



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

Stephen C. Brich, P.E.
Commissioner

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September 16, 2024

The Honorable Jennifer Boysko
Chair, Senate Transportation Committee
Post Office Box 247
Herndon, Virginia 20172

The Honorable Karrie Delaney
Chair, House Transportation Committee
Post Office Box 231023
Centreville, Virginia 20120

Dear Chairwoman Boysko and Chairwoman Delaney:

I am pleased to submit this report in accordance with § 46.2-749.3 (A.3) of the Code of Virginia. Section 46.2-749.3 (A.3) directs the Commissioner of Highways to annually report, to the Chairs of the Senate and House of Delegates Committees on Transportation, the “traffic volumes on the HOV facilities that result in a degraded condition as identified in SAFETEA-LU or other applicable federal law and reported to the Federal Highway Administration”.

Per 23 U.S.C. 166, a High Occupancy Vehicle or “HOV” facility is considered to be degraded if vehicles operating on the facility are failing to maintain a minimum average operating speed 90 percent of the time over a consecutive 180-day period during morning or evening weekday peak hour periods (or both). The minimum operating speed means (a) 45 miles per hour, in the case of an HOV facility with a speed limit of 50 miles per hour or greater, and (b) not more than 10 miles per hour below the speed limit, in the case of an HOV facility with a speed limit of less than 50 miles per hour (United States Code, Title 23, Section 166).

At this time, there are no facilities in the Commonwealth operating in a degraded state.

If you have any questions, please do not hesitate to contact me or Mr. Kevin Gregg, VDOT’s Chief of Maintenance and Operations, at 804-786-6830.

Sincerely,

A handwritten signature in blue ink that reads "Stephen C. Brich".

Stephen C. Brich, P.E.
Commissioner of Highways

The Honorable Jennifer Boysko

The Honorable Karrie Delaney

September 16, 2024

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cc: The Honorable W. Sheppard Miller III
Kevin Gregg
William Cuttler
Mark Cole
Paul Szatkowski