III State Bridge Delivery Program to repair or replace about 365 bridges throughout Oregon.
SC	S.C. Code Ann. § 57-3-200	Authorizes the Department of Transportation to enter into PPP agreements.	Private construction and resource management firms contracted to manage statewide highway modernization project. The \$5 billion project will include the largest ever SCDOT bridge project — the replacement of the Cooper River Bridge.
TX	Tex. Transp. Code Ann. §§ 227, 370	Legislation enables PPP initiatives to meet statewide transportation project goals.	Trans-Texas Corridor First of a series of new transportation corridors to be developed using toll-like user fees to support financing.
UT	Utah Code Ann. §§ 72-6-118, 72-2-120	Lays groundwork for PPP transportation projects. Recent legislation also delegates to the Utah DOT the authority to impose tolls on new roads.	Interstate 15 Reconstruction Utah's first design-build project. In addition to the construction of HOV lanes through Salt Lake City and the construction of more than 16 miles of interstate roadway, the project included the construction or rebuilding of more than 130 bridges. The impetus for the project was the City's hosting of the 2002 Olympic Winter Games.

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VA	Va. Code Ann. §§ 56-556 - 56-575	Public-Private Transportation Act of 1995 allows for wide range of PPP undertakings.	The Commonwealth of Virginia manages one of the most advanced PPP systems. Current projects include a 14 mile extension of the existing Dulles Toll Road; construction of a new 9 mile toll road outside of Richmond; and a third crossing between Hampton Roads and the Norfolk metropolitan area. VDOT recently approved a \$900 million HOT lane PPP project for the Washington Capital Beltway.
WA	Wash. Rev. Code Ann. §§ 47.46.010 - 47.46.900	Legislation authorizes up to six experimental projects to explore the viability of PPP projects.	Tacoma Narrows Bridge Replacement of existing bridge on a PPP basis.
WI	Wis. Stat. Ann. § 84.01(30)	Legislation gives the Wisconsin Department of Transportation the authority to explore and engage in BOL and BOT transportation endeavors.	----

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