



2025-2026 General Assembly

HOUSE BILL 1094: Ferry Division Audit/Department of Transportation Omnibus, Sec. 26: Developer Flexibility for Performance Guarantees

Analysis of: S.L. 2026-46, Sec. 26

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Prepared by: Legislative Analysis
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Section 26 of S.L. 2026-46 (House Bill 1094) allows a Department of Transportation driveway or encroachment permit applicant to provide additional forms of performance guarantee, including an irrevocable letter of credit, surety bond, or other instrument that provides equivalent security to a surety bond or irrevocable letter of credit. Currently, before granting a permit for a driveway or other highway encroachment, the Department requires the applicant to file a bond.

This section became effective July 7, 2026, and applies to permit applications filed on or after that date.

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