153rd GENERAL ASSEMBLY
FEE IMPACT

BILL:	**HOUSE SUBSTITUTE NO. 1 FOR HOUSE BILL NO. 450**
SPONSOR:	**Representative Bush**
DESCRIPTION:	**AN ACT TO AMEND TITLE 9, TITLE 17, TITLE 22, AND TITLE 29 OF THE DELAWARE CODE RELATING TO LAND USE.**

In accordance with 29 Del. C. §913, the following information is provided relating to licenses and fees.

Description of the Legislation:

This Act, known as the Reforming Opportunities and Accelerated Development for Delaware Act, modifies and expands Delaware's land use permitting process. The Department of Transportation (DOT) will adopt standards, regulations, and fees for a statewide transportation impact fee and collect and distribute an additional surcharge equal to 2% of the transportation impact fee.

Affected Entities:

The DOT and any entities applying for land use permits.

Fiscal Impact:

Until the DOT establishes regulations and fee amounts, the total revenues of the transportation impact fee and surcharge are unknown. The DOT will determine the transportation impact fee for each county based on the reasonable proportionate share of new development of the projected total costs to bring applicable transportation infrastructure up to state standards.

The DOT will publish the formula used to calculate the transportation impact fee and shall reevaluate the formula every 5 years. Any increase in the transportation impact fee is capped at the increase in the United States Consumer Price index plus 2%.

Intended Use of Revenue:

Revenues generated by the transportation impact fee will be deposited into the Transportation Impact Fee Fund. The transportation impact fee is intended to fund the DOT's planning, designing, engineering, and construction of improvements related to improving existing transportation infrastructure, including deficient pedestrian facilities and substandard signal and intersection facilities, acquisition of applicable rights-of way and easements, and the DOT's funding of necessary administrative costs to staff and otherwise administer the program.

DOT will, in consultation with the applicable county government, use any transportation impact fee collected to fund improvements in the same county as the development paying the transportation fee.

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